

# Division of Family and Children Services

## ***TANF***

2024-10-28

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# 1000 General Program Overview

## 1001 TANF (Temporary Assistance for Needy Families)

|   |   |  |                       |
|---|---|--|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |  |                       |
|   | <b>TANF Policy Manual</b>                               |  |                       |
|   | <b>Policy Title:</b>                                    | TANF (Temporary Assistance for Needy Families) |                       |
|   | <b>Effective Date:</b>                                  | November 2023                                  |                       |
|   | <b>Chapter:</b>   | 1000   | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 49   | <b>Updated or Reviewed in MT:</b>              | MT-75                 |

### Requirements

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) eliminated the open-ended entitlement of Aid to Families with Dependent Children (AFDC). The PRWORA created a block grant for states to provide time-limited cash assistance for needy families, with work requirements for most recipients. The law also made far-reaching changes to childcare, the Child Support Enforcement program and benefits for legal immigrants.

### Basic Considerations

The passage of the PRWORA was largely an outgrowth of the following findings of the U.S. Congress:

- Marriage is the foundation of a successful society.
- Marriage is an essential institution of a successful society that promotes the interests of children.
- Promotion of responsible fatherhood and motherhood is integral to successful child rearing and the wellbeing of children.
- In 1992, only 54 percent of single-parent families with children had a child support order established and only about one-half of that number received the full amount due.
- The number of individuals receiving AFDC had more than tripled since 1965. More than two-thirds of these recipients were children. Eighty-nine percent of children receiving AFDC benefits lived in homes in which no father was present. While the number of children receiving AFDC benefits nearly tripled between 1965 and 1992, the total number of children in the United States declined by 5.5 percent.
- The increase in the number of children receiving public assistance was closely related to the increase in births to unmarried women. Between 1970 and 1991, the percentage of births to unmarried women increased from less than 11 percent to nearly 30 percent of all live births.
- It was estimated that the rate of pregnancy among unmarried teenagers rose 23 percent from 1976 to 1991, and the overall rate of pregnancy for unmarried women rose 14 percent from 1980 to 1992.
- By contrast, the overall pregnancy rate for married couples decreased by more than 7 percent

between 1980 and 1991. If the current trend in non-marital births was to continue, it was estimated that 50 percent of all births by the year 2015 would be out-of-wedlock.

- The increase of teenage pregnancies among the youngest girls was found to be particularly severe and linked to the predatory sexual practices of men significantly older than the girls. It was decided that the issue of male responsibility had to be addressed as part of an effective strategy to combat teenage pregnancy.
- It was determined that out-of-wedlock births and raising children in single-parent homes have negative consequences for the parent, the child, the family, and society.

For example, only 9 percent of married-couple families with children under 18 years of age had income below the national poverty level.

In contrast, 46 percent of female-headed households with children under 18 years of age were below the national poverty level. It was also found that children born into families receiving welfare assistance are three times more likely to receive welfare themselves when they reach adulthood than children not born into families receiving welfare. Based on its findings, Congress decided that preventing out-of-wedlock pregnancies and reducing out-of-wedlock births was in the nation's interests, and that policies needed to be developed that addressed what Congress termed a national "crisis".

The PRWORA eliminated the AFDC program, JOBS and Emergency Assistance (EA), and created the Temporary Assistance for Needy Families (TANF) Block Grant. The purposes of TANF are to:

- aid needy families so that children can be cared for in their homes or in the homes of relatives,
- end the dependency of needy parents on government benefits by promoting job preparation, work, and marriage,
- prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies, and
- encourage the formation and maintenance of two-parent families.

The following work requirements were established under TANF.

- Unless a state opts out, non-exempt adult recipients who are not working must participate in community service two months after they start receiving benefits.
- Adults are required to participate in work activities within two years after they start receiving assistance under the block grant.
- States may exempt parents with children under twelve months of age from work requirements and may disregard them in calculating participation rates.
- States may not penalize parents with children less than six years of age for not working if child-care is not available.

In conjunction with the PRWORA, states are required to:

- operate a family assistance program and specify which state agencies will administer and supervise the program,
- operate a child support enforcement program,

- operate a foster care and adoption assistance program,
- establish standards and procedures to ensure against fraud and abuse, and
- establish standards and procedures to ensure that domestic violence will be identified.

In operating the TANF program, Georgia provides cash assistance on a temporary basis to needy families with dependent children. We believe that welfare is not good enough for any family, and that children are better off when responsible caretakers are able to provide for their families.

Therefore, the Georgia Department of Human Services (DHS), through the Division of Family and Children Services (DFCS), assists parents and grantee relatives in creating a secure future for their families through stable employment. Georgia emphasizes that there is dignity in work and urges responsible adult behavior and economic self-sufficiency to end dependency on government assistance.

To meet this primary goal, DHS provides all possible assistance to parents and grantee relatives with job preparation, work opportunities, support services and enforcement of child support obligations to children living in these families. In so doing, Georgia will enable needy families to become self-sufficient and leave the TANF program as soon as possible.

Promoting the well-being of the children of Georgia is the mission of the Department of Human Services, Division of Family and Children Services. In order to fulfill its mission, the Department assists families in their efforts to acquire the necessary means to achieve economic self-sufficiency.

A TANF Family Service Plan (TFSP) will be developed with the family and may include:

- job search, job training, and assistance with job placement
- support services such as childcare, transportation, and other necessary expenditures that assist families in obtaining and sustaining employment, thus eliminating the need for cash assistance
- support services intended to support and maintain two-parent families, and
- support services intended to prevent teen and out-of-wedlock pregnancies.

According to the TFSP, assistance is provided in the following manner:

- cash assistance that is provided by electronic benefit transfer.

Georgia is committed to developing strong families by utilizing all work requirements contained in the federal legislation. This commitment includes the provision of childcare and other support services necessary to not just place people in jobs, but to help keep them employed.

Participants who go to work and become ineligible for cash assistance due to employment may continue to receive childcare, as well as other support services, if available, ensuring stable employment and decreasing recidivism.

Georgia's focus is on what is beneficial to children extends beyond merely providing cash assistance. Georgia is committed to end the cycle of welfare dependency that has characterized entitlement-based programs in the past.

Children in TANF families have access to Georgia's Pre-Kindergarten and HOPE Scholarship programs. DHS has begun an initiative that seeks to strengthen families by expanding out-of-school ser-

vices to youth throughout the state. Refer to Georgia’s TANF State Plan.


Children in Georgia benefit from the availability of child welfare, public health and community-based programs and prevention programs can benefit a broad range of at- risk youth.

Georgia requires responsible parental behavior as a condition of eligibility for public assistance. It is expected that the public assistance grant will be used for the well-being of the children and families. It includes, but is not limited to, providing shelter, paying utilities, or purchasing non-food items.

The State has continued its immunization requirement implemented prior to the PRWORA.

Georgia has also added work acceptance and maintenance requirements, a teen living arrangement provision, and participation in work activities. These efforts are coupled with aggressive child support enforcement.

## 1002 Confidentiality

|  Georgia Division of Family and Children Services<br>TANF Policy Manual |                 |                                   |       |
|---|-----------------|-----------------------------------|-------|
| <b>Policy Title:</b>  | Confidentiality |                                   |       |
| <b>Effective Date:</b>  | August 2019     |                                   |       |
| <b>Chapter:</b>   | 1000            | <b>Policy Number:</b>             | 1002  |
| <b>Previous Policy Number(s):</b>   | MT 41           | <b>Updated or Reviewed in MT:</b> | MT-49 |

### Requirements

Information concerning Temporary Assistance for Needy Families (TANF) applicants or recipients (A/R) is restricted to purposes directly connected to the administration of the TANF program.

### Basic Considerations

The state statute that provides the legal basis for safeguarding the confidentiality of assistance-related information is the Official Code of Georgia Annotated 49-4-14. This statute restricts the use or disclosure of information concerning applicants for or recipients of public assistance to purposes directly connected to the administration of public assistance.

In addition, various Federal regulations specifically forbid the release of TANF Program information to unauthorized persons or agency representatives.

All case record material is confidential, including names and addresses of applicants and recipients (A/R), as well as the types and amounts of benefits provided.

Interviews should be conducted in a confidential setting.

Records, information and communication of the Division, including County Departments of Family and Children Services, that identify applicants for, or recipients of, cash assistance under the TANF program, are confidential and are not considered public records.

## Release of Information Without the Consent of the Client

The disclosure of information concerning applicants and recipients is limited to purposes directly connected with the administration of the TANF Division, and to the administration of other Federal assistance programs and federally assisted state programs which aid on a means-tested basis to low-income individuals/families. These programs include:

- Food Stamps
- Child Support
- IV-E Foster Care
- Adoption Assistance
- SSI
- Medicaid
- Office of Inspector General-Benefits Recovery Unit
- Human Services
- Social Security Administration
- Income Eligibility Verification System (IEVS), and
- the General Office of the U.S.

The purpose of disclosing the client's information to other programs is establishing eligibility, determining the amount of benefits and providing services to the applicants and/or recipients. Information used solely for these purposes can be released without the consent of the applicant or recipient.

Confidential information can also be released without the consent of the client in the following situations if:

- the authorized persons are conducting an investigation, prosecution, or criminal proceeding in connection with the administration of any of the programs listed above.

Such investigations include, but are not limited to, audits, quality control reviews, and fraud investigations.

- the authorized persons are conducting research and the research findings will be useful in the administration of any of the programs listed above. The Division Director, Section Director, Field Director or County Director must decide if the research will be useful.



A researcher who wishes to collect information directly from a client must be authorized by the Division Director and comply with DHS policy concerning confidentiality and access to records.

- During an emergency in which previous attempts to obtain the A/R's consent have been unsuccessful, and it is the judgment of the Division Director, Section Director, Field Director or County Director that the release of information is necessary to prevent loss of life or a risk to life or health.



Notification must be sent immediately to the last known address of the A/R when information is released in such a situation.

- Confidential information may be disclosed to other divisions within the Department of Human Services (DHS), including county departments, or to staff of Federal or Federally funded programs that provide financial assistance or services to the client if the information is to be used for the purpose of service delivery or program administration.

Clients should be informed about policy concerning the exchange of information between service providers.

- The current address of a TANF recipient who is a fleeing felon or parole violator to avoid prosecution, custody or confinement for a felony may be disclosed to a law enforcement officer if the officer provides the A/R's name and Social Security number to the agency and if the officer demonstrates to the satisfaction of the agency that the A/R is a fleeing felon or parole violator.

The case record must be clearly documented regarding the evidence presented, including the name of the law enforcement official to whom the information was given.

The release of confidential client information in any of the situations is restricted to persons or agency representatives who are subject to standards of confidentiality comparable to those employed by the Georgia Department of Human Services.

Certain information in a client's case record may have come from another office or agency and be marked as prohibited from release without the client's written consent, e.g., confidential medical information. Such information can only be released to the client, the client's legal representative, or the court. Any other request for the document must be made to the office or agency that was the source of the document.

Information about TANF applicants and recipients may be provided to a committee or legislative body without the client's written consent if it can be verified that the information is needed for any of the aforementioned reasons.

If it cannot be shown that the request meets any of these criteria, the requested information cannot be provided to a committee or legislative body.

### **Release of Information to an Applicant/Recipient**

If requested, the case record must be made available for examination by the A/R and/or the A/R's legal representative. Material presented at a hearing that constitutes the basis for a decision must be made available to the client and/or the client's legal representative, with one exception.

Refer to [Appendix B, Hearings](#), for policy regarding release of case information for hearings.

Medical information marked "confidential" by a physician or mental health professional may be withheld from the A/R if it is believed that release of the information could be harmful to the A/R.

If the A/R requests information that cannot be released, the A/R should be referred to the health professional who provided the information and determined that it needed to remain confidential.

Information regarding a pending criminal prosecution cannot be released to the A/R. The state

agency may withhold confidential information, such as the names of individuals who have disclosed information about the AU without the AU's knowledge.

Information obtained from/through an IRS/BEER match or IRS cannot be released to the A/R.

If an A/R requests to examine information in his or her own denied case, the documented reason for denial and any plan for subsequent action from the case record must also be provided to the A/R.

### **Other Requests for Information**

Whenever a request for information is received from a source not mentioned in this section, the A/R's written permission must be obtained prior to the information's release.

A signed authorization form from the A/R entitles the person requesting the information to all relevant information in the case record described or encompassed in the A/R's authorization. The authorization expires after 90 days unless the A/R specifies a shorter authorization period.

If an A/R is a minor or mentally incompetent, any authorization for release must be signed by the A/R's parent, guardian, legally responsible agent, or a person authorized by the A/R's legally responsible agent to act on behalf of the A/R.

If the A/R is incapable of signing such an authorization, the authorization must be signed either by the A/R's legally responsible agent or a person with the written permission of the A/R or the A/R's legally responsible agent to act in the A/R's behalf.

The same policies already described in this section also apply to requests for information received from other government agencies, the courts, or law enforcement officials outside of the program areas described above.

When a client or legal representative requests information from or inspection of the case record, the request should be made in advance of the time by which the information is needed.

The agency shall cooperate by establishing a time and place convenient for the client or the client's legal representative for receipt of the information or inspection of the case record.

Economic Support Services (ESS) staff can release information only in compliance with the guidelines. A staff person must consult with his/her immediate supervisor should there be any question regarding the propriety of releasing a piece of information.

Any person violating this law shall be guilty of a misdemeanor.

### **General Information**

General information that is not identified with an individual does not need to be safeguarded. Such information may be released upon request. Examples include statistical information of the numbers of TANF recipients, total expenditures of TANF funds, or system-derived social data.

DFCS may charge for copies of case record material.



## Employee Cases

An employee may be eligible for certain public assistance benefits.

Employees who apply for or are receiving benefits as a member of a household must notify their immediate supervisor. All employees' cases must be handled by a supervisor or the supervisor's designee.

Each county should develop a plan for limited access to cases involving employees by other staff members and by the employee.

The District Manager must be notified of any employee receiving benefits and must approve the plan for handling the employee cases.


Employees should not handle the applications or cases for their relatives or personal friends and should immediately notify their respective supervisor if faced with such a situation.

Employees should not be appointed the authorized representatives unless approved by the District Manager.

The employee/client must comply with all requirements of the program in which he or she is participating including the prompt and accurate reporting of all changes in income or household circumstances, as required by the policy.

If an employee acts on, or views the case of another employee, a relative or an individual of personal interest, he or she may be subject to disciplinary action and/or prosecution for a second- or third-degree felony.

## 1003 Civil Rights

|   |  |                                   |  |               |
|---|--|-----------------------------------|--|---------------|
|  | <b>Georgia Division of Family and Children Services<br/>Civil Rights Policy Manual</b> |                                   |  |               |
|   | <b>Policy Title:</b>   | Civil Rights                      |  |               |
|   | <b>Chapter:</b>  | 3700                              | <b>Effective Date:</b>                           | March 1, 2023 |
| <b>Policy Number:</b>   | 3701   | <b>Previous Policy Number(s):</b> | FS Policy 3030, MA Policy 2025, TANF Policy 1003 |               |

## Policy

The Georgia Department of Human Services (“DHS”), Division of Family and Children Services’ (“DFCS”) Civil Rights Compliance policy is created to ensure DHS/DFCS and its contractors comply with laws, regulations, and policies prohibiting unlawful discrimination in the administration of DFCS programs, services, and activities.

## Scope

This policy applies Department-wide to all staff who are involved with the administration of any DFCS programs, services, and activities; and extends to DFCS' subrecipients, contractors, grantees,

agents, and providers of services (“Providers”) as required by law or contract. This policy only covers program access, not employment matters.

## Basic Considerations

This policy establishes DHS/DFCS' and its Providers' compliance with Civil Rights laws and regulations, including the methods of administration and reasonable assurances described in 45 C.F.R. § 80.4(b) [U.S. Department of Health and Human Services (“HHS”)]; 7 C.F.R. § 272.2(b) [U.S. Department of Agriculture (“USDA”) Supplemental Nutrition Assistance Program (“SNAP”)]; 7 C.F.R §§ 247.4(c)(6) [USDA-Commodity Supplemental Food Program (“CSFP”)], 7 C.F.R. § 251.10(c) [USDA-The Emergency Food Assistance Program (“TEFAP”)]; 7 C.F.R, § 250.4 [CSFP and TEFAP].

This policy substitutes and replaces all prior Methods of Administration that conflict with or that are otherwise inconsistent with the DFCS policies, procedures, forms, and other related Civil Rights documents that are referenced within this policy. DHS documents that concern Civil Rights and that are applicable to DFCS' programs, services, and activities are referenced within this document.

DFCS and its Providers must incorporate the appropriate assurance of nondiscrimination language in its agreements and contracts with subrecipients and contractors. **Attachment A** contains samples of the current assurances for USDA and HHS programs. Refer to *FNS Instruction 113-1 - Civil Rights Compliance and Enforcement – Nutrition Programs and Activities, Section X and Appendix A and C* for additional information regarding assurances of nondiscrimination in USDA programs.

## Requirements

### A. Nondiscrimination in DFCS programs, services and activities

DHS/DFCS and its Providers are prohibited from unlawfully discriminating in the administration of DFCS programs, services, and activities on the basis of race, color, national origin, disability, age, and sex (including gender identity and sexual orientation). In any USDA SNAP program or activity, DFCS and its Providers are also prohibited from discriminating on the basis of religious creed and political beliefs. In any HHS program or activity, DFCS and its Providers are also prohibited from discriminating based on religion. These entities also are prohibited from engaging in reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by a federal agency.

**To access DFCS' Notice of ADA/Section 504 Rights and the joint U.S. Department of Agriculture, U.S. Department of Health and Human Services' Notice of Nondiscrimination, click [here](#).**



DFCS is prohibited from disclosing Personally Identifiable Information (PII) or Protected Health Information (PHI) to unauthorized individuals. Therefore, DFCS will not disclose or allow access to the complainant's PII or PHI without the appropriate authorization. In situations where a companion or other individual requests a reasonable modification or communication assistance on behalf of a person with a disability, DFCS will contact the person with a disability or authorized representative to clarify the request.

### B. Right to file a Civil Rights, ADA/Section 504 Complaint

Customers who allege unlawful discrimination have the right to file a civil rights complaint, which includes complaints about decisions made regarding requests for reasonable modifications for individuals with disabilities and requests for language assistance services (interpreters and translated materials) for individuals who have limited English proficiency (“LEP”).

All written or verbal complaints alleging discrimination on the basis of race, color, national origin, age, sex (including gender identity and sexual orientation), disability, political beliefs or religion or retaliation for engaging in prior Civil Rights activity in any of the DFCS’s programs, activities or services are processed in accordance with the *DFCS Civil Rights, ADA/Section 504 Complaint Process*.

DFCS and its local agencies, subrecipients and contactors must forward all discrimination complaints to the DFCS Civil Rights and ADA/Section 504 Coordinator as required by DFCS’ Complaint Process. **For more information about DFCS’ Civil Rights, ADA/Section 504 complaint process and form, follow the link here or visit [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights).**

### C. Right to Request Reasonable Modifications and Free Communication Assistance

#### 1. Reasonable Modifications

Reasonable modifications afford an individual with a disability an equal opportunity to participate in all DFCS programs and receive all benefits and services for which that individual is otherwise eligible. DFCS must make reasonable modifications in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability, unless it is demonstrated that making the modification would fundamentally alter the nature of the service, program, or activity or would result in undue financial and administrative burdens. **For more information about the requirement to provide reasonable modifications to customers with disabilities, follow the link here or visit [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights).**

#### 2. Auxiliary Aids and Services for Communication

DHS/DFCS and its Providers must provide free auxiliary aids and services for DFCS customers and their companions with disabilities (e.g., DFCS customers with hearing, vision, and speech disabilities) to ensure equally effective communication in accordance with the ADA and Section 504. A companion is any family member, friend, or associate of a DFCS customer and who is an appropriate person with whom the entity should communicate. **For more information about communication assistance for individuals with disabilities, follow the link here or visit [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights).**

#### 3. Language Assistance Services for Communication

DHS/DFCS and its Providers must provide free qualified interpreters and translated information in a timely manner when communicating with DFCS’ LEP customers. LEP individuals do not speak English as their primary language and have a limited ability to read, write, speak, and/or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing). A customer may be considered LEP if he/she prefers to communicate with DHS/DFCS in a language other than English, orally or in writing.

**For more information about providing customers language assistance services, DHS/DFCS staff must refer to DHS LEP/SI Policy 2001 found in [ODIS](#).**

#### D. Public Notifications

DHS/DFCS and its Providers must inform participants, applicants, and the general public of their program rights and responsibilities, their protection against discrimination and the procedures for filing a discrimination complaint. Additionally, DHS/DFCS and its Providers must provide effective notice to individuals with LEP regarding the availability of free language assistance services (interpreters and translated information) in languages that they can understand. Similarly, DHS/DFCS must notify individuals with disabilities about the availability of free auxiliary aids and services and reasonable modifications and how to request them in a format that they can understand.

**For USDA programs:** Public notices, including the appropriate USDA nondiscrimination statement, should appear in reception areas, within vital documents, on websites, online systems, and telephone voice mail menus on customer service lines. Staff should also notify individuals with LEP or with disabilities that these services are provided at no cost to them. For more information about public notices for persons with LEP, staff must refer to DHS LEP/SI Policy 2001 found in [ODIS](#).

**To obtain a copy or for more information about public notices for individuals with disabilities, follow the link here or visit [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights).**

USDA programs have specific requirements for displaying the appropriate nondiscrimination statement that advertises how to file a complaint on all information materials and sources and websites used by State agencies, local agencies, or other subrecipients to inform the public about Food and Nutrition Service (FNS) programs. The electronic versions of the USDA Nondiscrimination Statement are found at [www.fns.usda.gov/cr/fns-nondiscrimination-statement](http://www.fns.usda.gov/cr/fns-nondiscrimination-statement).

Similarly, the USDA issued directives on posting the appropriate *And Justice for All Poster* (AJFA). The AJFA poster Form AD-475-A is the poster that applies to CSFP and TEFAP; Form AD-475-B is the poster that applies to SNAP. The applicable AJFA posters must be prominently displayed in all offices where there is a USDA presence and where customers can view it. See *FNS Instruction 113-1, Section IX, Appendix A and Appendix C*; and the *USDA Departmental Regulation 4300-003 – Equal Opportunity Public Notification Policy*. To obtain a poster, contact the DFCS Food and Nutrition Unit Director.

#### E. Civil Rights and ADA/Section 504 Training

DFCS requires all DHS/DFCS and Provider staff involved in administering or delivering DFCS programs, activities, and services to meet Civil Rights training requirements. All DFCS staff and Provider staff are required to take the Civil Rights training, ADA/Section 504 training, and Customer Service and Communication training annually and within 30-days from the date of hire. Office of Family Independence and child welfare staff may be required to take additional training specific to the operation of their respective programs, services, and systems. Training for DFCS staff is available on IOTIS.

**Additional training requirements for USDA programs:** Training is required so that staff involved in all levels of administration of programs that receive Federal financial assistance

understand civil rights related laws, regulations, procedures, and directives. Staff responsible for reviewing Civil Rights compliance must receive training to assist them in performing their review responsibilities. This training may be carried out as part of ongoing technical assistance. The FNS Regional Civil Rights Officer trains DFCS state-level personnel. DFCS is responsible for training the appropriate state-level personnel, local DFCS office personnel, and its Providers, including “frontline staff”. “Frontline staff” who interact with program applicants or participants, and those persons who supervise “frontline staff”, must receive civil rights training on an annual basis. “Frontline staff” also includes Providers.

According to FNS Instruction 113-1, Section IX, Civil Rights training that covers USDA programs (e.g., SNAP, CSFP and TEFAP) must include but is not limited to the following specific topics: collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable modifications and auxiliary aids and services for individuals with disabilities, requirements for language assistance, conflict resolution, customer service and, when applicable, verification of citizenship, immigration status and social security numbers. [To access Civil Rights and ADA/Section 504 training, refer to IOTIS.](#)

#### F. Race and Ethnicity Data Collection, Maintenance, and Reporting

DFCS must ensure that the appropriate data is collected and maintained by its local agencies and its Providers when required by federal and state statutes, regulations and directives. This includes collection of race and ethnicity in accordance with the U.S. Office of Management and Budget and each federal or state agency requirements. This data is to determine how effectively DFCS' programs, activities, and services are reaching potentially eligible persons and beneficiaries, identify areas where additional outreach is needed, assist in the selection of locations for Civil Rights compliance reviews, and complete reports as required. Each federal agency has collection, maintenance, and reporting requirements. Refer to each DFCS program's policies/procedures for specific program data collection requirements.

DFCS programs, services and activities funded by the USDA (e.g., SNAP, CSFP and TEFAP) must follow the applicable “Data Collection and Reporting” requirements in *FNS Instruction 113-1, Section XII and is Appendix A and Appendix C* and in subsequent FNS policies and directives **Attachment B** contains minimum requirements for data collection in USDA programs.

#### G. Collection of Citizenship, Immigration Status, and Social Security Numbers

Each DFCS program must adhere to any applicable federal and state requirements regarding noncitizen eligibility and collection of this data. However, each DFCS program must ensure that collection and verification of citizenship, immigration status and social security numbers, when required by federal statutes and regulation, does not result in an access barrier or unlawful discrimination in DFCS' programs, services and activities. Those who are eligible for DFCS' programs must not be deterred from applying because of insufficient public notifications or inappropriate data collection methods.

**For USDA programs:** Citizenship, immigration status and social security numbers should not be requested for CSFP and TEFAP. For collection of this data in SNAP, staff cannot require any information about the citizenship, immigration status or social security number of anyone who is not applying for SNAP or, deny SNAP to applying household members because a non-applicant

household member has not disclosed his or her citizenship or immigration status or social security number. Under no circumstances may DFCS or its Providers: 1) Require any information about the citizenship or immigration status of anyone who is not applying for SNAP; 2) Deny SNAP to applying household members because a non-applicant household member has not disclosed his or her citizenship or immigration status or Social Security number; or 3) Try to establish or verify immigration status through any means other than the procedures outlined in the [SNAP Guidance on Non-Citizen Eligibility](#). DHS has primary responsibility to determine the status of non-citizens.

For additional information, refer to the USDA FNS SNAP Guidance on Non-Citizen Eligibility at [www.fns.usda.gov/snap/eligibility/non-citizen-eligibility](http://www.fns.usda.gov/snap/eligibility/non-citizen-eligibility).

#### H. Evaluating Civil Rights Compliance/Resolution of Noncompliance

DFCS program staff monitor all Civil Rights criteria captured within each program's management evaluations, quality assurance reviews, compliance reports, and civil rights reviews of its local agencies and its Providers and ensures resolution of noncompliance is accomplished in accordance with applicable federal guidelines. Staff must report concerns and instances of non-compliance with civil rights policies to the DFCS Civil Rights and ADA/Section 504 Coordinator. The DFCS Civil Rights and ADA/Section 504 Coordinator and program staff must work together to resolve noncompliance matters in a timely manner.

**For USDA programs (refer to FNS Instruction 113-1, Sections XIII and XIV and Appendix A and Appendix C):** The program staff performing compliance reviews must notify the noncompliant DFCS local agency or Provider, in writing, of the review findings and requirements/recommendations immediately after the review is completed.

Noncompliance is a factual finding that any Civil Rights requirement, as provided by law, regulation, policy, instruction, or guidelines, is not being adhered to by the DHS/DFCS or its local agencies, subrecipients or contractors. The effective date of the finding of noncompliance is the date a written notice of noncompliance is provided to the entity under review. All programs must cooperate with the DFCS Civil Rights and ADA/Section 504 Coordinator and the DHS LEP/SI Program Manager (for LEP only) to resolve Civil Rights findings or concerns within 60 days of the effective date.

Additionally, DFCS must resolve instances of noncompliance in USDA programs in accordance with *FNS Instruction 113-1, Section XIV*. For any finding in a USDA program that is not resolved in 60 days of the effective date, the DFCS Civil Rights and ADA/Section 504 Coordinator must submit a report of Findings of Noncompliance with appropriate documentation to the FNS Regional Civil Rights Officer.

#### Authorities (This list is not exhaustive)

- A. **Title VI of the Civil Rights Act of 1964** (42 U.S.C. § 2000d et seq., 28 C.F.R. § 42.101 et seq. [DOJ], 7 C.F.R. § 15.1 et seq., 15.60 et seq. [USDA]; 45 C.F.R. § 80.1 et seq. [HHS]);
- B. **Title IX of the Education Amendments of 1972** (20 U.S.C. § 1681 et seq., 28 C.F.R. § 54.100 et seq. [DOJ], 34 C.F.R. § 106 et seq. [DOE], 7 C.F.R. Part 15a [USDA], 45 C.F.R. § 86.1 et seq. [HHS]);
- C. **Section 504 of the Rehabilitation Act of 1973** (29 U.S.C. § 794, 28 C.F.R. § 42.501 et seq. [DOJ], 7 C.F.R. § 15b et seq. [USDA], 45 C.F.R. § 84.1 et seq. [HHS]);

- D. **Age Discrimination Act of 1975** (42 U.S.C. § 6101 et seq., 7 C.F.R. Part 15c [USDA], 45 C.F.R. § 91.1 et seq. [HHS]);
- E. **The Food and Nutrition Act of 2008**, as amended, Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program (7 USC § 2011 et seq. 7 CFR 271, 272, 273, and 276)
- F. **Indian Child Welfare Act of 1978** (25 U.S.C. § 1901 et seq., 25 C.F.R. § 23.101 et seq.);
- G. **Title II of the Americans with Disabilities Act of 1990, as amended** (42 U.S.C. § 12131 et seq., 28 C.F.R. § 35.101 et seq. [DOJ]);
- H. **Title III of the Americans with Disabilities Act of 1990, as amended** (42 U.S.C. § 12181 et seq., 42 U.S.C. §12205a, 28 C.F.R. § 36.101 et seq. [DOJ]) (as applicable);
- I. **Americans with Disabilities Act Amendment Act of 2008 (ADAAA)** (42 USC § 12101 et seq. at 28 CFR 35),
- J. **Presidential Executive Order 13166** “Improving Access To Services For Persons With Limited English Proficiency” (Aug. 11,)
- K. **Multiethnic Placement Act of 1994** (42 U.S.C. § 1996b, 45 C.F.R. §1355.38);
- L. **Section 11(c) of the Food and Nutrition Act of 2008, as amended** (7 U.S.C. § 2020(c) [USDA]);
- M. **FNS Nondiscrimination Compliance**, 7 C.F.R. § 247.4(c)(6), 251.10(c), (e)(3), 272.4, 272.6 [USDA];
- N. **FNS Instruction 113-1: Civil Rights Compliance and Enforcement – Nutrition Programs and Activities** and its Appendix A and Appendix C;
- O. O.C.G.A. § 30-3-1 et seq.;
- P. O.C.G.A. § 30-4-1 et seq.

**Document References and Links (The lists may not be exhaustive)**

The following are references to applicable DHS and DFCS Civil Rights and ADA/Section 504 notices, policies, procedures, forms, tools, posters, and other documents. Generally, policies and procedures are available on ODIS. Additional forms and documents may be referenced in each of the documents referenced below:

A. Applicable to all DFCS programs, activities, and services

1. Policies, procedures, and forms:

- a. DFCS MAN 3400 (POL 3401) – American with Disabilities Act and Section 504
- b. DFCS Civil Rights and ADA/Section 504 Complaint Process (Available in English and Spanish)
- c. DFCS Civil Rights, ADA/Section 504 Complaint Form (Form 724 - Available in English and Spanish)
- d. ADA Reasonable Modification Form 101 and 102 Instructions
- e. DFCS Reasonable Modification and Communication Assistance Request Form for Persons with Disabilities (Form 101-Available in English, English Large Print, Spanish, Spanish Large Print)
- f. DFCS Reasonable Modifications (RM) and Communication Assistance (CA) Tracking Form (Form 102)

- g. ADA Reasonable Modification Form 101 and 102 Manual Tracking Log
  - h. DHS POL 2001: DHS LEP/SI policy
  - i. DHS MAN 2001: Access Plan for Constituents with Limited English Proficiency (LEP) and Sensory Impairments (SI) (with Attachments)
2. Training (Available on DFCS' IOTIS training site):
- a. DHS 1100 - Civil Rights and LEP (All DFCS and OFI Community Partners, required annually and within 30-days of hire)
3. Required signage and posters:
- a. DFCS “Notice of ADA/Section 504 Rights” and the attached joint U.S. Department of Agriculture, U.S. Department of Health and Human Services' Nondiscrimination Statement
  - b. [Georgia Department of Human Services Notice of Free Interpretation Services](#)
  - c. “AND JUSTICE FOR ALL” posters
    - 1. [For TEFAP and CSFP \(FNS Form AD-475A\)](#)
    - 2. [For SNAP \(FNS Form AD-475B\)](#)



DFCS programs, services and activities funded by the USDA (e.g., SNAP) must follow applicable “Public Notification” requirements (see e.g., FNS Instruction 113-1).

4. Link(s):
- a. DFCS Nondiscrimination and Disability webpage – [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights)
  - b. ADA/Section 504 documents and forms – [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights)
  - c. LEP/SI - [dhs.georgia.gov/organization/about/language-access](https://dhs.georgia.gov/organization/about/language-access)

## B. Office of Family Independence (OFI)

1. Policies, procedures, and forms:
- a. All OFI programs
    - 1. DFCS' “Duties of the Office of Family Independence District ADA/Section 504 Coordinators” (Available in ODIS)
    - 2. DFCS OFI “ADA/Section 504 District Coordinator List”
    - 3. DFCS' “Quality Assurance Unit’s Plan for Periodic Random Sampling of Fair Hearing Requests and ADA/Section 504 DFCS County” (DFCS Management Evaluation (ME) Plan)
    - 4. DFCS' “County Department Civil Rights/ADA Reasonable Modifications Compliance Review Guide” (Form 723)
  - b. Food Stamp Program
    - 1. 3025 General Program Overview: Americans with Disabilities Act/Section 504
    - 2. 3030 General Program Overview: Civil Rights
  - c. Medicaid Program



1. 2020 General Program Overview: Americans with Disabilities Act/Section 504

2. 2025 General Program Overview: Civil Rights

d. TANF Program

1. 1003 General Program Overview: Civil Rights

2. 1004 General Program Overview: Americans with Disabilities Act and Section 504 of the Rehabilitation Act

e. Energy Assistance Program

1. 800 General Program Overview: Americans with Disabilities Act/Section 504

f. Community Services Block Grant (CSBG) Program

1. 800 General Program Overview: Americans with Disabilities Act/Section 504

2. Training (\*Available on DFCS' IOTIS training site):

a. \*DHS 1100 - Civil Rights and LEP (All DFCS and Gateway Community Partners, required annually and within 30-days of hire)

b. \*ADA 204 - ADA Section 504 Training (OFI and Gateway Community Partners only)

c. \*WEX 242: ADA Training Updates (OFI only, Gateway training)

d. \*WEX 243: CR 675021 Civil Rights Updates (OFI only, Gateway training)

e. ADA/Section 504 DFCS District Coordinator Training (OFI only)

f. DHS 3000: Customer Service and Communication

C. Child Welfare

1. Policies, procedures, and forms:

a. All child welfare programs

1. 1.4 Administration: Non-Discriminatory Child Welfare Practices

2. 1.5 Administration: Americans with Disabilities Act (ADA)/Section 504 and Reasonable Modifications

3. 1.6 Administration: Indian Child Welfare Act (ICWA) and Transfer of Responsibility for Placement and Care to a Tribal Agency

4. DFCS Child Welfare “ADA/Section 504 Regional Coordinator List”

5. 1.16 Administration: Civil Rights Complaint Process

b. Foster care and adoption

1. 14.11 Resource Development: Individualized Assessment

2. Individualized Assessment Tool for Prospective and Existing Caregivers

2. Training (\*Available on DFCS' IOTIS training site):

a. \*DHS 1100 - Civil Rights and LEP (All DFCS, required annually and within 30-days of hire)

b. \*OCP 833 – ADA/504 Individualized Assessment

c. \*ADA/Section 504 DFCS Regional Coordinator Training –“WEB 153: Regional FC/Ado ADA

Coordinator Training” (Foster care & adoption)

- d. \*OCP 777 - Indian Child Welfare Act (ICWA)
- e. \*OCP 131 – Multi-Ethnic Placement Act (MEPA)/Inter-Ethnic Adoption Provisions Act (IEPA)
- f. \*ADA 205 - Part 2: Civil Rights Protections for Individuals with Opioid Use Disorder

## Responsibilities

While the DFCS Division Director is responsible for the Division’s Civil Rights and ADA/Section 504 compliance, all DHS/DFCS staff administering DFCS programs, services, and/or activities are required to adhere to DFCS' Civil Rights Compliance policy.

The DFCS Civil Rights and ADA/Section 504 Coordinator is the official designee responsible for ensuring the Division’s compliance with Civil Rights statutes and regulations, including Title VI, the ADA, and Section 504. Such compliance includes but is not limited to: ensuring DFCS customer requests for Reasonable Modifications and the provision of auxiliary aids and services (e.g., assisting DFCS staff with sensory impaired customers). In coordination with the DFCS Civil Rights and ADA/Section 504 Coordinator, DFCS District ADA/Section 504 Coordinators are designated to provide support to the Office of Family Independence relating to compliance with disability related laws, and DFCS Child Welfare Regional ADA Coordinators provide related support for child welfare (adoptions, foster care, and/or child abuse and neglect).

The DFCS Quality Assurance Unit provides various Civil Rights and ADA/Section 504 compliance activities for DFCS' Office of Family Independence. The DHS LEP/SI office provides support to DFCS regarding matters involving DFCS customers who are LEP. Staff must report concerns and instances of noncompliance with civil rights policies to the DFCS Civil Rights and ADA/Section 504 Coordinator.

For questions regarding this and other Civil Rights and ADA/Section 504 policies/procedures, contact the DFCS Civil Rights and ADA/Section 504 Coordinator.

## History

This policy replaces: (1) all prior DFCS Methods of Administration (e.g., executed in 1999 and 2000); (2) DFCS Food Stamp Policy 3030 (General Program Overview: Civil Rights); (3) DFCS Medicaid Policy 2025 (General Program Overview: Title VI/Section 504 Civil Rights); and (4) DFCS TANF Policy 1003 (General Program Overview: Title VI/Section 504 Civil Rights).

## Attachments

Attachment A – USDA and HHS Assurances of Nondiscrimination

Attachment B – FNS Instruction 113-1-Data Reporting Attachment A

### Attachment A

#### FY23 Sample Assurance Language for State SNAP Agency Contracts and Subrecipient Agreements

The **[contractor/subrecipient]** agrees to comply with Title VI of the Civil Rights Act of 1964 (42

U.S.C. 2000d *et seq.* ), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 *et seq.* ), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Age Discrimination Act of 1975 (42 U.S.C. 6101 *et seq.* ), section 11(c) of the Food and Nutrition Act of 2008, as amended (7 U.S.C. 2020), Title II and Title III of the Americans with Disabilities Act (ADA) of 1990 as amended by the ADA Amendments Act of 2008 (42 U.S.C. 12131-12189) as implemented by Department of Justice regulations at 28 CFR part 35 and 36, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” (August 11, 2000), and all requirements imposed by the regulations issued by the Department of Agriculture to the effect that, no person in the United States shall, on the grounds of sex, including gender identity and sexual orientation, race, color, age, political belief, religious creed, disability, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under SNAP. This includes program-specific requirements found at 7 CFR part 15 *et seq.* and 7 CFR 272.6.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal assistance extended to the **[contractor/subrecipient]** under the authority of the Food and Nutrition Act of 2008, as amended. Federal financial assistance includes grants, and loans of Federal funds; reimbursable expenditures, grants, or donations of Federal property and interest in property; the detail of Federal personnel; the sale, lease of, or permission to use Federal property or interest in such property; the furnishing of services without consideration, or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting the recipient or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient; or any improvements made with Federal financial assistance extended to the **[contractor/subrecipient]** by the USDA, State agency or local agency. This assistance also includes any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of cash assistance for the purchase of food, cash assistance for purchase or rental of food service equipment or any other financial assistance extended in reliance on the representations and agreements made in this assurance.

By accepting this assurance, the **[contractor/subrecipient]** agrees to compile data, maintain records, and submit records and reports as required, to permit effective enforcement of nondiscrimination laws and permit authorized State agency and/or USDA personnel during hours of program operation to review and copy such records, books, and accounts, access such facilities and interview such personnel as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, USDA, FNS, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the **[contractor/subrecipient]**, its successors, transferees, and assignees as long as it receives assistance or retains possession of any assistance from USDA. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the **[contractor/subrecipient]**. Attachment A

#### **Sample Assurance Language for U.S. Health and Human Services (HHS) State Agency Contracts and Subrecipient Agreements**

ASSURANCE OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 504 OF THE REHABILITATION ACT OF 1973, TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, THE AGE DISCRIMINATION ACT OF 1975, SECTION 1557 OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT, AND FEDERAL CONSCIENCE AND ANTI-DISCRIMINATION LAWS

\*With respect to compliance with 45 C.F.R. Part 88, the signatory is providing assurance of compliance with such Part to the extent it is in effect during the term of the award. Consistent with applic-

able court orders, the version of Part 88 in effect as of December 2, 2019, is found at 76 Fed. Reg. 9,976-77 (February 23, 2011).

The Applicant provides this assurance in consideration of and for the purpose of obtaining Federal grants, loans, contracts, property, discounts or other Federal financial assistance from the U.S. Department of Health and Human Services.

THE APPLICANT HEREBY AGREES THAT IT WILL COMPLY WITH:

1. Title VI of the Civil Rights Act of 1964, as amended (codified at 42 U.S.C. § 2000d et seq.), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 80), to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
2. Section 504 of the Rehabilitation Act of 1973, as amended (codified at 29 U.S.C. § 794), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 84), to the end that, in accordance with Section 504 of that Act and the Regulation, no otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
3. Title IX of the Education Amendments of 1972, as amended (codified at 20 U.S.C. § 1681 et seq.), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 86), to the end that, in accordance with Title IX and the Regulation, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity for which the Applicant receives Federal financial assistance from the Department.
4. The Age Discrimination Act of 1975, as amended (codified at 42 U.S.C. § 6101 et seq.), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 91), to the end that, in accordance with the Act and the Regulation, no person in the United States shall, on the basis of age, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
5. Section 1557 of the Patient Protection and Affordable Care Act, as amended (codified at 42 U.S.C. § 18116), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 92), to the end that, in accordance with Section 1557 and the Regulation, no person in the United States shall, on the ground of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any health program or activity for which the Applicant receives Federal financial assistance from the Department.
6. As applicable, the Church Amendments, as amended (codified at 42 U.S.C. § 300a-7), the Coats-Snowe Amendment (codified at 42 U.S.C. § 238n), the Weldon Amendment (e.g., Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act,

2019, Div. B., sec. 507(d), Pub. L. No. 115-245, 132 Stat. 2981, 3118 (Sept. 28, 2018), as extended by the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019, Pub. L. No. 116-59, Div. A., sec. 101(8), 133 Stat. 1093, 1094 (Sept. 27, 2019)), Section 1553 of the Patient Protection and Affordable Care Act, as amended (codified at 42 U.S.C. § 18113), and Section 1303(b)(4) of the Patient Protection and Affordable Care Act, as amended (codified at 42 U.S.C. § 18023(b)(4)), and other Federal conscience and anti-discrimination laws, including but not limited to those listed at [www.hhs.gov/conscience/conscience-protections](http://www.hhs.gov/conscience/conscience-protections), and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 88), to the end that the rights of conscience are protected and associated discrimination and coercion are prohibited, in any program or activity for which the Applicant receives Federal financial assistance or other Federal funds from the Department for which the Federal conscience and anti-discrimination laws and 45 C.F.R. Part 88 apply.

The Applicant agrees that compliance with this assurance constitutes a condition of continued receipt of Federal financial assistance, and that it is binding upon the Applicant, its successors, transferees and assignees for the period during which such assistance is provided. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which it retains ownership or possession of the property. The Applicant further recognizes and agrees that the United States shall have the right to seek judicial enforcement of this assurance.

## **Attachment B**

### **FNS Instruction 113-1**

#### **XII. Data Collection and Reporting**

FNS Headquarters and Regional Offices, State agencies, local agencies, and other subrecipients must provide for and maintain a system to collect the racial and ethnic data in accordance with FNS policy. These data will be used to determine how effectively FNS programs are reaching potential eligible persons and beneficiaries, identify areas where additional outreach is needed, assist in the selection of locations for compliance reviews, and complete reports as required.

##### **A. Collecting and Reporting Participation Data**

1. State agencies, local agencies, and other subrecipients are required to obtain data by race and ethnic category on potentially eligible populations, applicants, and participants in their program service area.
2. Systems for collecting actual racial and ethnic data must be established and maintained for all programs. FNS requires recipients of Federal financial assistance to ask all program applicants and participants to identify all the racial categories that apply. This is consistent with existing OMB guidance. OMB states: “Respect for individual dignity should guide the processes and methods for collecting data on race and ethnicity; ideally, respondent self-identification should be facilitated to the greatest extent possible, recognizing that in some data collection systems observer identification is more practical.” FNS also believes that self-

identification or self-reporting is the preferred method of obtaining characteristic data. Program applicants and participants should be encouraged to provide the information by explaining the use of the statistical data. The following is an example that may be utilized when soliciting characteristic data from a program applicant/participant:

“This information is requested solely for the purpose of determining the State’s compliance with Federal civil rights laws, and your response will not affect consideration of your application, and may be protected by the Privacy Act. By providing this information, you will assist us in assuring that this program is administered in a nondiscriminatory manner.” If the applicant declines to self-identify, the applicant should be informed that a visual identification of his or her race and ethnicity will be made and recorded in the data system.

In instances where demographic data, specifically racial/ethnic data, is collected via an online system, provisions must be made for the program applicant/participant to self-identify. Once the data is collected via the online system, the program applicant/participant must then be able to verify this data by signing some type of summary printout of this information or correctness and accuracy of the data in some manner.

3. Such systems must ensure that data collected about potentially eligible persons, program applicants, and participants are:
  - a. Collected and retained by the service delivery point for each program as specified in the program regulations, instructions, policies, and guidelines,
  - b. Based on documented records and maintained for 3 years,
  - c. Maintained under safeguards that restrict access of records only to authorized personnel, and,
  - d. Submitted, as requested, to the FNS Regional or Headquarters Offices.
4. Race and Ethnic Categories, Two-Question Format: To provide flexibility and ensure data quality, separate categories shall be used when collecting and reporting race and ethnicity. Ethnicity shall be collected first. Respondents shall be offered the option of selecting one or more racial designations. Recommended instructions accompanying the multiple response for race should specify “Mark one or more” or “Select one or more.” The minimum designations for collection are:
  - a. Ethnicity:
    1. *Hispanic or Latino*. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term “Spanish origin” can be used in addition to “Hispanic or Latino.”
    2. *Not Hispanic or Latino*.
  - b. Race:
    1. *American Indian or Alaskan Native*. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
    2. *Asian*. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

3. *Black or African American.* A person having origins in any of the black racial groups of Africa. Terms such as “Haitian” or “Negro” can be used in addition to ‘Black or African American.’
  4. *Native Hawaiian or Other Pacific Islander.* A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
  5. *White.* A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
5. A State agency may have categories for race in addition to the ones required by FNS; however, the additional categories must be mapped and extracted to the FNS- required categories. Provision shall be made to report the number of respondents in each racial category who are Hispanic or Latino.
  6. Program applicants/participants may not be required to furnish information on their race or ethnicity unless this information is necessary to determine the applicant’s eligibility to receive a benefit or to determine the amount of benefit to which an eligible participant may be entitled. Self-identification by the applicant/participant is the preferred method of obtaining characteristic data. Where an applicant does not provide this information, the data collector shall through visual observation secure and record the information where possible. However, the data collector may not “second guess,” or in any other way change or challenge a self-declaration made by the applicant as to his or her race or ethnic background unless such declarations are patently false.

**Refer to FNS Program appendices for additional information.**

- B. Determining the Eligible Population. State agencies must identify the population of potentially eligible persons to participate in an FNS program by racial and ethnic data category for each service delivery area, project area or county. The information may be derived from standard statistical sources such as reports issued by the U.S. Census Bureau or Bureau of Vital Statistics. State agencies may also use data or information collected by other Federal and State agencies (e.g., Department of Education (DOEd).)

**Appendix A: Food Stamp Program (FSP)**

**I. Data Collection**

As specified at 7 CFR Part 272.6(g), State agencies must obtain racial and ethnic data on participating food stamp households and report the information to FNS on the *FNS 101, Participation in Food Programs*. State agencies may request applicant households to identify voluntarily their race and ethnicity on the application form. The application form must clearly indicate that the information is voluntary, that it will not affect the applicant’s eligibility or benefit level, and that the information is to assure that program benefits are distributed without regard to race, color, or national origin. The data must be maintained on file for 3 years.

State agencies are responsible for using current racial or ethnic data to determine if the program is reaching potentially eligible, low-income households. Unexplained discrepancies in participation data that indicate a project area is not in compliance with CR requirements must be reviewed or investigated further. Trend analyses must also be conducted to determine if significant changes in racial and ethnic data warrant further review or investigation.

## Appendix C: Food Distribution

### D. DATA COLLECTION AND REPORTING (Section VI)


State agencies and local agencies or other subrecipients that operate FDPIR and CSFP must collect and maintain racial or ethnic data as specified below. The other commodity programs listed under this Appendix are exempt from this requirement.

#### Participant Racial or Ethnic Data Collection and Retention

The State agency must establish a system for collecting and maintaining racial or ethnic participation data. Recording the racial or ethnic identification of applicants and participants may include the utilization of self-identification where a written application is required. Other methods of recording such data may include card files, rosters, logbooks, or any written record used by local agencies or other subrecipients. The racial and ethnic identification categories are listed in the Definitions section of this Instruction at Section V. The State agency must:

1. Ensure that racial or ethnic participation data is collected by the local agency or other subrecipient and retained at the service delivery point.
2. Ensure that documentation for the data collected by the local agency or other subrecipient is on file and maintained for the required 3 years. Data obtained shall be made available at the time of each compliance review by the State agency or FNSRO.
3. Use Form FNS-101, Participation in Food Programs – By Race, to record and submit to FNS racial or ethnic participation data for FDPIR households. Use Form FNS-191, Racial or Ethnic Group Participation – Commodity Supplemental Food Program, to record and submits to FNS racial or ethnic participation data for CSFP households. These reports must be submitted in accordance with the instructions contained on the respective forms.
4. Ensure that access to data is limited to authorized personnel.

## 1004 Americans with Disabilities Act (ADA) and Section 504

|  Georgia Division of Family and Children Services<br>Civil Rights Policy Manual |   |                                   |  |
|--|---|-----------------------------------|--|
| <b>Policy Title:</b>   | Americans with Disabilities Act and Section 504 of the Rehabilitation Act |                                   |  |
| <b>Chapter:</b>  | 3600  | <b>Effective Date:</b>            | December 4, 2020                                 |
| <b>Policy Number:</b>  | 3601  | <b>Previous Policy Number(s):</b> | FS Policy 3025, MA Policy 2020, TANF Policy 1004 |

### Policy

No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the Division of Family and Children Services (DFCS).



## Scope

This policy of non-discrimination is equally applicable to DFCS and Georgia Department of Human Services staff, including volunteers and interns, and its subrecipients, contractors, grantees, agents, and providers of services (“Providers”), who assist with or administer programs, services, and activities that fall under DFCS' Office of Family Independence (OFI). This policy is not applicable to child welfare and employment matters.

## Requirements


DFCS must:

- Make reasonable modifications in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability, unless it is demonstrated that making the modification would fundamentally alter the nature of the service, program, or activity or would result in undue financial and administrative burdens;
- Provide public notices regarding the right of qualified individuals with disabilities to make a request for reasonable modifications and auxiliary aids and services;
- Provide equally effective communication with primary consideration given to the person with a disability by considering the nature, length, complexity, and context of the communication and the person’s normal method(s) of communication; and,
- Administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

## Authorities/References (This list is not exhaustive)

- Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794; 7 C.F.R. §§ 15b et seq. [USDA], 45 C.F.R. §§ 84.1 et seq. [HHS]
- Title II of the Americans with Disabilities Act of 1990 (“ADA”) as amended by the ADA Amendments Act of 2008, 42 U.S.C. §§ 12131 et seq., 28 C.F.R. §§ 35.101 et seq. [DOJ]
- Title III of the ADA as amended by the ADA Amendments Act of 2008, 42 U.S.C. §§ 12181 et seq., 42 U.S.C. §12205a; 28 C.F.R. §§ 36.101 et seq. [DOJ]) (as applicable)
- Section 11(c) of the Food and Nutrition Act of 2008, as amended, 7 U.S.C. § 2020(c) [USDA]
- R.H. et al. v. Rawlings et al., CAFN: 1:17-CV-01434-TWT (N.D. Ga. 2019) (Consent Order, filed on June 4, 2019)
- FNS Nondiscrimination Compliance, 7 C.F.R § 247.4(c)(6), 7 C.F.R § 251.10(c), and 7 C.F.R. § 272.6
- FNS Instruction 113-1: Civil Rights Compliance and Enforcement – Nutrition Programs and Activities and its Appendix A and Appendix C

## Definitions

 Some of the definitions below are available at ADA.gov and are derived from the ADA, the Rehabilitation Act, and implementing regulations.

**Auxiliary Aids and Services** - Includes but is not limited to: qualified sign language interpreters,

telephone handset amplifiers, assistive listening devices, closed caption decoders, real time captioning, TTY/TTD relay services for deaf and hard-of-hearing, screen reader software, Braille Embossers, text to Braille converter, large print materials, alternative keyboards for individual who are blind and have low vision.

**Companion** - any family member, friend, or associate of a person seeking or receiving an entity's goods or services who is an appropriate person with whom the entity should communicate.

**Disability** - means, with respect to an individual: (i) A [physical or mental impairment](#) that [substantially limits](#) one or more of the [major life activities](#) of such individual; (ii) A record of such an impairment; or (iii) Being regarded as having such an impairment as described in [paragraph \(f\)](#) of this section.

**Mobility Aids and Other Power-Driven Mobility Devices** - any mobility device powered by batteries, fuel, or other engines... that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices... such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair.

**Qualified Individual with a Disability** - An individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Department.

**Qualified Interpreter** - An interpreter who, via a [video remote interpreting \(VRI\) service](#) or an on-site appearance, is able to interpret effectively, accurately, and impartially, [both](#) receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators.

**Reasonable Modification** - Modifications to rules, policies, practices, or procedures, the removal of architectural, or transportation barriers as described in 28 C.F.R. § 35.130(b)(7). This definition excludes modifications that would result in a fundamental alteration in the nature of a service, program, or activity or that would result in undue financial and administrative burdens, under the conditions specified in 28 C.F.R. § 35.130(b)(7), 28 C.F.R. § 35.164 and elsewhere.

[R.H. et al. v. Rawlings et al.](#), CAFN: 1:17-CV-01434-TWT (N.D. Ga. 2019) (Consent Order, filed on June 4, 2019) considers provision of auxiliary aids and services a reasonable modification.

**i** However, the ADA regulations list equally effective communication requirements and auxiliary aids and services separate and distinct from reasonable modifications. DFCS will ensure equally effective communication as described in 28 C.F.R § 35.160 and 28 C.F.R § 36.303.

**Reasonable Modification and Communication Assistance Request Form** - A form, either in paper or electronic format that can be used, at the option of the customer with a disability, to request a reasonable modification or communication assistance and for purposes of tracking the request and response.

**Request for Reasonable Modification and Communication Assistance** - Any specific written or oral statement by or made appropriately on behalf of a customer with a disability, including through the "Reasonable Modification and Communication Assistance Request Form" that indicates

the individual has a disability for which he or she needs a reasonable modification or communication assistance to access all DFCS programs, benefits, or activities. A request for reasonable modification includes instances where the individual initiates the request for assistance.

**Service Animal** - Any dog that is individually trained to do work or perform tasks for the benefit of an individual with disabilities.

**Video Relay Service (VRS)** - A free, subscriber-based service for people who use sign language and have videophones, smart phones, or computers with video communication capabilities. For outgoing calls, the subscriber contacts the VRS interpreter, who places the call and serves as an intermediary between the subscriber and a person who uses a standard voice telephone. The interpreter tells the telephone user what the subscriber is signing and signs to the subscriber what the telephone user is saying.

**Video Remote Interpreting (VRI)** - An interpreting service that uses video conference technology over dedicated lines or wireless technology offering high-speed, wide-bandwidth video connection that delivers high-quality video images as provided in 28 C.F.R. § 35.160(d).

**Wheelchair** - A manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion.

## **Coordination of Services/Self-Assessment/Monitoring**

DFCS must designate an individual to serve as the point of contact for staff and the general public regarding ADA disability access matters and to coordinate implementation of this policy. Local government agencies and other public entities with whom the DFCS contracts that employ 50 or more persons must also designate at least one employee to coordinate its efforts to comply with the ADA. (Reference: 28 C.F.R. § 35.105)

DFCS and its Providers that receive federal financial assistance (FFA) from the USDA and that employ 15 or more individuals must also appoint a Section 504 coordinator to coordinate services and resources for individuals with disabilities. One person may coordinate implementing regulations, directives, and guidance for both statutes. The name, office address, and telephone number of the ADA/Section 504 Coordinator must be provided to all interested persons. (References: 7 C.F.R. § 15b.6 and 45 C.F.R. § 84.7)

The primary responsibilities of the ADA/Section 504 Coordinator are listed in Attachment 1. The State DFCS ADA/Section 504 Coordinator must convene regular meetings with ADA/Section 504 Coordinators serving the DFCS local agencies, subrecipients and contractors that deliver services directly to the public. For a list of DFCS OFI District ADA Coordinators, please visit: [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights).

## **Qualified Individual with a Disability**

An individual with a disability under the ADA is defined as a person with a physical or mental impairment that substantially limits one or more major life activity; a person who has a record of such an impairment; or a person who is regarded as having such an impairment. The term individual with a disability does not include an individual who is currently engaging in the [illegal use of](#)

drugs or alcohol.

Qualified individual with a disability means an [individual with a disability](#) who, with or without [reasonable modifications](#) to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of [auxiliary aids and services](#), meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a [public entity](#).

## Public Notifications

DFCS and its Providers must notify individuals with disabilities about the availability of free reasonable modifications and auxiliary aids and services and how to request them in a format that individuals can understand. DFCS and its Providers also must notify the public about the right to file a discrimination complaint.

The DFCS Notice of ADA/Section 504 Rights regarding the rights of people with disabilities and provisions of services are available on Gateway, in all applications and renewal forms for Supplemental Nutrition Assistance Program (SNAP) also known as “Food Stamps”, Temporary Assistance for Needy Families (TANF), and Medicaid programs, in all county offices, and online at: [dhs.georgia.gov/forms-notices](https://dhs.georgia.gov/forms-notices) and [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights).

DFCS and its Providers must post signage at all inaccessible entrances to each of its facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities. The international symbol for accessibility must be used at each accessible entrance of a facility.

Notices must be provided in alternative formats upon request. Copies of the ADA/Section 504 Notice of Rights and Request for Reasonable Modification and Communication Assistance forms must be available in waiting rooms. Staff must read the Notice of ADA/Section 504 Rights to individuals upon request or as necessary to ensure understanding and to complete the Request for Reasonable Modifications and Communication Assistance form. More information can be found online at: [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights).

Notices regarding a right to file a discrimination complaint must be posted in accordance with federal agency directives. Refer to MAN 3700 (DFCS Civil Rights Policy) in ODIS. The joint U.S. Department of Agriculture (“USDA”), U.S. Department of Health and Human Services’ (“HHS”) Joint Notice of Nondiscrimination must be posted in accordance with FNS Instruction 113-1 and subsequent FNS directives. It is located online at [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights).

The appropriate “And Justice for All” poster must be prominently displayed in all offices where there is a USDA presence and where it may be read by customers. Please note that institutions participating in or administering USDA programs, such as SNAP, The Emergency Food Assistance Program (TEFAP), and the Commodity Supplemental Food Program (CSFP) are required to display the appropriate “And Justice for All” poster in their facilities where it can be viewed by customers. All “And Justice for All” posters must be displayed in a specific size: 11” width x 17” height. Information can be found online at: [www.fns.usda.gov/cr/and-justice-all-posters-guidance-and-translations](https://www.fns.usda.gov/cr/and-justice-all-posters-guidance-and-translations). Contact the appropriate program director to obtain a hardcopy of the AJFA poster.

## **Procedures for Processing Customer Requests for Reasonable Modification(s)**

Reasonable modifications afford an individual with a disability an equal opportunity to participate in all DFCS programs and receive all benefits and services for which that individual is otherwise eligible. Providing a reasonable modification may take many forms including, but not limited to, policy or procedural modifications, deferral from certain activities, and extensions of deadlines. Examples of making reasonable modifications at the administrative level include making existing facilities readily accessible to and usable by an individual with a disability and acquiring or modifying equipment.

With reasonable modifications, a person with a disability can participate fully in programs, services, and activities. Reasonable modifications are fact-specific and tailored to the individual circumstances of the person with a disability. Assessing possible reasonable modifications is a collaborative, interactive process. The starting point should always be, if possible, the customer's preferred modification. The customer's preference should provide the context for determining what a reasonable modification might be. When processing a request for reasonable modification or communication assistance, staff must not request or require verification of a customer's or companion's disability. While staff cannot ask customers to identify their disability, staff may ask what major life activity is substantially impaired or limited by their disability.

Once a customer requests a reasonable modification, eligibility workers are required to document the following in Gateway: The date(s) and type(s) of reasonable modifications requested by the customer, the date a request for reasonable modification was granted or denied, the reason the request for reasonable modification was denied, if applicable, and the specific approved or denied reasonable modification(s).

If the customer expresses a need for assistance related to a disability, expresses difficulty completing any task in the application/renewal process, and/or has a disability that is documented in Gateway, eligibility workers are required to explain tasks to the customer. Workers must complete in the application and/or renewal process, inquire whether the customer experiences difficulty completing any task or may need assistance completing any task, the reason(s) for the difficulty and/or need for assistance and possible reasonable modifications with the customer.

When a written request for reasonable modification is mailed, faxed, emailed, or hand-delivered to a local county DFCS office or other appropriate staff, that staff must forward the request to an eligibility worker for processing. Eligibility workers are required to review the customer's case file in Gateway prior to or during every interaction with the customer and before taking any action on the customer's case. Current processes for documenting in Gateway for reasonable modifications can be found in the Gateway Training.

Staff are required to provide reasonable modifications to qualified individuals with a disability at every point of interaction with customers in the OFI eligibility process, whether in person, on-line, by telephone, or by mail, including inquiries about applications for benefits. Staff must assess requests for reasonable modifications as part of a collaborative, interactive process, applying a fact-specific, individualized analysis of the person's circumstances and the modification requested to assist the individual to access OFI programs and provide the necessary information to determine program eligibility. Decisions concerning a customer's request for a reasonable modification may incorporate the following factors, assessed cooperatively with the customer: (1) how the customer's

disability impairs access to OFI programs; (2) how the disability limits the customer's ability to comply with program eligibility procedures; (3) reasonable modification options that address those limitations; and (4) the effectiveness and feasibility of the proposed options. Provisions of reasonable modifications are based on a fact-specific inquiry that is to be assessed on a case-by-case basis and may be limited by regulation

All eligibility workers have the responsibility and authority to offer, grant, and implement necessary reasonable modifications to customers with disabilities. DFCS staff do not have authority to grant a request for reasonable modification to program policy rules, such as income verification. Common examples of reasonable modifications, include, but are not limited to:

- Assistance gathering documents required by the program to support initial and ongoing eligibility for benefits;
- Flexible appointments and training requirements including scheduling appointments, so they do not conflict with customer's medical appointments, rehabilitation, or therapy;
- Allowing customers to reschedule appointments, potentially multiple times, when a disability prevents attendance;
- Giving a customer more time to submit documents or complete other tasks;
- Reading and explaining notices, rights and responsibilities forms, and other program materials to the customer, repeatedly, if necessary, to help ensure understanding;
- Modifying work activities unless not authorized by program policy and regulations
- Providing access for persons with disabilities who rely on service animals, wheelchairs, mobility aids or Other Power-Driven Mobility Devices (OPMD).

## **How to Request Reasonable Modification(s)**

- Individuals with disabilities may require reasonable modifications to assist them with accessing DFCS programs and services, complying with program requirements, avoiding potential sanctions for noncompliance. All customers have the right to request a reasonable modification. Customers may direct a request for a reasonable modification to any appropriate DFCS staff member at any time. Customers may make a request for reasonable modifications orally or in any written form. Staff who do not have access to Gateway, such as receptionists, should forward the requests to an eligibility worker for processing.
- They may also complete the Reasonable Modification and Communication Assistance Request Form (Form 101). Customers are not required to use the form to make a request for reasonable modifications. Customers may obtain the reasonable modification request form in customer waiting rooms in each county DFCS office and RSM location. The form is also available online at [dhs.georgia.gov/forms-notices](https://dhs.georgia.gov/forms-notices) and [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights). DFCS Office of Family Independence (OFI) eligibility staff are required to document any oral request or written requests for reasonable modifications in the customer's Gateway case file.
- Staff must provide the Reasonable Modification and Communication Assistance Request Form ("Form 101") to any customer upon request and may provide this form to any customer if a staff member believes they may require a reasonable modification. Forms are to be made available to customers in alternate formats as requested (i.e. large print or braille). Staff are required to assist customers with the completion of Form 101, if necessary. If a customer discloses a disabil-

ity, staff members will inform the customer of his/her right to make a request for reasonable modifications and will be provided examples of reasonable modifications.

## **Denial of Request for Reasonable Modification(s)**

**Only the DFCS Division Director and his/her designee has the authority to deny, in whole or in part, reasonable modification requests or otherwise refuse requests for reasonable modifications.**

DFCS and its Providers are not required to provide a reasonable modification that would fundamentally alter the program, service, or activity or would result in an undue financial or administrative burden. The determination that undue burdens would result must be based on all resources available for use by DFCS or its Providers. If the modification requested would cause undue financial burden on the program or activity to the level that it would make continued operation of the program unfeasible, the modification need not be provided. However, denying a modification(s) under the fundamental alteration exception should not result in the denial of access to the program or other benefits or services. DFCS and its Providers still must provide services to the person with a disability as appropriate to the maximum extent possible.

If eligibility workers are unsure about whether a reasonable modification can or should be provided, they must consult with a supervisor at the time the request for reasonable modification is received or as soon as reasonably possible thereafter. If a supervisor agrees that a reasonable modification can and should be provided, the eligibility worker is required to provide the requested modification to the customer. However, if the supervisor recommends that the request for reasonable modification be denied, the supervisor must submit the DFCS Reasonable Modifications (RM) and Communication Assistance (CA) Tracking Form and any supporting documentation with recommendations for review to the District ADA/Section 504 Coordinator.

The District ADA/Section 504 Coordinator reviews the supervisor's denial request and forwards the Reasonable Modification and Communication Assistance Request Tracking Form 102 (Please see Attachment 2) to the State DFCS ADA/Section 504 Coordinator. For instructions on how to complete Form 101 and/or Form 102, please see Attachment 3. The State DFCS ADA/Section 504 Coordinator will review the complaint involving request for reasonable modification and the denial request and will consult with the appropriate DFCS OFI Program Unit Manager and/or OFI Director. Only the DFCS Division Director or his/her designee has the authority to deny, in whole or in part, reasonable modification requests or otherwise refuse requests for reasonable modifications. After the final agency decision on the request for reasonable modifications is made, the DFCS District ADA/Section 504 Coordinator is responsible for drafting and providing a written decision to the customer, after consultation with the State DFCS ADA/Section 504 Coordinator.

## **Procedures for Equally Effective Communication**

DFCS and its Providers must ensure communications with applicants, participants, members of the public and companions with disabilities are as effective as communications with other. In some situations, DFCS may communicate with a customer's companion with disability. A companion is any family member, friend, or associate of a person seeking or receiving an entity's goods or services who is an appropriate person with whom the entity should communicate.

DFCS and its Providers must provide appropriate auxiliary aids and services when necessary to

ensure effective communication with individuals with disabilities. This includes an obligation to provide effective communication to companions with disabilities. These aids and services must be provided at no cost to the customer and in a timely manner that protects the privacy and independence of customers with a disability.

Auxiliary aids and services refer to the ways to communicate with people who have communication disabilities (e.g., DFCS customers with hearing, vision, and speech disabilities). Auxiliary aids and services include but are not limited to qualified sign language interpreters, telephone handset amplifiers, assistive listening devices, closed caption decoders, real time captioning, TTY/TTD relay services for Deaf and hard-of-hearing, screen reader software, Braille Embossers, text to Braille converter, large print materials, alternative keyboards for individuals who are blind and have low vision.

Examples of auxiliary aids and services for people who are blind, have vision loss, or are DeafBlind might be:

- Providing a qualified reader, information in large print, Braille, or electronically for use with a computer screen-reading program, or an audio recording of printed information.

Examples of auxiliary aids and services for people who are Deaf, have hearing loss, or are Deaf-Blind might be:

- Providing a qualified note taker, a qualified sign language interpreter, oral interpreter (non-language), cued-speech interpreter, or tactile interpreter; real-time captioning; or written materials

Examples of auxiliary aids and services for people who have speech disabilities might include:

- Providing a qualified speech-to-speech transliterator (a person trained to recognize unclear speech and repeat it clearly), especially if the person will be speaking at length, or just taking more time to communicate with someone who uses a communication board.

Video remote interpreting (VRI) services also provide qualified interpreters. A [public entity](#) that chooses to provide qualified interpreters via VRI services must ensure that the computer or other device meets the technological requirements of the ADA at 28 CFR 35.160(d).

Eligibility workers are required to provide application and renewal forms, system-generated individual and household communications and notices of decision (i.e. approvals, changes, terminations, and denials) and renewal notices in large print, Braille, audio format, or data format to qualified individuals with a disability upon request and as required by law.

The key to communicating effectively is to consider the nature, length, complexity, and context of the communication and the person's normal method(s) of communication. This may also involve verifying that the communication is understood, using multiple methods of explanation to the individual.

With respect to communication disabilities, state or local government agencies must give primary consideration to the person's choice of auxiliary aid and service, unless it can demonstrate that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration or a financial or administrative undue burden. [28 C.F.R. §



35.160(b)(2)]. If the choice expressed by the person with a disability would result in an undue burden or a fundamental alteration, the public entity still has an obligation to provide an alternative aid or service that provides effective communication if one is available. The decision that a particular aid or service would result in an undue burden or fundamental alteration must be made by the DFCS Division Director or his/her designee and must be accompanied by a written statement of the reasons for reaching that conclusion.

Public accommodations (e.g. private community partner agencies) that provide DFCS services are *encouraged* to consult with the person with a disability to discuss what aid or service is appropriate. The goal is to provide an aid or service that will be effective, given the nature of what is being communicated and the person's method of communicating.

When an eligibility worker or other staff becomes aware that a customer has a disability that substantially limits the customer's ability to see, hear or speak, the eligibility worker or staff must inquire as to the customer's potential need for auxiliary aids and services. If a customer expresses a need for assistance related to a disability, or if the customer has a disability that is documented in Gateway, eligibility workers who have access to Gateway are required to discuss the possible need for auxiliary aids and services with the customer using the Gateway written prompts. If a customer indicates that he or she does not wish to disclose or to discuss their disability, staff will not make further inquiries on these subjects.

Individuals with disabilities may request an auxiliary aid or service by completing the Reasonable Modification and Communication Assistance Request Form (Form 101). Please refer to the Reasonable Modifications Section above for procedures handling documenting requests for assistance in Gateway.

DFCS and its Providers must assure that any interpreter used to communicate with a DFCS customer with a disability is qualified to do so. This includes qualified interpreters (i.e. American Sign Language, signed exact English interpreters, cued speech interpreters, oral interpreters, tactile interpreters, and Computer Assisted Real-time Transcription (CART)]. When a customer who is deaf or hard-of-hearing notifies staff that the interpreter provided is not qualified to interpret for that customer, either DFCS or its Provider staff must arrange for a qualified interpreter service or other appropriate auxiliary aid and service, as required by law.

DFCS and Provider staff are prohibited from requiring a customer to bring a person to serve as the interpreter. Staff will not rely on an adult accompanying a customer with a disability to interpret or facilitate communications except (a) in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available, or (b) where the customer with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on that adult for such assistance is appropriate under the circumstances.

Staff will not rely on a minor child to interpret or facilitate communications with a customer, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available.

## **Wheelchairs, Mobility Aids and Other Power-Driven Mobility Devices**

DFCS and its Providers must allow individuals with disabilities who use wheelchairs, mobility aids

or other power-driven mobility devices (OPDMD) into all areas where the public is allowed to go, unless the entity can demonstrate that the particular type of device cannot be accommodated because of legitimate safety requirements. Such safety requirements must be based on actual risks, not on speculation or stereotypes about a particular class of devices or how individuals will operate them.

Staff must consider these factors in determining whether to permit OPDMDs on their premises:

- the type, size, weight, dimensions, and speed of the device;
- the volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
- the facility's design and operational characteristics, such as its square footage, whether it is indoors or outdoors, the placement of stationary equipment, devices, or furniture, and whether it has storage space for the device if requested by the individual;
- whether legitimate safety standards can be established to permit the safe operation of the device; and
- whether the use of the device creates a substantial risk of serious harm to the environment or natural or cultural resources or poses a conflict with Federal land management laws and regulations.

Communicate clearly to the public any OPDMD not permitted in an area where DFCS programs, services and activities are offered. Staff may not ask individuals using such devices about their disability but may ask for a credible assurance that the device is required because of a disability. If the person presents a valid, State-issued disability parking placard or card or a State-issued proof of disability, it must be accepted as credible assurance on its face. If the person does not have this documentation, but states verbally that the device is being used because of a mobility disability, that also must be accepted as credible assurance, unless the person is observed doing something that contradicts the assurance.

## **Service Animals**

Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for a person with a disability. DFCS and its Providers must provide individuals with disabilities with service animals an equal opportunity to participate in DFCS programs, services, and activities.

Staff may ask two questions in relation to a service animal:

1. Is the dog a service animal required because of a disability?
2. What work or task has the dog been trained to perform?

Service animals must be allowed in all areas of a facility where the public is allowed except where the dog's presence would create a legitimate safety risk or would fundamentally alter the nature of a public entity's services. Service animals may be excluded only if 1) the dog is out of control and the handler cannot or does not regain control; or 2) the dog is not housebroken. If a service animal is excluded, staff must allow individuals to enter the facility without the service animal.

A service animal must have a harness, leash or other tether, unless the handler is unable to use a tether because of a disability or the use of a tether would interfere with the service animal's ability to safely perform its work or tasks. In these cases, the service animal must be under the handler's control through voice commands, hand signals, or other effective means. If a service animal is excluded, the individual with a disability must still be offered the opportunity to obtain goods, services, and accommodations without having the service animal on the premises.

DFCS employees may ask an individual with a disability to remove a service animal if the animal is not housebroken or is out of control and the individual is not able to control it. If DFCS properly excludes a service animal, DFCS cannot unlawfully exclude the customer from accessing its services, programs, or activities and must give the individual with a disability the opportunity to participate in programs, services, or activities without the service animal being present.

Staff may not require individuals with disabilities to provide documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, as a condition for entry. Service animals are not required to wear service animal vests or patches, or to use a specific type of harness.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the building. But, as with any reasonable modification, determination on how to address allegations involving allergies or other direct threat or safety concerns is done on a case-by-case basis.

## Miniature Horses

Although not service animals, miniature horses have similar protections under the ADA. DFCS and its Providers must permit access where reasonable for miniature horses that are individually trained to do work or perform tasks for individuals with disabilities. Federal regulations set out four assessment factors to assist staff in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

## Access to Websites and Online Systems

DFCS and its Providers must ensure program websites and online systems are accessible to persons with disabilities. DFCS and its Providers should ensure that in-house staff and contractors responsible for web page and content development are properly trained. DFCS and its Providers must provide a way for visitors to request accessible information or services to the extent required by law. Information for web developers interested in making their web pages as accessible as possible, including the current version of the **Web Content Accessibility Guidelines** (and associated checklists), can be found at [www.w3c.org/WAI/Resources](http://www.w3c.org/WAI/Resources).

## **Physical Access to Buildings and Facilities**

DFCS and its Providers must ensure individuals with disabilities are not excluded from programs and services because facilities are unusable or inaccessible to them. These entities must ensure that individuals with disabilities have access to programs and services under the same terms and conditions as individuals without disabilities. These entities must abide by the ADA Standards for Accessible Design.

## **Safety**

DFCS and its Providers may impose legitimate safety requirements necessary for the safe operation of its services, programs, or activities. However, the public entity must ensure that its safety requirements are based on real risks, not on speculation, stereotypes, or generalizations about individuals with disabilities.

## **Direct Threat**

Direct Threat means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services as provided in 28 C.F.R. § 35.139 (Title II) and 28 C.F.R. § 36.208 (Title III).

The ADA does not require DFCS or its Providers to permit an individual to participate in or benefit from the services, programs, or activities of that DFCS when that individual poses a direct threat to the health or safety of others (not to self). In determining whether an individual poses a direct threat to the health or safety of others, DFCS and its Providers must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

## **Fundamental Alteration/Undue Burden**

The State agency, local agency, subrecipients and contractors are not required to modify its policies, practices, or procedures if the entity can demonstrate that making the modification would fundamentally alter the nature of the service, program, or activity. If the modification requested would cause undue financial burden on the program or activity to the level that it would make continued operation of the program unfeasible, the modification need not be provided. However, denying a modification(s) under the fundamental alteration exception should not result in the denial of access to the program or other benefits or services.

The decision that a particular aid or service would result in an undue burden or fundamental alteration must be made by the DFCS Division Director or his/her designee and must be accompanied by a written statement of the reasons for reaching that conclusion. The State agency, local agency, subrecipients and contractors still must provide services to the maximum extent possible.

## **Staff Training**

For Civil Rights training requirements, please refer to the DFCS Civil Rights Policy – MAN 3700.

## Complaints Processing

All DFCS customers and the public have a right to file a complaint of discrimination on the basis race, color, national origin, disability, age, sex and in some cases religion or political beliefs, or for reprisal or retaliation for engaging in prior civil rights activity. For more information, reference the DFCS Civil Rights and ADA/Section 504 Complaint Process and the DFCS Civil Rights, ADA/Section 504 Complaint Form on the DFCS Nondiscrimination and Disability webpage at: [dfcs.georgia.gov/adasection-504-and-civil-rights](https://dfcs.georgia.gov/adasection-504-and-civil-rights).

## Attachments

Attachment 1: DFCS District and State ADA/Section 504 Coordinator Duties

Attachment 2: Reasonable Modification and Communication Assistance Request Tracking Form (102)

Attachment 3: ADA/RM Form 101 and 102 Instructions

Attachment 4: ADA RM Form 101 and 102 County Tracking Log 1\_24\_20

Attachment 5: US Department of Justice (DOJ), ADA Requirements: Effective Communication

Attachment 6: DOJ ADA Title II Primer

Attachment 7: DOJ Accessibility of State and Local Government Websites to People with Disabilities

Attachment 8: Reasonable Modification and Communication Assistance Request Tracking Form (102)

Attachment 9: ADA/RM Form 101 and 102 Instructions

Attachment 10: ADA RM Form 101 and 102 Manual Tracking Log 1\_24\_20

Attachment 11: US Department of Justice (DOJ), ADA Requirements: Effective Communication


Attachment 12: DOJ ADA Title II Primer

Attachment 13: DOJ Accessibility of State and Local Government Websites to People with Disabilities

Attachment 14: DFCS Civil Rights and ADA/Section 504 Complaint Process

Attachment 15: DFCS Civil Rights, ADA/Section 504 Complaint Form

## 1005 Domestic Violence

|  <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                   |                                   |       |
|--|-------------------|-----------------------------------|-------|
| <b>Policy Title:</b>   | Domestic Violence |                                   |       |
| <b>Effective Date:</b>   | August 2022       |                                   |       |
| <b>Chapter:</b>  | 1000              | <b>Policy Number:</b>             | 1005  |
| <b>Previous Policy Number(s):</b>  | MT 49             | <b>Updated or Reviewed in MT:</b> | MT-68 |

## Requirements

Because the U.S. Congress has determined that a reduction of domestic violence is in the national interest, standards and procedures must be established to identify domestic violence and reduce or eliminate its effects.

## Basic Considerations

Prior to the enactment of the Personal Responsibility and Work Opportunity Act (PRWORA) into law in 1996, the number of individuals receiving Aid to Families with Dependent Children (AFDC) had more than tripled since 1965. Studies in many states throughout the nation revealed that current or recent domestic violence was prevalent among poor women in general and particularly among those receiving AFDC.

Studies consistently showed that well over half of the women receiving AFDC reported they had experienced physical abuse by an adult male partner at some point during their adult lives. Some studies found that the rates were higher than those experienced by other low-income women from the same neighborhood who did not receive AFDC. Most women receiving AFDC also reported physical and/or sexual abuse in childhood.

Studies revealed that women who had experienced physical violence by a partner were more likely to have remained on welfare for a combined total of five years or more. Domestic violence has also been shown to be a significant factor in the cycling on and off AFDC.

Studies also indicated that many AFDC recipients reported physical health problems, with victims of domestic violence being more likely to report a current physical disability, handicap, or other serious physical, mental, or emotional problem. Some findings showed that AFDC recipients who had experienced domestic violence in the previous twelve months were more likely to have a disability that limited their ability to work.

Women victimized by domestic violence have been more likely to be unemployed, to be in lower paying jobs when they were employed, to have lower personal income, and to have received AFDC, Food Stamps, and Medicaid.

Therefore, it was the sense of the Congress that reducing domestic violence was in the Government's interests, and that policies needed to be developed that addressed what was a significant contributing factor to the increase in the number of people receiving AFDC.

In conjunction with the PRWORA, states are required to operate a family assistance program, a child support enforcement program, a foster care and adoption assistance program and to establish standards and procedures to ensure that domestic violence will be identified.

### Family Violence Option

The PRWORA encourages states to implement the Family Violence Option (FVO), a TANF State plan provision that provides a specific method for addressing the needs of domestic violence victims receiving welfare. The FVO is intended to provide for the identification and screening of domestic violence victims, referral to services, and waiver of program requirements for good cause.

Georgia adopted the FVO, certifying that the State has established and is enforcing the following standards and procedures:

- to screen and identify individuals who receive TANF assistance and who have a history of domestic violence while maintaining the confidentiality of such individuals,
- to refer such individuals to counseling and supportive services, and

- to waive, pursuant to a determination of good cause, certain program requirements in cases where compliance with such requirements would make it more difficult for individuals receiving TANF assistance to escape domestic violence.

Program requirements can be waived if they would unfairly penalize individuals who are or have been victimized by domestic violence, or individuals who are at risk of further domestic violence.

Program requirements that may be waived include time limits, residency requirements, child support cooperation requirements, and the family cap provision.

### **Work Requirements and the Family Violence Option**

Victims of domestic violence are not exempted from work requirements under the FVO. It is believed that victims of domestic violence will be served most effectively if work requirements are maintained while appropriate services are provided.

### **Domestic Violence Waivers**

Service providers who work closely with victims of domestic violence maintain that work is often a key factor in helping victims escape their violent circumstances. It is recognized, however, that working or taking steps toward independence may aggravate tensions with a batterer and place the victim in further danger. For that reason, temporary waivers of work requirements can be provided.

The PRWORA allows states to continue TANF after the lifetime limit is reached for families that suffer from domestic violence.

A state can claim reasonable cause if it fails to comply with the limit on the number of hardship extensions it can grant when its failure is attributable to its provision of federally recognized good cause domestic violence waivers.

A good cause domestic violence waiver refers to any waiver consistent with the FVO that is granted by Georgia. Georgia has great flexibility in the granting of waivers, deciding which program requirements are to be waived, and for how long. To be considered for this purpose, a good cause domestic violence waiver must:

- identify the specific program requirements that are waived;
- waive program requirements that are temporary in nature (not to exceed six months) and that are based on the recipient's need as determined by an individualized assessment by a person trained in domestic violence no less often than every six months; and
- be accompanied by a services plan developed by a person trained in domestic violence, and that is reflective of an individualized assessment and which eventually leads to the TANF recipient's employment.

In order to administer these provisions and have effective and accountable programs, Georgia must maintain records that identify victims and recipients of good cause domestic violence waivers. Because it is vital to keep this information, confidentiality standards must be enough to protect victims.


## Consolidated Appropriations Act, 2022

On March 15, 2022, the Consolidated Appropriations Act, 2022 amended section 402(a) of the Social Security Act (42 U.S.C.602(a)), adding a new required certification for state TANF agencies related to providing information to victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking.

States must establish and enforce standards and procedures to:

- ensure that applicants and potential applicants for assistance under the State program are notified of assistance made available by the State to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking
- ensure that case workers and other agency personnel responsible for administering the State program are trained in:
  - the nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking;
  - State standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking; and
  - methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment, domestic violence, sexual assault, or stalking
- ensure that, if a State has elected to establish and enforce standards and procedures regarding the screening for, and identification of, sexual harassment, domestic violence, sexual assault, or stalking under the Family Violence Option (FVO)
  - the State program provides information about the options to current and potential beneficiaries; and
  - case workers and other agency personnel responsible for administering the State program are provided with training regarding State standards and procedures.

## 1008 Voter Registration

|  Georgia Division of Family and Children Services<br>National Voter Registration Act (NVRA) Policy Manual |                    |                                   |  |
|--|--------------------|-----------------------------------|--|
| <b>Policy Title:</b>   | Voter Registration |                                   |  |
| <b>Chapter:</b>  | 3400               | <b>Effective Date:</b>            | February 2022                                    |
| <b>Policy Number:</b>  | 3402               | <b>Previous Policy Number(s):</b> | FS Policy 3010, MA Policy 2980, TANF Policy 1008 |

### Background

Congress enacted the National Voter Registration Act of 1993 (NVRA), which established requirements designed to afford individuals who apply for and receive public assistance an opportunity to register to vote at the point of application, recertification/renewal, change of address, and upon



request by a customer who wants to register to vote. 52 U.S.C. § 20501 et seq. (Also, see the section of Georgia’s law on the “Registration of Voters” found at O.C.G.A. § 21-2-222).

## Requirements

Consistent with the NVRA and Georgia law, the Department of Human Services (DHS), Division of Family and Children Services (DFCS) staff and its’ providers are required to distribute to Food Stamp (FS), Medicaid (MA), and Temporary Assistance for Needy Families (TANF) customers the following documents – at application, recertification/renewal, and when a change of address is reported:

1. a Voter Registration Application form; and
2. the Voter Registration Information (formerly called the Declaration Statement), which states the following:

“If you are not registered to vote where you live now, would you like to apply to register to vote here today?

Yes

No

I do not want to answer the Voter Registration question

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency. If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private. If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Secretary of State at: 2 Martin Luther King Jr. Drive, Suite 802, West Tower, Atlanta, GA 30334 or by calling 404-656-2871. IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

A copy of the Georgia Voter Registration application is included with DFCS applications, renewals, and change of address forms. You can also request a Voter Registration application from your caseworker. If you complete a Voter Registration application, submit it to the Georgia Secretary of State’s Office following the instructions provided on the Voter Registration application.”

## Procedures

The following forms were updated to incorporate the Voter Registration Information within the form itself. **Prior versions of the forms should be disposed of and replaced with the most current versions:**

- Form 297 (Application for Benefits) (**version 9/20 or later**);
- Form 298 (Application for Senior SNAP) (**version 7/21 or later**);
- Form 508 (Food Stamp/Medicaid/TANF Renewal Form) (**version 9/20 or later**);

- Form 846 (Change Report Form) (**version 7/21 or later**);
- Form 94 (Medicaid-only Application) (**version 1/22 or later**);
- Form 94A (Medicaid Streamlined Application) (**version 1/22 or later**); and
- Form 700 (Application for Medicaid and Medicare Savings for Qualified Beneficiaries) (**version 1/22 or later**).

**When providing customers with the forms listed above, please ensure that a “STATE OF GEORGIA APPLICATION FOR VOTER REGISTRATION” is attached.**



The NVRA packet [i.e., the NVRA cover letter and Declaration Statement] should no longer be provided separately with the forms referenced above, since the Voter Registration Information is now incorporated within these forms.

Workers must read the Voter Registration Information, as it appears in Gateway, when completing an application, renewal/recertification, or change of address (for example, when completing a telephonic application). If the interaction involves a change of address, then the worker must ask the Voter Registration Information to any applicant or recipient who is of the legal voting age, and is either on the telephone or in-person, for that individual to answer on his/her own behalf.

Upon receiving a returned Voter Registration Information page **or** any version of a completed paper application, renewal, or change report form, locate the customer’s response provided to the question: “If you are not registered to vote where you live now, would you like to apply to register to vote here today?” (*Note: This question is a part of the Voter Registration Information section*). Caseworkers are required to document each customer’s response to the Voter Registration Information section on the appropriate screens in the Gateway worker portal.

The DFCS NVRA Coordinator at the State Office will be responsible for maintaining and transmitting a monthly report to the Georgia Secretary of State’s Office, which will provide customer responses to the Voter Registration Information captured in Gateway. The monthly report will be maintained by the DFCS NVRA Coordinator for at least 24-months.

**VOTER REGISTRATION APPLICATIONS:** County DFCS staff must advise customers who want to submit a Voter Registration Application to complete and transmit the application to the Georgia Secretary of State’s Office using the instructions provided on the Voter Registration Application.

**At any time, upon request, county DFCS staff must provide customers a Voter Registration Application and assist customers with completing and mailing the Voter Registration Application.** If customers ask that DFCS staff mail the Voter Registration Application for them (or if we otherwise receive a Voter Registration Application via fax, mail, or drop box), staff must mail the customer’s Voter Registration Application to the Georgia Secretary of State’s Office, upon receipt, using the instructions found on the Voter Registration Application.

**DFCS STAFF SHALL NOT:**

- seek to influence or discourage a customer’s political preference or party registration
- display any such political preference or party allegiance
- make any statement to an applicant or take any action to discourage the customer from registering to vote

- make any statement to a customer or take any action that the customer’s decision to register or not to register has any bearing on the customer’s application for or receipt of public assistance benefits
- hold completed voter registration applications



Upon receipt, staff must mail completed Voter Registration Applications using the self-addressed stamped envelope provided with the Voter Registration Application.

## Additional Voter Registration Information for Customers

**Register Online:** To apply to register to vote where you live now, visit [sos.ga.gov](https://sos.ga.gov).

**Print an application:** You may print an application by visiting [sos.ga.gov](https://sos.ga.gov).

If you want a Georgia Voter Registration application mailed to you, you may call the Georgia Secretary of State’s office at 404-656-2871, call DFCS' Customer Contact Center at 877- 423-4746, or visit [sos.ga.gov](https://sos.ga.gov).

## Voter Registration Application

Each office should keep a two-week supply of Voter Registration Applications. The Voter Registration Applications can be downloaded from the Secretary of State by visiting [sos.ga.gov](https://sos.ga.gov).



DFCS staff shall not alter Voter Registration Applications in any way. Voter Registration Applications must be provided to DFCS customers in the same format as provided by the Georgia Secretary of State’s Office.

## Confidential Information and Records

Information and records that are considered confidential for Voter Registration purposes:

- Identifying information and records about a public assistance applicant or recipient, including but not limited to: the individual’s name, date of birth, address, telephone number, Social Security Number, driver’s license or state identification, driver’s license number and customer case files.
- A customer’s response to the Voter Registration Information section, which is a document included within the customer’s case file.



All confidentiality laws, rules, and policies that involve public assistance applicant and recipient information and records also apply to Voter Registration information and records that are maintained by DHS/DFCS.

## Getting Help

Please contact the Georgia Secretary of State Office for assistance:


Secretary of State Elections Division  
2 Martin Luther King Jr. Drive  
Suite 802 West Tower

Atlanta, Georgia 30334

Email: [gaelections@sos.ga.gov](mailto:gaelections@sos.ga.gov)

Inquiries regarding the status of a Voter Registration Application should be directed to the Georgia Secretary of State Office. Additional voter registration information can be obtained by visiting the Secretary of State Elections Division at: [www.sos.ga.gov](http://www.sos.ga.gov).

## 1010 Mandated Reporting

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Mandated Reporting                |                       |
|   | <b>Effective Date:</b>                                  | August 2019                       |                       |
|   | <b>Chapter:</b>   | 1000                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 41   | <b>Updated or Reviewed in MT:</b> | MT-49                 |

### Requirements

All Division of Family and Children Services (DFCS) employees are responsible for reporting child abuse and neglect if observed, suspected, or reported to the individual employee.

### Basic Considerations

Section 19-7-5 of the official code of Georgia mandates that all DFCS employees be responsible for reporting suspected child abuse or neglect to Child Protective Services (CPS). The purpose of this code section is to provide for the protection of children whose health and welfare are adversely affected and further threatened by the conduct of those responsible for their care and protection.

It is hoped that the mandatory reporting of such cases will cause protective services to act on the problems of abuse and neglect to prevent further abuse or neglect, to protect at-risk children, and to preserve family life wherever possible.

The following is a list of what must be reported to CPS:

- signs of abuse of a child observed during an interview,
- verbal abuse of a child that is observed during an interview,
- information about suspected abuse or neglect of a child received during an interview or conversation,
- information about suspected abuse or neglect of a child received during a phone call. Refer the person reporting the information to CPS intake staff. Follow-up on the conversation with a written referral to CPS intake. Maintain a copy of the referral in the case record.

If there is any doubt concerning the need to make a report, the report must be made. CPS Intake workers must screen all received reports and determine whether to open an investigation. If there is doubt, employees must err on the side of the child's safety.

## Procedures

If suspected acts of abuse or neglect of a child are observed or discovered, take the following steps:


**Step 1** Arrange for a CPS intake worker to talk with the client if the behavior is being exhibited in your office. Follow-up the request to CPS in writing. Make a copy of the written referral for the case record.

**Step 2** Complete a written referral to CPS and retain a copy in the case record if a CPS worker is unavailable or the client is not present. Include the following information in the referral:

- the child’s name, age, address, and current location if different from the address,
- the parent’s or guardian’s name, address, and phone number,
- the reason for referral,
- the reporter’s name, address, phone number, and relationship to child.

The individual who reports the information has the right to remain anonymous. If the reporter requests anonymity, document accordingly on the referral.

## 1011 Health Insurance Portability and Accountability Act (HIPAA) of 1996

|   |   |   |                       |
|---|---|---|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |   |                       |
|   | <b>TANF Policy Manual</b>                               |   |                       |
|   | <b>Policy Title:</b>                                    | Health Insurance Portability and Accountability Act of 1996 |                       |
|   | <b>Effective Date:</b>                                  | August 2019   |                       |
|   | <b>Chapter:</b>   | 1000  | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 41   | <b>Updated or Reviewed in MT:</b>                           | MT-49                 |

### Requirements

The Georgia Department of Human Services (DHS) is required to comply with the Health Insurance Portability and Accountability Act (HIPAA) of 1996, including the Act’s rules pertaining to the security and privacy of confidential health information.

### Basic Considerations

The U.S. Congress passed HIPAA in 1996 for the purpose of protecting health insurance coverage for workers when they change or lose their jobs.

HIPAA was designed to ensure patient confidentiality for all health care related information. HIPAA’s requirements apply to any entity storing and/or transmitting patient identifiable information on electronic media.

HIPAA was also designed to reduce health care costs by transferring administrative and financial

transactions to electronic media. HIPAA established standards for safeguarding the transmission and storage of private medical information.

A failure to comply with the mandates contained in the HIPAA can result in civil and criminal penalties.

### **Covered Entity**

HIPAA rules define a covered entity as a (1) health plan, (2) health care clearinghouse, or (3) health care provider that electronically transmits health information.

Georgia DHS is a covered entity.

### **HIPAA Applicability**

HIPAA rules apply to all DHS employees, volunteers, trainees, and contractors whose duties give them access to, or may involve the distribution, modification, and/or management of protected health information.

### **Protected Health Information**

Protected Health Information (PHI) is health information that is identifiable as belonging to a individual. Examples of PHI include, but are not limited to the following:

- demographic information, such as name, age, gender and social security number,
- health status information
- prescription drug information
- healthcare payment information
- prior existing conditions
- eligibility information
- authorization and referral certifications.

PHI may be transmitted electronically, via hard copy, or orally.

### **Privacy Rule**

The Privacy Rule (PR), effective April 14, 2003, protects private health information by limiting the ways in which PHI can be used and released.

The Privacy Rule applies only to a covered entity, and not necessarily to every organization that uses, collects, accesses, and discloses individually identifiable health information. An organization that does not meet the definition of a covered entity does not have to comply with the Privacy Rule.

### **DHS Confidentiality Requirements**

DHS administers programs and provides services that have more stringent requirements than those established by the Privacy Rule. DHS will adhere to its more stringent requirements in the administration of the programs and in the provision of the services for which DHS is responsible.

## **Notice of Privacy Practices**

Every person in an AU, 18 years or older, must be provided with a Form 5460, Notice of Privacy Practices, upon receipt of an application for assistance. The HIPAA notice must also be generated for Authorized Representatives, Protective Payees and/or minors who are head of household regardless of age. Thereafter a new form will only be required if any change occurs in DHS's HIPAA policy.

The notice must be mailed to the client if a face-to-face interview is not completed or if AU members 18 years or older are not present for the TANF interview. It is preferable, but not required, that the client sign and return the notice. The case record must be documented if the notice is manually mailed.

## **Information Sharing**

A covered entity may use and share only the minimum amount of protected information necessary to accomplish a particular purpose.

DHS is responsible for determining the amount of PHI required to accomplish a specific task. Upon making this determination, DHS will communicate its decision to all affected parties.

## **PHI Use and Disclosure**

The Privacy Rule prohibits the use and disclosure of PHI for purposes not related to treatment, payment, or health care operations.

Prior to release of PHI, the department must verify the identity of any person requesting PHI and that person's authority to receive such information.

As a covered entity, DHS is permitted, but not required, to use and disclose PHI without an individual's authorization only in certain situations and for specific purposes.

The following uses and disclosures do not require authorization from a client or the client's representative:

- treatment, payment, and health care operations
- public health agency activities
- health oversight and regulatory agency activities
- judicial proceedings and law enforcement investigations
- health care fraud investigations
- emergency situations
- health information not connected with other information that identifies the individual.

The following uses and disclosures of a client's PHI require authorization from the client or the client's representative:

- third party disclosures
- marketing and fundraising activities

- non-health related affiliates
- underwriting or risk-rating activities
- employment determinations
- sale, rental, or barter of PHI
- psychotherapy records other than psychotherapy notes.

### **Form 5459**

Prior to the release of PHI that requires authorization from the client or the client's representative, the client or representative must complete and sign Form 5459, Authorization for Release of Information.

Form 5459 may be used to release or obtain information only if the client or representative specifies, on the form, to whom information is to be released or from whom information is to be obtained.

### **Administrative Requirements**

DHS must comply with HIPAA Privacy Rule administrative requirements including, but not limited to the following:

- designation of a privacy officer who is responsible for the development, implementation, and maintenance of privacy policies and procedures
- development, implementation, and documentation of timely and effective privacy training
- development, maintenance, and enforcement of complaint procedures
- enforcement of appropriate sanctions for failure to comply with HIPAA regulations.

### **Security Rule**

The HIPAA Security Rule ensures the security of PHI by specifying how PHI is to be stored, transmitted, and accessed.

### **Phi Safeguarding Practices**

Guidelines for safeguarding PHI include, but are not limited to the following:

- PHI must only be discussed with the client or Privacy Rule in a private area.
- PHI must only be discussed with another staff member on a need-to-know basis and only in a non-public area.
- A telephone call conversation regarding PHI must only be held in an area where the conversation cannot be overheard.
- When conducting a client interview, the case manager must position the computer monitor in a way that does not permit observation by anyone other than the client or Privacy Rule.
- Computer passwords must not be shared and must be recorded only in a secure location.
- PHI must be disclosed only by staff authorized to do so.



- Access to fax machines must be limited to authorized staff.
- Case records, mail, documentation, and other materials containing PHI must be maintained in a locked or otherwise secure location, away from the general public.
- Staff must always wear appropriate agency-issued identification.
- PHI must be discarded in appropriate, secure containers.

### **Administrative Requirements**

DHS must comply with HIPAA Security Rule administrative requirements including, but not limited to, the following:

- development and enforcement of information access control
- completion of internal security audits
- enforcement of physical safeguards including workstation/office guidelines
- enforcement of appropriate sanctions for failure to comply with HIPAA regulations
- development, implementation, and documentation of security awareness training.

### **Business Associate**

A Business Associate is an entity that does not meet the definition of a covered entity but who performs, on behalf of a covered entity, a function or activity that is regulated by the HIPAA rules, including the Privacy Rule.

A HIPAA-regulated function or activity may involve the use or disclosure of PHI, or the provision of certain services to a covered entity that involves the use or disclosure of PHI. The arrangement may be formal or informal.

### **Business Associate Agreement**

HIPAA requires that a covered entity inform a Business Associate of the covered entity's designation as such and the requirement that the business associate must adopt and implement established standards and procedures for handling PHI. Additionally, a Business Associate must be notified of its requirement to comply with all applicable provisions of the Privacy Rule.

Before a covered entity discloses PHI to a Business Associate, the covered entity must obtain assurances, generally in the form of a contract, that the Business Associate will appropriately safeguard the information. A contract cannot authorize a business associate to use or disclose PHI in a manner that, if done by the covered entity, would violate the Privacy Rule.

### **Training**

The appointing authority must ensure and document that all Division of Family Children Services (DFCS) employees complete HIPAA training as part of new employee orientation.

### **Penalties for Non-Compliance**

HIPAA establishes both civil and criminal penalties for a covered entity that misuses PHI.

Civil violations of HIPAA standards can result in monetary penalties of up to \$100 per violation, with a cap of \$25,000 in a calendar year for all violations of the same requirement.


Criminal violations of HIPAA standards can result in penalties ranging from fines up to \$50,000 and one year in prison for certain offenses, fines up to \$100,000 and up to five years in prison for offenses committed under “false pretenses,” and fines up to \$250,000 and up to 10 years in prison if the offenses are committed with the intent to use PHI for commercial purposes or if intending malicious harm.

### **Additional Information**

Additional HIPAA information is available at [www.hhs.gov/ocr/hipaa](http://www.hhs.gov/ocr/hipaa).

# 1100 Application Processing

## 1105 Application Processing

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Application Processing            |                       |
|   | <b>Effective Date:</b>                                  | February 2024                     |                       |
|   | <b>Chapter:</b>   | 1100                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 75   | <b>Updated or Reviewed in MT:</b> | MT-76                 |

### Requirements

All TANF applications submitted to the agency must be processed in a timely manner.

### Basic Considerations

The application process begins with the request for cash assistance and ends with notification to the assistance unit (AU) of the AUs eligibility status.

An inquiry regarding TANF can be made at any time, and through any source, including but not limited to:

- in person
- by mail
- over the phone
- on-line or
- at another designated agency

Individuals inquiring about or requesting information regarding the TANF program must be given this information upon request.

An application must be provided to anyone who requests one. An application for assistance can be requested:

- in person
- by mail or
- over the phone

### Filing an Application

A completed application consists of a signed application submitted with a name, address, and the signature of the individual requesting assistance. An application can be filed:

- in person
- by mail
- on-line
- fax, or
- electronically (scanned application).

**i** Paper Applications may be dropped off at any county drop box.

**i** Homeless AUs do not have to provide an actual address but must provide enough information to establish their residency in the county in which they are applying. The AU statement is acceptable unless conflicting information is known to the agency.

Anyone may apply for cash assistance, including the following individuals:

- the parent, specified relative, or legal guardian of the child for whom assistance is requested
- an individual who is pregnant
- an individual acting on behalf of an applicant

### **Electronic Signatures**

Electronic signatures utilizing Adobe signature or other E-Signature software will be acceptable for all TANF forms. A completed application consists of a signed application submitted with a name and address. A typed name on the signature line of a paper application is not acceptable.

### **Right to Same-Day Filing**

An individual has the right to file an application on the day of the initial request for benefits. The agency cannot refuse anyone the right to same day filing and must inform the individual of the right to file an application form on the same day s/he or his/her representative contacts the agency in person or by phone, expressing interest in obtaining assistance.

If an individual request an application by mail, the right to same-day filing is met if the application is mailed on the day s/he makes the request to the agency. The date of application is the date the signed application form is received in the county office.

The right to same-day filing affects the following:

- the date the processing standards begin
- the date to begin proration of initial benefits

### **Interview Requirements**

A face-to-face or a telephone interview with the applicant is required prior to approval. The interview may be in the office, by phone, or a prearranged home visit. A home visit can be conducted when the applicant is unable to come to the office because of illness, physical or mental handicap, lack of transportation or undue hardship.

The applicant must be informed about the program orally and in writing, by use of appropriate

information pamphlets and other printed material.

The applicant is interviewed, if possible, on the same day on which the application is filed.

### **First Appointment**

An interview must be scheduled for an applicant who is not interviewed on the day on which the application is received. The interview must be scheduled within a reasonable period and may be rescheduled by the applicant if necessary.

### **Missed Appointment**

The application must be held for 10 days following the scheduled appointment to allow the applicant ample time to contact the agency. The application is denied on the first workday following the 10<sup>th</sup> day if no contact is made.

### **Subsequent Appointment**

A subsequent appointment is scheduled if the applicant contacts the agency within 10 days of the date of the missed appointment.

If the subsequent appointment is missed, the application is denied on the first workday after the 10<sup>th</sup> day following the first missed appointment or the first workday following the missed subsequent appointment, whichever is later.

### **Who Must be Interviewed**

A face-to-face or a telephone interview with the following AU members must be conducted to establish eligibility:

- the caretaker, other eligible parent, legal guardian, and/or grantee relative
- a minor parent: including the minor parent who is receiving TANF benefits as a child.
- a pregnant woman (including a pregnant minor)



The pregnant minor or minor parent is interviewed to discuss deprivation, cooperation with the Division of Child Support Services (DCSS), personal responsibility and work requirements.

### **Who May be Interviewed**

A face-to-face or telephone interview can be conducted with the following individuals to determine their income and/or resources:

- stepparent
- parent of a minor caretaker
- parent of a pregnant minor
- spouse of a non-parent caretaker
- spouse of a minor
- spouse of a pregnant woman

- ineligible parent who is not a payee
- alien sponsor
- dependent child who is employed and not in school if the caretaker is uncertain of the child's resources and amounts of income.

### **TANF Community Outreach Services**

TANF Community Outreach Services (TCOS) provides information and referral services about other programs and resources that are available through DHS, other State agencies or community organizations for all AUs who are applying for TANF and whose gross income falls below 130% of the FPL. For AUs in which the head of household is elderly or disabled the income level is below 200% of the FPL.

There is no resource limit for TCOS services.

Eligibility for TANF Community Outreach Services (TCOS) must be determined prior to a TANF eligibility determination.

The client's statement of gross income is enough verification to initially establish eligibility for TANF Community Outreach Services.

Discuss the available information and referral services after initial TCOS eligibility is established (i.e. if the applicant's stated income falls below 130% or 200% of FPL).

Persons who receive a TCOS brochure are considered categorically eligible to receive Food Stamps. They, however, must meet all other eligibility requirements for the TANF program to receive TANF benefits.

### **What the Interview Must Include**

The following information must be explained to the applicant during the interview:

- the applicant must demonstrate a commitment by actively participating in the requirements of the TANF Family Service Plan (TFSP)
- the services provided by DFCS and the applicant's right to apply for these services
- the applicant's responsibility to provide information needed to establish eligibility and benefit level
- eligibility requirements including, but not limited to, the following:
  - lawful presence within the United States
  - 48-month lifetime limit
  - standard filing unit
  - basic eligibility requirements
  - work requirements
  - personal responsibility requirements
  - conciliations and sanctions

- the role of DCSS, the assignment of child support to the State, and good cause for not cooperating with DCSS
- lump sums and their effect on eligibility
- clearinghouse requirements
- periodic reviews
- timely reporting of changes
- penalties for lawbreakers
- disqualification for Intentional Program Violation (IPV)
- immunization requirements
- the evaluation of financial management based on available income, expenses, and the requirement to resolve any identified discrepancies
- living arrangements of a pregnant minor or minor parent
- prenatal care
- temporary waiver of certain eligibility requirements for victims of domestic violence
- verification of citizenship
- verification of identity
- school enrollment of school age children (7 years to 18 years of age)
- school attendance for an 18-year-old child
- the Earned Income Tax Credit (EITC). How to apply for advanced payments, by providing to the client a copy of the IRS EITC brochure
- issuance procedures via Electronic Benefit Transfer (EBT)
- voter registration services
- Health Insurance Portability and Accountability Act (HIPAA)
- The appropriate use of cash assistance to provide for the needs of the dependent children
- The AUs right to the following:
  - A fair hearing
  - prompt action within the Standard of Promptness (SOP)
  - confidentiality
  - non-discrimination in the processing of the application
- services available to the family from other agencies such as Family Planning, Health Check, Women, Infants and Children (WIC) Program, parenting skills classes and resources for victims of domestic violence.
- appropriate use of the Way2Go debit card

## **Voter Registration**

It is the policy of the Department of Human Services (DHS) that all Office of Family Independence (OFI) programs offer voter registration services to all applicants and recipients whenever they


apply for services, renew services or submit a change of address, whether in person, electronically, or via the telephone, facsimile or mail.


Voter registration services include distribution of:

- Application for Voter Registration
- Assistance in completing the form if requested
- Acceptance and transmittal of forms to the election's office.


## Mandatory Forms

The following forms must be provided to the parent, pregnant woman, parent caretaker and/or pregnant minor or minor parent (head of household) and completed, if applicable, when processing a TANF paper application:

- Form 138, Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement and Third-Party Resources, if deprivation is based on continued absence.
- Form 196, TANF Family Service Plan-Personal Responsibility Plan.
- Form 297, Application for TANF, Food Stamps or Medical Assistance.
-  Form 508, Food Stamps, Medicaid, and TANF Renewal form, and Form 528, SNAP Periodic Report Form, cannot be accepted for a TANF Application.
- Form 297A, Rights and Responsibilities.
- ADA/Section 504 Notice.
- Form 522, Domestic Violence brochure.
- Form 5460, Notice of Privacy Practices, (IES will mail this form if application is submitted via a paper application or through customer portal).

 Form 297, 297A and 196-PRP must be signed and returned. If there is a 2-parent AU, both parents need to sign Form 196-PRP. Form 1276 and ADA/Section 504 have been added to Form 297, Application for TANF, Food Stamps or Medical Assistance. Form 138 and 522 have been added to Form 297A-Rights and Responsibilities. If Form 138, ADA/Section 504, 522 and 5460 are mailed as standalone forms, they do not have to be signed or returned. Case Notes must be updated to indicate a required form was mailed if a paper application is submitted. The following forms must be provided to the parent, pregnant woman, parent caretaker, and/or pregnant minor or minor parent (head of household) and completed, if applicable, when processing a TANF application submitted through the customer portal:

- Form 196, TANF Family Service Plan-Personal Responsibility Plan.

 Form 196-PRP must be signed and returned. If there is a 2-parent AU, both parents need to sign Form 196-PRP. Forms 297, 297A, 138, ADA Section 504, 522 and 5460 are signed via electronic signature when the application is submitted through the customer portal.



## Other Forms Required as Needed

The following forms are completed as necessary when processing a TANF application:

- Form 130, Child Support/Medical Support Statement, if deprivation is based on continued absence.
- Form 173, TANF/Medicaid/Food Stamps Verification check list.
- Form 173 A, TANF /FS Appointment Letter
- Form 188, Social Data Report
- Form 194, TANF Assessment for Domestic Violence, Sexual Assault, Sexual Harassment, or Stalking (Form is required if a waiver is requested, must be signed and returned).
- Form 196A, TANF Family Service Plan-Work Plan (Form 196A is required for work eligible individuals, must be signed, and returned).
- Form 354, Expense Statement (Form 354 is required to be part of the case record for work eligible individuals. Client signature is not required).
- Form 489, TANF Work Requirement Exemption Form, if there is a child in the home less than 12 months of age. (Must be signed and returned if the client is requesting an exemption).
- ADA RM Form 101, Americans with Disability Act Reasonable Modification Form (This form may be used but is not required if reasonable modifications or accommodations are requested).
- ADA RM Form 102, Tracking Form, Americans with Disability Act Reasonable Modification Tracking Form (*This form is required when the Reasonable Modification (RM) request cannot be entered and documented in Gateway, or the request for a RM may be potentially denied*).
- Form 785, Family Planning Services Referral.
- Form 3231- Certificate of Immunization

*Refer to 1345-4 – Personal Responsibilities Requirements (for details about requirements to complete Form 785)*

This list is not all inclusive. Other forms may also be requested based on the AUs circumstances.



If Form 194, 196A-Work Plan, and/or Form 489 are required, they must be signed and returned.

The intent of policy is not that a hard copy form be completed if the same information can be collected, or the same process can be completed on-line. Rather, the forms listed above contain information that must be collected or sent. Whenever IES can be used to collect or transmit necessary information, it should be used. If IES cannot be used, even if only temporarily, the hard copy form must be used. The standard of promptness (SOP) for completion of a TANF application is 45 calendar days.

### Standard of Promptness

The first day of the 45-day count is the day on which the applicant files a signed application in the county department or the day on which a signed application is received in the mail.

Completion of an application is defined as either the issuance of cash assistance or the issuance of a

denial notice.

All interviews must be completed, and deadlines given to facilitate completion of the application within the SOP.

Approval or denial of an application is completed on the last workday prior to the weekend or holiday on which the SOP deadline falls. An approval or denial completed the business day after the SOP deadline falls is considered over the standard of promptness.

To determine SOP for denial of an application refer to:

- [Missed Appointment](#) or,
- [Subsequent Appointment](#) of this section.

### **Application Prior To the Birth of a Child**

A TANF application may be accepted from a pregnant applicant who has no minor dependent children. The TANF benefit amount will be determined based on the applicant and the number of fetuses. Third party verification of the number of fetuses is required.

### **Out of State Application**

An application is accepted from an individual outside the State who expresses intent to move to Georgia. An application is treated as an inquiry until the applicant establishes residency in Georgia.

### **Transfer While in Applicant Status**

The application processing standard begins once the individual establishes residency. The date of application is the date on which the applicant establishes Georgia residency.

If the AU received TANF in another State, the effective date of TANF termination and the number of months for which TANF was received must be verified.

Refer to Section 1390, Lifetime Limits.

If an applicant moves to another county prior to approval of the case, the county in which the applicant filed the application will complete the application process with the assistance of the new county of residence.

The case is transferred in the usual manner following approval of the application.

### **Change While in Applicant Status**

An applicant is responsible to report changes within 10 calendar days of the date on which the change occurs during the application process.

The case manager must act on the reported change during the application process, allowing the applicant enough time to provide any verification that may be required.

## Conciliation at Application

One-time only conciliation opportunity is available for TANF applicants if the applicant:

1. has committed a material violation during the application process, and
2. not previously conciliated.

*Follow the step-by-step conciliation process listed under “TANF Policy Procedures” manual under section 1105 Application Processing.*

*Refer to section 1351 for additional information about CONCILIATIONS and the right to claim GOOD CAUSE for failing to meet the requirements.*

## Reapplication After Non-cooperation With DCSS

*Refer to section 1320-6 of the policy manual regarding Re-Application after non-cooperation with DCSS.*

## Simplified Reapplication

The simplified reapplication process allows the case manager to conduct a modified interview and establish eligibility using verification obtained or available at the previous application, and verification obtained after the reapplication.

An application may be approved using a simplified reapplication process when all the following conditions are met:

- The application is filed within 30 calendar days from the date on which a previous application was denied,

AND

- the applicant is the same individual who applied for TANF at the point of denial or was included in the AU,

AND

- the preceding application was not processed using the simplified reapplication procedure.

OR

- the application is filed within 30 days from the date on which the applicant’s previously active TANF case was closed,

AND

- the applicant is the same individual who received TANF at the point of termination or was included in the AU.

If the closure was due to a sanction or the client’s request for closure to avoid a sanction, then a simplified reapplication is not appropriate.

The case manager must review the reason for the denial or termination of the previous application or TANF case, and the AU must fully comply with all requirements that resulted in the negative action. All unresolved points of eligibility, pending sanctions, and conciliation must be addressed.

Mandatory forms completed as part of the previous application process do not have to be completed again during the simplified reapplication process.

However, the Voter Registration Application Services procedure must be completed at application, each subsequent application, renewal, recertification, or changes of address.

 This only applies to application process.

### **Reopened Application**

An application may be reopened after denial if information made known to the agency indicates that the application was denied in error.

### **Application Approval**

An application is approved when all necessary verification has been received and all points of eligibility have been established.

A TANF applicant must be alive and meet all eligibility requirements on the date the case is approved in the system.

### **Period of Eligibility**

A TANF application is approved for an unspecified time.

### **Proration of Initial Benefits**

Initial benefits are prorated according to the following guidelines:

- If an application is approved in the month of application, benefits are prorated from the date of approval through the end of the month.
- If an application is approved in the month following the month of application, benefits are prorated from the date of approval or from the 30<sup>th</sup> day after application, whichever is earlier.
- If the 30<sup>th</sup> day following the date of application falls in the month of approval, benefits are prorated from the 30<sup>th</sup> day following the application date until the end of the month.

Calculating the Prorated Amount:

1. Determine the AU's monthly benefit based on household size and net income.
2. Determine the prorated benefit by applying the guidelines for prorated benefits using the monthly benefit and whichever of the following dates is earlier:
  - approval date, **or**
  - 30<sup>th</sup> day from the application date. Remember, the date of application is considered the first day of the 30-day period.

- i** If the resulting prorated grant is less than \$10, the TANF benefit will not be issued for that month.

Since Georgia uses the standard 30-day calendar formula, the calculations to determine monthly benefits would be as follows:

(Full Monthly Benefit Amount) X (31 **minus** appropriate date from Step 2) **divided by** 30 = Allotment Amount

Round to the nearest whole dollar.

- i** A person applying in February or on the 31st of the month is the same as applying on the 30<sup>th</sup>. Always subtract the appropriate date outlined in Step 2 from 31 days, regardless of the number of days in the month.

#### Example 1:

HH size = 3

Full Monthly Benefit Amount= \$280

Application date: 2/6/2020.

Approval date: 2/17/2020.

Step 1:  $280 \times (31-17)$

Step 2:  $280 \times 14 = 3,920$

Step 3:  $3,920 \div 30 = 130.667$

\$131 is the prorated allotment amount since we round to the nearest whole dollar.

#### Example 2:

HH size = 3

Full Monthly Benefit Amount = \$252 (This AU has countable income)

Application date: 4/6/2020.

Approval date: 5/13/2020. (Approved after 30<sup>th</sup> day)

30<sup>th</sup> day: 5/5/2020

Step 1:  $252 \times (31-5)$

Step 2:  $252 \times 26 = 6,552$

Step 3:  $6,552 \div 30 = 218.40$

\$0 Benefits issued for April since the case was not approved in April and the 30<sup>th</sup> day did not fall in April.

\$218 is the prorated allotment amount for May since we round to the nearest whole dollar.

## Notification

Written notice of the eligibility determination must be provided. The notice must include the fol-

lowing information:

- the basis for the approval or denial
- the initial benefit amount and ongoing benefit amount
- the reason for the action
- the AUs right to request a fair hearing
- the telephone number of the county office
- the telephone number of legal services.

The system generates a notice to the AU that contains the information above at approval or denial. If the system-generated notice is insufficient, a manual notice must be sent. Refer to Section 1705, Notification.

## **Verification**

Information required to determine the applicant's eligibility for cash assistance is requested as follows:

- The availability of needed information from agency sources must be determined prior to requesting verification from the AU.
- Requests for verification must be in writing on Form 173, Verification Checklist.
- The applicant must provide the names of the sources from which required verification will be obtained and the applicant must be informed of any contacts that will be made with those sources.
- The applicant must be given sufficient time to obtain the verification. While there is no minimum or maximum amount of time required in which verification is to be provided, it must be reasonable.
- The applicant may be given sufficient time, within the standard of promptness, to provide information if the applicant requests that more time be given.

Verification received for another program may be used for TANF if the information is sufficient.

The applicant's statement is accepted as verification for some eligibility criteria, as indicated.

The applicant's statement is accepted if it establishes ineligibility and further verification is not required. The AU must be assisted in obtaining verification.

## **Procedures**

### **Receiving an Application**

Assist the AU as needed to complete the application form.



The application form can be completed by the applicant, an authorized representative, or an agency representative.

Accept signed applications when the AU first requests assistance. DO NOT require an interview or

other screening process prior to accepting an application.

Record on the application form the date on which it is received in the county office. Screen the application to determine if there is:

- current receipt of the benefits for which the AU is applying,
- current receipt of other benefits and
- if there is an active child protective services (CPS) case or CPS plan in place.

Consider the applicant as the primary source of information pertaining to individuals for whom assistance is requested.

Provide the AU with necessary forms needed to complete the application process.

### **Scheduling an Interview**

Refer the AU to other appropriate services requested by the applicant or determined by the agency.

Interview the applicant, if possible, on the same day the application is filed. Schedule an interview for an applicant who is not interviewed on the day the application is filed.

Follow the procedures below when it is necessary to schedule an interview for a day other than the date of the application:

- Provide the applicant with an appointment letter.
- Schedule an interview at a time that is convenient for the applicant.
- Schedule a home visit or telephone interview if the applicant is unable to attend on office interview.
- Reschedule the appointment if the applicant requests a rescheduled appointment prior to the interview. Do not consider the original appointment a missed appointment.

### **First Appointment**

Follow the procedures below when scheduling the first appointment:

- Accept the signed application on the day the client appears at the office to apply or on the day the application is received by mail.
- Annotate the application with the date the application is received in the county, not the date of the interview.
- Schedule the interview within a reasonable time.
- Reschedule the appointment if the applicant requests a rescheduled appointment prior to the interview. Do not consider the original appointment a missed appointment.
- Hold the application for 10 days following the original appointment date if the applicant misses the appointment, giving the applicant an opportunity to contact the agency.
- Deny the application on the first workday following the 10<sup>th</sup> day if no contact is made.
- If contact is made and the applicant requests another appointment, schedule a subsequent

appointment.

## Subsequent Appointment

Follow the procedures below when scheduling a subsequent appointment:

- Schedule a subsequent appointment as soon as possible so that the application can be processed within the SOP.
- If the subsequent appointment is missed, deny the application on the first workday after the 10<sup>th</sup> day following the first missed appointment or the first workday following the missed subsequent appointment, whichever is later.

## Conciliation at Application

Follow the steps below to conciliate if an individual has committed a material violation during the application process and was not previously conciliated.

1. Initiate the conciliation process by sending a conciliation appointment within 7 days of the case manager becoming aware of a possible material violation. Describe the possible material violation and schedule a conciliation appointment with the individual who failed to meet the requirement and the grantee relative, if different. Schedule the appointment for no later than 14 days after becoming aware of the possible material violation. The conciliation process may be completed in a face-to-face or a telephone contact.



If there is an active Child Protective Services (CPS) case for this AU, send the CPS case manager a copy of the conciliation appointment and invite him or her to attend the conciliation appointment.

2. Determine at the conciliation interview if the individual had good cause for failure to meet the requirement. If good cause exists, discuss any need for support services. If necessary, complete a new TANF Family Service Plan (TFSP).

Document Form 190, TANF Material Violation Conciliation Letter with the resolution of good cause and provide the individual with a copy. This is not a material violation. Proceed with the application process.

3. Complete the conciliation process if the case manager establishes that there is not a good cause. If the individual agrees to meet the requirement, document Form 190, TANF Material Violation Conciliation Letter with the resolution, the specific action to be taken, and the information that failing to meet the requirement a second time will result in denial of the application.

This is a conciliated material violation. Proceed with the application process.



The individual does not have to meet the requirement during the conciliation process.

4. Deny the application if the individual does not call or keep the conciliation appointment. Pend the conciliation until the AU reapplies.
5. Deny the application if the individual keeps the conciliation appointment but refuses or continues to fail to meet the requirement.



6. Document the resolution on Form 190, TANF Material Violation Conciliation Letter and scan it in the case record.

Follow the procedures below to determine when to begin the date of application for processing standards.

*Chart 1105.1 - Application Filing Procedures*

| IF  | THEN   |
|---|--|
| the AU files an application in its county of residence  | Accept and date the application on the day the AU makes the initial request for assistance.  |
| the AU resides in the county and files an application in that county but at an office which does not serve the area   | Inform the AU of the option to file the application. The office should register and scan the application into Web Center Enterprise Capture (WEC).<br><br>The date of application is the date the application is first received in any office in the county. |
| the AU does not reside in the county in which it is filing an application   | Inform the AU of the option to file the application. The office should register and scan the application into Web Center Enterprise Capture (WEC).<br><br>The date of application is the date the application was first filed in any county.                 |
| the AU mails an application to the wrong county   | The office should register and scan the application into Web Center Enterprise Capture (WEC).<br><br>The date of application is the date the application is received by any county in the state.   |
| the AU moves to Georgia and files a new application<br><br>AND<br><br>is currently receiving benefits in the other state<br><br>OR<br><br>received benefits in the month prior to the month of application in Georgia | Process as an initial application.<br><br>Verify closure of benefits in the other state.<br><br>The date of application is the date the application is received in the county office.  |

### **Simplified Reapplication**

Follow the steps below to process an application using simplified reapplication procedures:


1. Review the application for assistance.
2. Determine the reason for the previous denial or termination of cash assistance and require the AU to meet the eligibility factor that caused denial or closure. If the closure was due to a sanction or the client’s request to close his/her case to avoid a sanction, a simplified reapplication is not appropriate.
3. Discuss with the client and document additional changes that have occurred since the denial or termination of cash assistance.
4. Verify eligibility points as needed.

5. Use non-financial and resource verification that was previously obtained to determine current eligibility unless a change is reported by the client or the previously verified information is questionable.
6. Do not re-verify income that is not subject to change, such as RSDI, VA, educational income, UCB, or non-fluctuating wages if no change is reported.
7. Complete the application interview.


Use existing Clearinghouse information if it was obtained within 30 days prior to the new application.

Use the following chart to determine how to complete a TANF application:

*Chart 1105.2 - Disposition of TANF Applications*

| IF THE AU  | THEN  |
|--|---|
| is eligible for the month the case is brought to final but is not eligible for the ongoing benefit month   | approve for the current month.<br><br>Ensure that benefits for the ongoing benefit month are not issued.  |
| is ineligible for the current month but is eligible for the ongoing benefit month  | approve for the ongoing benefit month.<br><br>Ensure that benefits for the current month are not issued.  |
| is ineligible for the current month and the ongoing benefit month on the day the case is completed   | deny all months.  |
| is ineligible for the application month, ineligible for the current month (i.e. the month when application is completed) and ineligible for the ongoing benefit month but is eligible for any intervening month,<br><br> The applicant has an option to withdraw his/her TANF application.<br><br>The impact on Transitional Food Stamps (TFS) and TANF lifetime limit must be explained to the client. | approve the intervening month.<br><br>Ensure that benefits for the application, current or on-going months are not issued.  |
| requests withdrawal of a pending application   | deny all months.  |
| fails to cooperate in providing necessary verification   | deny all months.  |
| fails to provide verification of the number of fetuses for an AU with no dependent children  | deny all months.  |
| fails to provide verification of the number of fetuses for an AU with dependent children   | exclude the unborn fetuses from the AU until third party verification is received.  |
| is denied because of agency error AND the AU is determined to have been eligible   | register and process a new application in the system using the original date of application as the application date.<br><br>Do not require a new application. Prorate benefits from the 30 <sup>th</sup> day. |

## 1110 Authorized Representative

|   |  |                           |                                   |       |
|---|--|---------------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                           |                                   |       |
|   | <b>Policy Title:</b>   | Authorized Representative |                                   |       |
|   | <b>Effective Date:</b>   | December 2022             |                                   |       |
|   | <b>Chapter:</b>  | 1100                      | <b>Policy Number:</b>             | 1110  |
|   | <b>Previous Policy Number(s):</b>  |                           | <b>Updated or Reviewed in MT:</b> | MT-70 |

## Requirements

A TANF assistance unit (AU) may designate someone as the authorized representative to act on behalf of the AU.

## Basic Considerations

An authorized representative may be one of the following:

- an adult (age 18 and older), non-AU member who is sufficiently aware of relevant AU circumstances and has been designated, in writing, by the head of household, spouse, or another responsible member of the AU,
- the only adult AU member who is IPV disqualified, when the agency has determined that there is no one else available to serve,
- an employee of a private, non-profit organization or institution or publicly operated community mental health center administering a drug addiction or alcohol treatment and rehabilitation center,
- an employee of a publicly operated community mental health center,
- an employee of a public or private non-profit group living arrangement certified for no more than 16 residents who are disabled or blind.

The following individuals may not serve as authorized representatives without written approval of the county director:

- an employee of DFCS involved in certification of TANF benefits,
- an individual involved with issuance of TANF benefits,
- DFCS social services staff, if it is determined the individual, they are working with is unable to act on his own,
- a homeless meal provider for a homeless A/R.

 Approval is given only when it is determined no one else is available to serve as authorized representative.

Authorized representatives may be designated to do all or one of the following:

- file application for the AU, however, the application must be signed by the individual requesting assistance (See TANF Policy 1105-1)

- attend the interview for the AU
- purchase items with the TANF benefits on a regular or emergency basis
- carry out responsibilities during the POE such as, reporting changes.

Designate in writing an individual who meets the criteria to act as authorized representative. In writing means the following:

- documentation of the AU's statement on the interview guide during the interview.
- a release form signed by the AU authorizing someone to act on behalf of the AU.
- a written statement from the AU naming someone as authorized representative.

Explain the following policies to the AU:

- The AU should prepare and review the information provided for the application even though the authorized representative will be interviewed.
  - The AU will be liable for any overpayment which results from erroneous information given by the authorized representative.

### **Disqualification of an Authorized Representative**

An individual who serves as an authorized representative and has improperly used TANF benefits or knowingly provided false information to the agency is disqualified as an authorized representative for one year.



Drug and alcohol treatment centers which act on behalf of their residents cannot be disqualified.

Notify the AU and the authorized representative in writing 30 days prior to the date of disqualification, providing the following information:

- Proposed action,
- Reason for the action,
- Right to a hearing,
- Telephone number of the agency,
- Name of the person to contact.

The AU may appeal the disqualification. The authorized representative may not appeal the disqualification. If an individual acts on behalf of more than one AU, each AU has the right to appeal the disqualification.

### **Documentation**

The name and address of the authorized representative must be recorded in the AU's case file.


### **Verification**

An authorized representative is required to verify his/her identity when applying for an appli-

cant/recipient's TANF benefits.

# 1200 Assistance Units

## 1205 Assistance Units

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Assistance Units                  |                       |
|   | <b>Effective Date:</b>                                  | September 2023                    |                       |
|   | <b>Chapter:</b>   | 1200                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 72   | <b>Updated or Reviewed in MT:</b> | MT-74                 |

### Requirements

The assistance unit (AU) includes members of the standard filing unit (SFU) and may include other individuals who are related to and living in the home with the grantee relative.

### Basic Considerations

The SFU includes the dependent child for whom assistance is requested, and certain other individuals living in the home with the child who are required to be included in the AU. This includes a pregnant woman or pregnant minor and her unborn child/children.

The following individuals are members of the SFU:

- an eligible minor sibling, (whole, half or adoptive) of the dependent child for whom assistance is requested, and
- a biological or adoptive parent of the dependent child for whom assistance is requested.
- a dependent child of a minor parent for whom assistance is requested.
- a pregnant woman or pregnant minor.

**i** The term 'child' means child or children, including a fetus with a detectable human heartbeat.

Adoptive relationships take precedence over biological relationships. When determining AU composition for an adopted child, his/her biological siblings will not be considered as members of SFU.

The number of individuals included in the AU determines the income limits used to determine financial eligibility and benefit amount.

The income and resources of certain individuals who are not included in the AU are considered when determining the AU's financial eligibility and benefit amount.

Refer to Chapter 1500, Financial Eligibility Criteria, or to Section 1525, Income, and Section 1505, Resources, for additional information.

## Other Assistance Unit Members

The parent of a child included in the AU must also be included even if the parent is not related to the grantee relative.

Other children living in the home who are within the specified degree of relationship to the grantee relative but who are not members of the SFU may be included in the AU.

Children in an AU do not have to be related to each other.

A non-parent relative may be included in the AU as the caretaker if there is no parent in the home or if the only parent in the home receives SSI.

An individual can only receive one TANF benefit as a caretaker and/or a grantee relative. S/he cannot be a caretaker and/or a grantee relative for more than one AU.

 This restriction does not apply to an emergency payee or a protective payee situation.

## Ineligible Individuals

The following individuals are ineligible and cannot be included in the AU:

- a child who is not deprived,
- a child who is not within the specified degree of relationship to the grantee relative, even if the child is a sibling to a child in the AU,
- an adult or child who does not meet the citizenship or alien requirement,
- an adult who is sentenced to perform unpaid public work and is permitted to live in the home while serving his/her sentence,
- an adult or child who is in a lump sum period of ineligibility.

The income and resources of an ineligible parent are considered in determining the financial eligibility and benefit amount of the AU.

The income and resources of an ineligible child are not considered in determining the financial eligibility and benefit amount of the AU.

Income may be allocated from an AU member to the ineligible spouse or child of the AU member.

Refer to Chapter 1600, Eligibility Budgeting.

## Penalized Individuals

The following individuals are penalized and cannot be included in the AU:

- a parent or child who does not meet the enumeration requirements,
- an individual who was convicted on or after January 1, 1997, of a serious violent felony,
- an individual who was convicted on or after January 1, 1997, of a felony related to possession, use or distribution of a controlled substance,
- a felon who is fleeing to avoid prosecution, custody, or confinement,

- an individual who is a probation or parole violator,
- a pregnant woman or pregnant minor who does not meet the prenatal care requirement,
- a pregnant minor or minor parent who does not meet the minor caretaker living arrangement requirement,
- a pregnant minor or minor parent who does not meet the school attendance requirement,
- a pre-school age child who is not immunized,
- an SFU member who fails or refuses to cooperate in determining citizenship/alienage status, or
- an individual who voluntarily and without good cause quits a job.

An individual who is not a member of the SFU is not penalized but is excluded from the AU.

 Refer to Section 1310, page 13

The income and resources of a penalized individual are considered in determining eligibility and benefit amount of the AU.

Refer to Chapter 1300, Basic Eligibility Requirements, for additional information on penalized individuals.

Refer to Section 1505, Resources, for information on the treatment of a penalized individual's resources.

Refer to Section 1670, Budgeting the Income of a Penalized Individual, for budgeting procedures.

Refer to Section 1349, Work Requirements, for additional information on voluntary quit.

### **Disqualified Individuals**

The following individuals are disqualified and cannot be included in the AU:


- an individual who was found to have committed an intentional program violation (IPV),
- an individual who misrepresented residency in order to receive TANF, Food Stamps, Supplemental Security Income (SSI) or Medicaid in two or more states simultaneously.

The income and resources of an individual who has been disqualified are considered in determining eligibility and benefit amount if the individual is an SFU member or the individual is not an SFU member but was included in the AU at the time the IPV was committed.

Refer to Chapter 1300, Basic Eligibility Requirements, for additional information on disqualified individuals.

### **Excluded Individuals**

Individuals who are not members of an AU member's SFU but are eligible may be included in or excluded from the AU. This option must be discussed with the AU and the AU's option documented.

 A child is not a member of his/her parent's SFU. If potentially eligible for cash assistance, the child may be included in or excluded from the parent's AU, at the option of the AU.



For example: Grandparent applies for and is receiving for grandchildren. Grandparent has children living in AU but chooses to exclude her own children to receive TANF for her grandchildren.

The income and resources of an individual who has been voluntarily excluded from the AU are not considered in determining financial eligibility and benefit amount of the AU.

### **Individuals Receiving Public Assistance Other than TANF**

An individual who is receiving benefits or on whose behalf benefits are received from the following programs cannot be included in the AU:

- Supplemental Security Income,
- Title IV-E Foster Care,
- Child Welfare Foster Care,
- Relative Care Subsidy.

The income and resources of these individuals are not considered in determining the AU's financial eligibility or benefit amount.

A child on whose behalf Title IV-E Adoption Assistance or State Adoption Assistance payments are made may be included in the AU. The child is required to be included if s/he is a parent or sibling of a child included in the AU.

Refer to Section 1530, Treatment of Income-by-Income Type, for treatment of adoption assistance payments received on behalf of an AU member.

### **Multiple Standard Filing Units in an AU**

An AU may include more than one SFU. If the AU includes children who are not whole, half or adoptive siblings, each child and his/her parent and siblings are members of a separate SFUs.


A non-parent grantee relative who has no children of his/her own in the AU is not a member of an SFU.

The AU has the option of including members of multiple SFUs in the AU or excluding members of an SFU from the AU.

The advantages and disadvantages of each option must be discussed with the AU.

### **Verification and Documentation**

The client's statement of who lives in the household and the relationship of the household members to the client and the dependent child can be accepted, unless questionable.

 For pregnant individuals, the number of fetuses must be verified. See Section 1370, Prenatal Care.

If questionable, verify household composition by one of the following sources:

- a statement from the landlord,

- a statement from persons outside the home who have knowledge of the AU's circumstances,
- any other sources which verify the AU's statement.

Document the following information:

- the names of all household members and their relationship to the client and the child for whom assistance is requested,
- the reason an individual is included in or excluded from the AU,
- the date and source of verification if the client's statement was questionable.

## Procedures

### When Applying for a Dependent Child

Follow the steps below to determine the composition of the AU:

- Step 1** Identify the dependent child for whom assistance is requested.
- Step 2** Identify the individuals living in the home with the child and their relationship to the child.
- Step 3** Include in the AU with the child the parent (biological or adoptive) of the child for whom assistance is requested.
- Step 4** If there is no parent in the home include, at the AU's option, the specified relative with whom the child lives as the caretaker.
- Step 5** Include minor siblings and half siblings of the child identified in Step 1 who are within the specified degree of relationship to the grantee relative.
- Step 6** Include, at the AU's option, other children in the home who are within the specified degree of relationship to the grantee relative.
- Step 7** If a child is added to the AU in Step 5 or 6, repeat Steps 3 and 5.

### When Applying for Pregnant Individual with no Dependent Children

Follow the steps below to determine the composition of the AU:

- Step 1** Identify the pregnant woman or pregnant minor for whom assistance is requested.
- Step 2** Identify the individuals living in the home with the pregnant woman or pregnant minor and their relationship to her.
- Step 3** Include in the EDG with the pregnant woman or pregnant minor, her spouse to determine TANF eligibility.
- Step 4** Include, at the AU's option, other children in the home who are within the specified degree of relationship to the pregnant woman or pregnant minor.

**Step 5** If a child is added to the AU in Step 4, follow the procedures above for: When Applying for a Dependent Child.

Use the following chart to determine the composition of the AU in certain situations:


*Chart 1205.1 - Determining the Composition of an AU*

| SITUATION  | TREATMENT   |
|--|---|
| <p>A biological parent lives in the home with a child who has been adopted</p> <p><b>AND</b></p> <p>the adoptive parent is in the home.</p>  | <p>Include the biological parent as a sibling if both of the following conditions exist:</p> <ul style="list-style-type: none"> <li>• the biological parent is also the child (adoptive or natural) of the adoptive parent</li> </ul> <p><b>AND</b></p> <ul style="list-style-type: none"> <li>• the biological parent meets basic eligibility requirements.</li> </ul> <p>Adoption terminates both the legal responsibility and the SFU requirement to be included as a parent.</p>                          |
| <p>A biological parent lives in the home with a child who has been adopted</p> <p><b>AND</b></p> <p>the adoptive parent is not in the home.</p>                                      | <p>Include the biological parent as the caretaker if s/he is eligible and chooses to be included. The biological parent is treated as a non-parent caretaker relative.</p> <p>Adoption terminates both the legal responsibility and the SFU requirement to be included as a parent.</p>   |
| <p>A biological parent whose parental rights have been terminated lives in the home with the child and a specified relative other than a parent.</p>                                 | <p>Include either the biological parent or the specified relative as the caretaker relative, at the option of the AU.</p> <p>Termination of parental rights severs legal responsibility to be included as a parent; therefore, the specified relative or the biological parent can choose to be included in the AU.</p>   |
| <p>Both parents live in the home with a mutual child.</p>  | <p>Include both parents in the AU if the mutual child is deprived.</p> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <p> The parents do not have to be married to each other. If the mother was legally married to another man at the time of the child's birth, exclude the biological father living in the home, unless paternity is established. Refer to Section 1315, Deprivation.</p> </div> |
| <p>A child is placed in a residential childcare institution, such as the Georgia Baptist Children's Home, United Methodist Children's Home or the Georgia Sheriffs' Boys' Ranch.</p> | <p>The child is ineligible for TANF</p>   |
| <p>A child lives with an individual who has legal custody but who is not a legal guardian and who is not within the degree of relationship.</p>                                      | <p>The child is ineligible for TANF</p>   |

| SITUATION  | TREATMENT   |
|--|---|
| <p>A couple lives together</p> <p><b>AND</b></p> <p>they are not married</p> <p><b>AND</b></p> <p>there is no eligible mutual child, but each has a child.</p> | <p>Determine eligibility as separate AUs.</p>   |
| <p>An individual is required to be in multiple AUs.</p>  | <p>Combine all individuals into one AU.</p>   |
| <p>A married couple has no eligible mutual child, but each has a child.</p>  | <p>Determine the option that is most advantageous to the family.</p> <p>Combine in one AU or make separate AUs.</p>   |
| <p>A minor parent with dependent children or pregnant minor with no dependent children lives in the home with her parent. (no spouse)</p>                      | <p>Include the minor parent and child as a dependent child or pregnant minor if either one of the following conditions exists:</p> <ul style="list-style-type: none"> <li>• the minor’s sibling is included in the AU, or</li> <li>• the minor’s parent is included as a caretaker</li> </ul>   |
| <p>A minor parent or pregnant minor and spouse lives in the home with a parent. (with a mutual child)</p>  | <p>Include the minor parent or pregnant minor as a dependent child if either one of the following conditions exists:</p> <ul style="list-style-type: none"> <li>• the minor’s sibling(s) are included in the AU, or</li> <li>• the minor’s parent is included as a caretaker.</li> </ul> <p>Include the minor’s spouse and mutual child in the AU.</p>  |
| <p>A minor child or pregnant minor and spouse live in the home with their parent. (no mutual child)</p>  | <p>Include the minor child or pregnant minor as a dependent if either one of the following conditions exists:</p> <ul style="list-style-type: none"> <li>• the minor’s sibling(s) are included in the AU, or</li> <li>• the minor’s parent is included as a caretaker.</li> </ul> <p>Include the minor’s spouse in the EDG as an ineligible spouse if they have no mutual child. See Section 1620 for deeming/allocation if applicable.</p>   |
| <p>The only dependent child receives SSI, Title IV-E Foster Care, Child Welfare Foster Care or Relative Care Subsidy.</p>                                      | <p>Determine the child’s eligibility on all points other than financial need.</p> <p>Include only the eligible caretaker and other eligible adult (if applicable) in the AU. The dependent child that receives SSI, Title IV-E Foster Care, Child Welfare Foster Care, or Relative Care Subsidy income cannot be included in the AU when determining TANF eligibility.</p> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;">  The income/resources of a child who receives the income above are not considered when determining TANF eligibility. </div> |
| <p>A parent lives in the home with the child and a specified relative who has legal custody of the child (parental rights have not been terminated).</p>       | <p>Include the parent in the AU as the caretaker relative.</p> <p>Designate the relative with legal custody as the payee if it is not in the best interest of the child for the parent to be payee.</p>   |

| SITUATION  | TREATMENT   |
|--|---|
| A roomer or boarder lives with the AU.   | Determine the AU composition without regard to others living with the AU and paying a fee for food and/or shelter unless they are members of the SFU.   |
| A stepparent lives in the home.<br><br><b>AND</b><br><br>the stepparent has no children of his own living in the home. | Include the stepparent in the AU, at the stepparent's option, if one of the following situations exists: <ul style="list-style-type: none"> <li>• there is no parent living in the home.</li> <li>• the parent in the home receives SSI.</li> </ul>   |
| A striker lives in the home.   | If the striker is the parent, the members of the striker's SFU AU are ineligible for any month in which the parent is on strike on the last day of the month.<br><br>If the striker is a non-parent, caretaker relative, exclude the non-parent from the AU for any month s/he is on strike on the last day of the month. <ul style="list-style-type: none"> <li>• If the striker is the only child, the entire AU is ineligible for any month in which the child is on strike on the last day of the month.</li> </ul> |

## 1210 Grandparents Raising Grandchildren (GRG)

|   |  |  |  |                                   |       |
|---|--|--|--|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |  |  |                                   |       |
|   | <b>Policy Title:</b>   |  | Grandparents Raising Grandchildren (GRG) |                                   |       |
|   | <b>Effective Date:</b>   |  | August 2021                              |                                   |       |
|   | <b>Chapter:</b>  |  | 1200                                     | <b>Policy Number:</b>             | 1210  |
|   | <b>Previous Policy Number(s):</b>  |  | MT 61                                    | <b>Updated or Reviewed in MT:</b> | MT-63 |

### Requirements

The Georgia Division of Family and Children Services (DFCS) will provide the support necessary to Grandparents Raising Grandchildren (GRG) so that children can be cared for in their homes or in the homes of relatives.

### Basic Considerations

Georgia has a growing population of grandparents taking the role of caretaker for their grandchildren.

### The Grandparents Raising Grandchildren (GRG) program

To assist grandparents who are raising their grandchildren in their homes, all Divisions in DHS along with the Division of Child Support Services (DCSS) are collaborating and exploring ways in which we can help strengthen families headed by grandparents. DFCS will provide referrals to other divisions and DCSS as needed.

## The Grandparents Raising Grandchildren Enhanced Financial Services

Two types of cash assistance are provided under the GRG program:

1. GRG Monthly Subsidy Payment (MSP)
2. GRG Crisis Intervention Services Payment (CRISP).

The purpose of DFCS in making the GRG MSP and the CRISP available to the eligible grandparents is to enable them to provide care for their grandchild in their grandparent's home.

### Basic Eligibility Criteria

DFCS will provide enhanced financial assistance in the form of a Monthly Subsidy Payment (MSP) and/or one-time Crisis Intervention Services Payment (CRISP) to a grandparent who is receiving or will be approved to receive TANF cash assistance for the grandchild and meets the following criteria:

1. is a caretaker of his/her grandchild
2. is 55 years of age or older, **OR**
3. any age and is disabled,
4. is not participating in an existing foster care program and not receiving per diem payments, and
5. household income is less than 160% of the Federal Poverty Level (FPL).
6. parent of child is not in home (mother, father, or minor parent)



In the instance the applicant grandparent does not meet the age/disability requirement, but his/her spouse does, the GRG MSP/CRISP may be approved for the household. However, the spouse of the grandparent must be added in the Assistance Unit (AU) as a non-member and must meet all eligibility criteria for the program including the relationship requirement. Refer to page 1335-2 of the Policy Manual for Relationship Requirements.

### Financial eligibility

For the purpose of determining financial eligibility, “**household income**” is defined as the income of the:

- grandparent applying for assistance
- spouse of the applicant grandparent and
- grandchild for whom assistance is requested.

TANF cash assistance received by the AU is excluded from the budget while determining eligibility for the MSP or the CRISP.

Client statement of income can be accepted when determining eligibility for GRG cash assistance. Income that belongs to other persons living in the home is NOT counted for determining eligibility for GRG cash assistance payments.

## Other Services

DFCS will provide specialized childcare services through the Child and Parent Services Program (CAPS) as part of the service provided to Grandparents Raising Grandchildren.

 Refer to CAPS manual for details.

## Defining a Disability

An individual is considered disabled for TANF GRG if:

- The disability type is either Physical, Mental or Blind

**AND**

- Disability duration is determined as permanent

**AND**

- The individual is receiving one of the following unearned income types:
  - SSI
  - Social Security (RSDI) Disability Benefit
  - Railroad Retirement
  - VA Disability 100%
  - Worker's Compensation
  - Disability Insurance

The disability/age requirement pertains to the grandparent applying for GRG assistance or to the grandparent's spouse who is living in the home and must meet all eligibility criteria for the program including the relationship requirement.

## The GRG MSP

The GRG MSP is a cash payment of \$100.00 per child, per month. It is always approved for the ongoing months and for a child:

- who is living in the grandparent's house and
- for whom the grandparent or his/her spouse is receiving TANF benefits

The grandparent will continue receiving this payment as long as the child is living with the grandparent and the grandparent continues meeting all eligibility requirements for TANF cash assistance. However, a grandparent who chooses to accept GRG assistance will not have an option to be included in the TANF AU.

## Eligibility Criteria for MSP

In order to qualify for GRG MSP, a grandparent or his/her spouse living in the home, must meet the following criteria:

- the basic GRG eligibility criteria and
- receive TANF cash assistance for the grandchild for whom assistance is requested



Case managers must inform the grandparent(s) of the impact of the MSP on their Food Stamps and/or Medicaid benefits and allow the grandparent(s) to decide if they still want to receive the MSP.

### **Guidelines for the Use of GRG MSP**

The basic needs for which GRG MSP can be used may include but are not limited to:

- shelter expense (rent, mortgage and utilities)
- childcare fees
- clothing
- bedding, furniture and supplies, so the children can be placed or after the children have been placed
- facilitate third party custody for relatives when all relevant parties agree upon the action. Payment for services such as mediation, Guardian Ad Litem (GAL), court facilitation and attorney fees
- gas, bus vouchers and or car repairs and
- transitional counseling for the grandparents and grandchildren to adjust to their new living arrangement

While the basic needs for which the GRG MSP can be used are noted, DFCS will not monitor how the eligible AU spends the MSP.

### **Standard of Promptness for MSP**

The standard of promptness for the completion of an application for the MSP is 45 days from the date the request is received in the DFCS office in person or in writing.

However, all efforts should be made to accommodate new applicants who verify the need for the MSP.

### **The GRG CRISP**

The GRG CRISP is designed to meet an emergency need of a grandparent who is raising a grandchild in his/her home. It is a one-time only cash payment.

One-time only condition may be waived if another grandchild moves in to live with the grandparent who has previously received CRISP for a different grandchild.

The CRISP can be approved at any time during the grandparent's TANF eligibility, when an emergency exists.

### **CRISP Amount**

In determining the GRG CRISP amount, the "AU" consists only of the grandchild for whom assis-



tance is requested.

The CRISP amount is equal to four times the maximum TANF benefit amount for that AU size.

The CRISP provides cash assistance to help a grandparent pay the cost of emergency needs. This list is not all-inclusive:

- shelter
- utilities
- school expenses (laptops and other school related items deemed necessary for crisis needs)
- furniture
- legal expenses associated with gaining formal custody
- other additional expenses incurred when a grandchild comes to live with the grandparent.



Virtual learning was widely approved for many school districts during the COVID-19 pandemic. As previously stated in the list items above, internet connection fees and laptops can be considered as school expenses. These items have been determined as a crisis need and can be used as purchase items with CRISP funds.

### **Defining an Emergency Need**

An emergency need is defined as the additional expenses associated with raising grandchildren on a fixed income. Emergency needs are verified by the client's statement unless the statement is considered questionable. If questionable, one of the following sources of verification may be used:

- lease agreement
- utility bills
- receipts associated with court fees for Guardian Ad Litem (GAL) process
- receipts for furniture, bedding etc.



This list is not all-inclusive.

### **Eligibility Criteria for GRG CRISP**

In order to qualify for the GRG CRISP, a grandparent must:

- receive TANF,
- meet the basic GRG eligibility criteria (Refer to the Basic Eligibility Criteria for GRG on page 1210-1) and
- present the existence of an emergency/crisis as a direct result of the grandchild living with the grandparent

Application for the CRISP must be made within a reasonable time of the occurrence of crisis.



Assistance through receipt of the CRISP must be the option of last resort. The CRISP can be approved only when all other potential sources of assistance have been exhausted. There can be no duplication of services provided to the AU.

## **Establishing the Emergency/Crisis**

The determination of whether a situation constitutes an emergency/crisis for the AU is based on the applicant's statement made in person or in writing when applying for the CRISP assistance. The applicant's statement must identify the specific emergency/crisis.

## **Verifying the expense and determining the amount of the CRISP**

The cost of eliminating the identified emergency/crisis can be verified through client statement unless questionable. The CRISP is paid in one lump sum based on the AU size.

**Example:** If an AU size of 2 is eligible for the CRISP, and that AU incurs an emergency/crisis expense, the CRISP payment amount for that AU size is \$940. This amount is equivalent to the maximum TANF amount for an AU size of 2 for four months, which is paid to the AU.

## **Guidelines for the Use of the CRISP**

The CRISP is intended to enable the AU to pay emergency needs incurred as a direct result of the grandchild coming to live with the grandparent. However, DFCS will not monitor how the eligible AU spends the CRISP.

Emergency needs can include, but are not limited to:

- the first and last month's rent or utility connections for a grandparent who must move into a larger apartment in order to take the grandchild into their homes, or
- a one-time rent and/or utility assistance for a family at immediate risk of eviction and/or utility shut-off,
- court expenses associated with gaining legal custody of the grandchild(ren),
- School/education related expenses, or
- Furniture/bedding.

The grandparent(s) may be eligible for the CRISP and the MSP if an emergency/crisis is a direct result of the grandchild(ren) living with the grandparent(s) arises and there are ongoing expenses associated with raising their grandchildren.

## **Standard of Promptness for CRISP**

The standard of promptness for the completion of an application for the CRISP is 10 days from the date the request is received in the DFCS office in person or in writing.



If the TANF case is still pending and the family is deemed potentially eligible, then the GRG CRISP should be approved within 10-day SOP for CRISP.

Refer to Section 1105 (Application Processing) for policy regarding the standard of promptness for applications.

The request for the GRG MSP and/or CRISP can be submitted on Form 297, Application for TANF, Food Stamps and Medical Assistance or orally by contacting the DFCS office.

If the grandchild leaves the custody of the grandparents who are receiving GRG cash payments, the grandparents must notify DFCS within 10 days of the departure from the home of the grandchild.


### **Failure to report**

A failure to report the departure of the grandchild within 10 days may result in an overpayment. The grandparents will have to repay the GRG MSP if an extra payment is received due to the untimely report of the grandchild's moving out of the home.

If the TANF case closes, the GRG MSP must also be terminated effective the month of the TANF closure.

# 1300 Basic Eligibility

## 1302 Domestic Violence

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Domestic Violence                 |                       |
|   | <b>Effective Date:</b>                                  | December 2022                     |                       |
|   | <b>Chapter:</b>   | 1300                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 68   | <b>Updated or Reviewed in MT:</b> | MT-70                 |

### Requirements

The PRWORA requires states to establish standards and procedures to ensure that domestic violence is identified.

The Consolidated Appropriations Act, 2022 amended section 402(a) of the Social Security Act (42 U.S.C.602(a)) and added new certification requirements. The new certification requirements include several elements:

- Each state must certify that it has established and is enforcing standards and procedures to ensure that applicants and potential applicants for TANF are notified of assistance made available by the state to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking.
- It must also ensure that case workers and other agency personnel responsible for administering the TANF program are trained in:
  - the nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking
  - state standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking
  - methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment, domestic violence, sexual assault, or stalking
- If the state has adopted the Family Violence Option, it must provide information about the options available to current and potential beneficiaries and ensure that case workers and other agency personnel are provided with training regarding relevant state standards and procedures.

### Basic Considerations

## **Types of Domestic Violence and Definitions**

The term “domestic violence” has the same meaning as the term “battered or subjected to extreme cruelty” as defined in section 408(1)(7)(c)(iii).

Sec. 402(a)(7)(B) defines domestic violence as:

- physical acts that resulted in, or threatened to result in, physical injury to the individual;
- sexual abuse;
- sexual activity involving a dependent child
- being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;
- threats of, or attempts at, physical or sexual abuse;
- mental abuse;
- neglect or deprivation of medical care.

The term “sexual harassment” means hostile, intimidating, or oppressive behavior based on sex that creates an offensive work environment.

Sexual assault means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

Stalking is defined as is the act or crime of willfully and repeatedly following or harassing another person in circumstances that would cause a reasonable person to fear injury or death especially because of express or implied threats

## **Family Violence Option**

Georgia has adopted the Family Violence Option (FVO), which is intended to provide for the identification and screening of domestic violence victims, their referral for services and waiver of program requirements for good cause.

In accordance with the FVO, Georgia has established and is enforcing the following standards and procedures:

1. to screen and identify individuals who receive cash assistance and who have a history of domestic violence, sexual assault, sexual harassment, or stalking while maintaining the confidentiality of these individuals,
2. to refer an individual so identified to counseling and supportive services, and
3. to provide waivers, in accordance with a determination of good cause, certain program requirements where compliance with such requirements would make it more difficult for an individual receiving cash assistance to escape domestic violence or unfairly penalize those who are or have been victimized by such violence or who are at risk of further domestic violence.

## **DFCS Responsibilities**

The DFCS case manager performs the following functions:

- provides information about what constitutes domestic violence, sexual assault, sexual harassment, or stalking
- obtains information about the family's circumstances and the potential existence of domestic violence, sexual assault, sexual harassment, or stalking
- obtains information to determine the effect of domestic violence, sexual assault, sexual harassment, or stalking on the AU's ability to meet certain requirements,
- provides the telephone number for the 24-hour domestic violence hotline,
- explains that certain requirements can be waived,
- refers the AU to the Domestic Violence Assessor (DVA) when domestic violence, sexual assault, sexual harassment, or stalking is reported,
- refers the AU to domestic violence resources available in the community when the AU does not wish to speak with the DVA or a DVA is not assigned to a county,
- determine whether any requirements can be waived, taking into consideration recommendations made by the DVA.

### **Domestic Violence Assessor Responsibilities**

The DVA performs the following functions:

- meets with the family to assess their circumstances and to determine if domestic violence, sexual assault, sexual harassment, or stalking or the potential for domestic violence, sexual assault, sexual harassment, or stalking exists,
- determines the effects of domestic violence, sexual assault, sexual harassment, or stalking on the family,
- makes recommendations to DFCS on Form 523, Family Violence Option Assessment Report regarding potential waivers,
- develops and coordinates a service and safety plan,
- refers the AU to supportive services available in the community,
- completes an assessment report for the TANF worker,
- provides case consultation to DFCS staff, including crisis intervention services when requested.

### **Providing Information to the AU**

All AUs must be provided with Form 522, the brochure "What Every Person Needs to Know", at the following times:

- application
- standard review
- 44-month review
- any other time the existence of domestic violence is reported or suspected.

The information in the brochure is discussed with every AU at the above times. The AU is informed that certain program requirements may be waived and the circumstances under which a waiver

may be granted. Refer to Waivers in this section.

When it is determined or suspected that an AU member has been or may become a victim of domestic violence, sexual assault, sexual harassment, or stalking the AU is given the 24-hour hotline number. The AU must be informed that the hotline is available whenever services are needed, regardless of whether the AU continues to receive assistance through DFCS.

Form 194, TANF Assessment for Domestic Violence, Sexual Assault, Sexual Harassment, or Stalking must be discussed with the family at applications and at each standard review.

Form 194 must be completed and signed by the client at application if the client requests a waiver.

### **Identifying Domestic Violence, Sexual Assault, Sexual Harassment, or Stalking**

The existence of domestic violence, sexual assault, sexual harassment, or stalking must be identified so that appropriate referrals can be made, and program requirements can be waived if barriers to fulfilling these requirements exist.

The need to identify the existence of domestic violence, sexual assault, sexual harassment, or stalking may occur at any time.

The responses to the questions included in the brochure, other information obtained from the AU or other sources and the worker's own observations will be used to determine if domestic violence, sexual assault, sexual harassment, or stalking exists or if there is reason to suspect that it exists.

The AU member's statement that s/he is a victim of domestic violence, sexual assault, sexual harassment, or stalking may be accepted, unless questionable.

If questionable, the following sources may be used to support the AU member's claim:

- proof of services from or referral by a domestic violence agency, including the assessment and services through the DVA,
- a temporary protective order,
- a law enforcement report of domestic violence, sexual assault, sexual harassment, or stalking
- a medical report substantiating domestic violence, sexual assault, sexual harassment, or stalking
- documentation of domestic violence, sexual assault, sexual harassment, or stalking from an agency, professional, friend, or relative from whom the victim has sought assistance in dealing with domestic violence, sexual assault, sexual harassment, or stalking.

### **Referrals**

Victims of domestic violence, sexual assault, sexual harassment, or stalking are referred to the DVA.

If there is not a DVA assigned to a county, the victim may be referred to the domestic violence agency that serves that county.

If an individual does not want to be referred to the DVA, s/he will be referred to or provided with the name, address and telephone number of other community resources.

When there is an indication that an individual is a victim of domestic violence, sexual assault, sexual harassment, and/or stalking but s/he does not acknowledge it, a referral to the DVA is not made. However, s/he will be provided with the information about other community resources.

Victims of domestic violence, sexual assault, sexual harassment, or stalking may be referred to community resources that provide the following services:

- safety planning
- legal advocacy
- shelter
- hotlines
- medical services
- mental health care
- counseling, including educational and family planning
- substance abuse treatment
- financial assistance.

### **Waiver of TANF Requirements**

A waiver of certain program requirements may be granted if any of the following circumstances exist:

- The requirement makes it more difficult for the individual to escape domestic violence, sexual assault, sexual harassment, and/or stalking.
- The requirement may result in physical and/or emotional harm to the family.
- The requirement unfairly penalizes an individual who is, has been, or may be in danger of becoming a victim of domestic violence, sexual assault, sexual harassment, and/or stalking.

The DVA determines the effects of the domestic violence, sexual assault, sexual harassment, and/or stalking on the AU and makes recommendations regarding which requirements may need to be waived using the Family Violence Assessment Form.

The worker confers with the DVA to discuss the DVA's recommendations regarding waivers.

The worker determines which requirements to waive based on information obtained through discussions with the AU and recommendations from the DVA.

If there is no DVA available to a county, the worker must determine which requirements to waive based on information obtained from the AU and other sources, and the worker's observations. The worker may contact the domestic violence agency for consultation.

The worker must reassess waivers at no less than 30-day intervals or more often if circumstances are subject to change in less than 30 days.

Requirements which may be waived include the following:

- personal responsibilities



- minor parent living arrangement
- work requirements
- cooperation with Child Support Enforcement
- lifetime limit

Requirements that cannot be waived include the following:

- deprivation
- age
- living with a specified relative
- lawbreaker penalty
- citizenship/alienage
- Financial eligibility.



Refer to Section 1310 for policy pertaining to aliens certified by the INS to be battered spouses or children.

Waiving the work requirement does not restrict otherwise qualified individuals from participation in work, job training, education, job readiness, work placement assistance or a community service program. However, failure to continue participation in the activity does not result in a sanction.

An AU cannot be required to take actions such as seeking orders of protection, attending counseling or other actions in order to be granted a waiver of any requirement.

Waivers are granted on a temporary basis. When meeting a program requirement no longer puts an AU at risk of domestic violence, sexual assault, sexual harassment, and/or stalking the waiver of the program requirement is lifted. The AU must meet the requirement.



An AU may have several program requirements waived because they put the AU at risk of domestic violence, sexual assault, sexual harassment, and/or stalking. As an AU's situation changes, these waivers may be lifted one or two at a time or all at once, depending on the situation and the requirement.

## Confidentiality

Any information related to individuals known to DFCS is confidential. Confidentiality guidelines must be closely followed. Confidential information includes but is not limited to the following:

- the AU's current address, workplace or work placement
- other personal information
- identification of the individual as a victim of domestic violence
- any other detail concerning the domestic violence.

Refer to Section 1002, Confidentiality.

## Procedures

Follow the steps below to screen for and identify the existence of domestic violence, and to waive program requirements.

- Step 1** Provide every AU with Form 522 at the appropriate times. Review and discuss the brochure with the AU.
- Step 2** Interview the AU using the nine questions on the Form 522.
- Step 3** Obtain other information about the family's circumstances.
- Step 4** Discuss the existence of domestic violence, sexual assault, sexual harassment, and/or stalking in the family. Accept the AU's statement unless questionable.
- Step 5** Discuss the potential for waivers of program requirements because of domestic violence, sexual assault, sexual harassment, and/or stalking.
- Step 6** Complete Form 194, TANF Assessment for Domestic Violence, Sexual Assault, Sexual Harassment, or Stalking as applicable.
- Step 7** Refer the AU to the Domestic Violence Assessor and/or other resources available in the community, if appropriate. Provide the AU with the 24-hour hotline number.
- Step 8** Determine which program requirements, if any, will be waived.
- Step 9** If the AU includes a work eligible individual, advise the AU to contact their case manager for a review of barriers no less than every 30 days. Longer interval puts the AU at risk of domestic violence, sexual assault, sexual harassment, and/or stalking.
- Step 10** If the AU contains no work eligible individuals, enter a manual task to contact the AU at a minimum of 90-day intervals to determine current risk and continuation of waivers. Document the contact.
- Step 11** Take action to lift the waiver and ensure that the AU meets a program requirement when the requirement no longer puts the AU at risk of domestic violence, sexual assault, sexual harassment, and/or stalking.

## 1305 Age

| Georgia Division of Family and Children Services<br>TANF Policy Manual              |                                   |               |                                   |       |
|---|-----------------------------------|---------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Age           |                                   |       |
|   | <b>Effective Date:</b>            | November 2019 |                                   |       |
|   | <b>Chapter:</b>                   | 1300          | <b>Policy Number:</b>             | 1305  |
|   | <b>Previous Policy Number(s):</b> | MT 4          | <b>Updated or Reviewed in MT:</b> | MT-50 |

## Requirements

A dependent child must be under age 18, or under age 19 if a full-time student, to be included in the AU.

## Basic Considerations

A dependent child must be under 18 years of age to be eligible for cash assistance unless the child is a full-time student. An 18-year-old dependent child who is a full-time student and has satisfactory school attendance meets the age requirement.

A dependent child is eligible based on age through the month in which the child reaches the age limit.

The following policies apply to a dependent child who is 18 years old:

- An 18-year-old child must meet the same school attendance requirements as other dependent children. Failure to do so causes the 18-year-old to be ineligible for cash assistance. The AU is not subject to a sanction. Refer to Section 1347, School Attendance.
- An 18-year-old child who meets the school attendance requirement may be included in or excluded from the AU at the option of the grantee relative.
- The standard filing unit policy applies to an 18-year-old who is included in the AU.
- An 18-year-old parent may either be included as a child in the AU of his/her parent or other grantee relative or may receive cash assistance as a caretaker in his/her own case.

## Verification

### Age

The AU's statement of the child's age may be accepted, unless questionable. If the AU's statement is questionable, age is verified at the following times:

- at application
- when a child is added to the AU
- when the agency becomes aware of a discrepancy.

If the AU's statement is questionable, the following sources of verification are acceptable:

- adoption record
- affidavit of persons present at the birth
- baptismal or other church record
- birth certificate
- census record
- court record
- driver's license

- family Bible
- insurance record
- marriage record
- medical record
- school record
- social security record
- U.S. passport
- vital statistic record
- any other records showing age or date of birth.

### **School Attendance of an 18-year-old**

School attendance of an 18-year-old dependent child must be verified at the following times:

- at application,
- when an 18-year-old is added to the AU,
- at the annual review,
- at the review of the Personal Responsibility Plan (PRP) and/or the Personal Work Plan (PWP),
- in the month prior to the child turning 18,
- when the agency becomes aware of a discrepancy, and
- if the 18-year-old changes schools.

The anticipated date of graduation or anticipated completion of the course of study must be verified when the child turns 18.

School attendance, graduation date, or completion of a course of study is verified by one of the following:

- attendance record
- computer printout
- contact with school personnel
- report card
- a completed Form 517, Record of School Attendance and Performance Report
- a county-developed verification form
- other methods established by the agency and the school system.

### **Procedures**

Accept and document the AU's statement of the age of a dependent child. If questionable, verify the child's age. Document the date and source of verification.

Discuss at the following times the option of including an 18-year-old child in the AU:

- at application, if the family includes an 18-year-old
- in the month prior to the month in which a child in the AU will turn 18.


Document that the option was discussed, and the choice made by the AU.

In the month prior to the month the 18-year-old child is expected to graduate or complete the course of study, determine if the child will continue his/her education and if s/he will continue to meet the school attendance requirement.

If so, continue to include the 18-year-old child in the AU. Document date and source of verification.

If not, remove the 18-year-old child from the AU effective the month following the month the child is no longer a full-time student.

## 1310 Citizenship/Alienage

|  |   |                                   |       |
|--|---|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |       |
|  | <b>TANF Policy Manual</b>                               |                                   |       |
|  | <b>Policy Title:</b>                                    | Citizenship/Alienage              |       |
|  | <b>Effective Date:</b>                                  | May 2023                          |       |
| <b>Chapter:</b>  | 1300  | <b>Policy Number:</b>             | 1310  |
| <b>Previous Policy Number(s):</b>  | MT 71   | <b>Updated or Reviewed in MT:</b> | MT-72 |

### Requirements

A recipient of TANF must be a United States citizen or establish United States Citizenship and Immigration Service (USCIS) status as a lawfully admitted qualified alien.

### Basic Considerations

#### Definition of Citizenship

A U.S. citizen is an individual who meets one of the following conditions:

- was born in one of the 50 states, the District of Columbia, Puerto Rico, Guam, or the U.S. Virgin Islands (St. Thomas, St. John and St. Croix), unless born to a foreign diplomat;
- was born abroad to two U.S. citizens, and at least one of the parents lived in the U.S. prior to the child's birth;
- was born abroad in wedlock to one U.S. citizen, and
  - the individual was born on or after November 14, 1986, and the citizen parent lived at least five years in the U.S. before the individual was born, and at least two of those five years in the U.S. were after the citizen's parent's fourteenth birthday; or
  - the individual was born before November 14, 1986, and the citizen parent lived at least ten years in the U.S. before the individual was born, and at least five of those ten years in the U.S. were after the citizen's parent's fourteenth birthday.

- was born abroad out-of-wedlock to a U.S. citizen father and certain conditions are met;
- was born abroad out-of-wedlock to a U.S. citizen mother and the mother had previously been physically present in the U.S. or one of its outlying possessions for a continuous period of one year;
- has fulfilled the requirements and completed the process of naturalization.

Detailed information on who is a citizen or national at birth can be found in the following sections of the Immigration and Naturalization Act (INA): 301, 302, 303, 304, 305, 306, 307, 308, and 309.

Beginning February 27, 2001, a foreign-born child, including a foreign-born adopted child, who is currently residing permanently in the U.S. automatically acquires U.S. citizenship if certain criteria are met.

The criteria are as follows:

- the child must have at least one U.S. citizen parent (by birth or naturalization);
- the child must be under 18 years of age;
- the child must be currently residing permanently in the U.S. in the legal and physical custody of the U.S. citizen parent;
- the child must be a lawful permanent resident;
- if adopted, the child must meet the requirements applicable to adopted children under immigration law.

Acquiring citizenship automatically means that there is no need to apply for citizenship. A child who was under the age of 18 and had already met all of the above requirements as of February 27, 2001, automatically acquired citizenship on that date. Children who did not meet all the above requirements on that date will acquire citizenship automatically on the date the child meets all of the above requirements.

## **Verification of Citizenship**

Verify US citizenship using one of the following documents:

### **Primary Sources:**

- Birth certificate
- Certificate of Citizenship (N-560, N-561)
- Naturalization certificate (N-550) (N-570)
- Report of Birth Abroad of U.S. Citizen (Form FS-240, FS 545, DS 1350)
- U.S. Citizen I.D. card (I-197)
- U.S. Passport or passport card
- Consular report of birth
- American Indian card (I-872), first issued by INS, now known as the United States Citizenship and Immigration Services (USCIS) in 1983

- Northern Mariana Primary I.D. card (I-873), issued prior to 1986 and to applicants born prior to 11/3/86 by INS
- Social Security Number (SSN) issued prior to 6/30/48

### **Secondary Sources:**

- Court records of parentage, juvenile proceedings, or child support indicating place of birth
- Property records verifying U.S. citizenship status
- Religious record of birth recorded in the U.S. or its territories within three months of birth. The document must show either the date of birth or the individual's age at the time the record was made.
- Any document that establishes place of birth or U.S. citizenship such as records from SSA, VA, local government agencies, hospitals, clinic's record of birth or parentage.
- Evidence of civil service employment by the U.S. government before 6/1/76.
- School records showing the date of admission to the school, the child's date and place of birth, and the name(s) and place(s) of birth of the parents(s)
- Census record showing the name, U.S. citizenship or a U.S. place of birth, and date of birth or age of the individual
- Adoption Finalization Papers showing the child's name and place of birth in one of the 50 states, the District of Columbia, Puerto Rico, Guam, U.S. Virgin Islands (St. Thomas, St. John, St. Croix), Northern Mariana Islands (Saipan, Rota, Tinian), American Samoa, or Swains Island.

A Third-Party Collateral Statement of a person who has knowledge of an individual's place of birth (used only when no other method of verification is available)

Refusal to verify citizenship results in an automatic determination of not meeting the citizenship requirements.

An individual who does not meet the citizenship requirement is ineligible to be included in the AU.

 Refer to page 1310-12, Ineligibility, for the treatment of ineligible and penalized SFU members.

### **Good Cause**

Good cause may be established when it is determined that the AU has made every effort to obtain citizenship verification but has been unable to provide the documentation by the verification deadline. The county department must make every effort to assist the AU in obtaining documents needed to verify citizenship.

### **Good cause is granted for 90 days.**

Good cause reasons include but are not limited to the following:

- Inability of the AU to obtain documents from a hospital or the vital records department because the AU was not born in Georgia
- Financial hardship

- Personal property loss due to fire, flood, or other natural disaster

If good cause is established at initial application **OR** is established when an individual is added to the AU, then document the following information:

- The AU'S reason for not verifying citizenship;
- The reason and period for granting good cause;
- The assistance provided to the AU in obtaining verification Include the individual in the AU.

If the individual meets the citizenship requirement during the good cause period, then document the following information:

- That the citizenship requirement has been met;
- The date and source of verification provided by the AU.

### **Expiration of Good Cause Period**

If the good cause period has expired and the AU has not provided verification, then the individual is ineligible to be included in the TANF AU.

 Refer to Section 1670, Budgeting the Income of a Penalized Individual.

### **Alien Categories**

An individual who is not a U.S. citizen is an alien. The USCIS categorizes aliens in the following ways:

1. An immigrant alien is an individual admitted to the U.S. for lawful permanent residence. Included in the immigrant alien category are refugees, Cuban/Haitian Entrants, asylees, parolees, persons granted amnesty, Iraqi and Afghan aliens who are granted special immigrant status and conditional entrants.
2. A non-immigrant alien is an individual admitted to the U.S. for lawful temporary residence, including one admitted under employment authorization. Also included in the non-immigrant alien category are tourists, visitors, foreign students and diplomats.
3. An undocumented alien is an individual who is not in the U.S. lawfully, who is residing in the U.S. without INS documentation, or who is in violation of the terms of a non-immigrant visa entering the U.S. legally.

A non-immigrant or undocumented alien can never be eligible for TANF. An immigrant alien who is a qualified alien is potentially eligible for TANF.

 Refer to Section 1626, Budgeting the Income of an Ineligible Parent.

### **Qualified Aliens**

A qualified alien is an alien who is legally residing in the U.S. and meets one of the following criteria:

- **Lawful Permanent Resident (LPR)** under the INA – individuals who have been admitted for



permanent residence into the United States, which may include “Sponsored Aliens”.



LPR status is granted to Amerasian immigrants defined under section 584 of the Foreign Operations, Export Financing and Related Program Appropriations Act of 1988. They are immigrants born in Vietnam between January 1, 1962 and January 1, 1976 to Vietnamese mothers and U.S. citizen fathers.

- **Asylums** under section 208 of the INA – individuals physically present in the United States who, if returned to their country of origin, would be under persecution or well-founded fear of persecution.
- **Refugees** under section 207 of the INA – individuals admitted from abroad after they are determined to be under persecution or well-founded fear of persecution in situations of special humanitarian concern to the United States.
- **Victims of trafficking**, as defined by the Trafficking Victims Protection Act of 2000, who has been granted refugee status. Victims of trafficking may hold any immigration status. Victims of trafficking are individuals who have been subjected to (1) sex trafficking where the act is induced by force, fraud, or coercion or the individual induced to perform the act is under 18 or (2) involuntary servitude, bondage, or slavery.

If the victim is age 18 or older, s/he must be certified as willing to assist in the investigation and persecution of the trafficker. The federal Office of Refugee Resettlement issues the victim a letter of certification as trafficking victims.

- **Parolees** under section 212(d)(5) of the INA – individuals who have been granted temporary permission to enter and be present in the United States. Although parolees are legally in the U.S., they have not been granted formal admission into the U.S. When the parole period expires, they are required to leave unless they are eligible to be admitted in a formal status.
- **Deportees** - individuals whose deportation is being withheld under section 243(h) of the INA and was in effect before 4/1/1997 or removal is withheld under section 241 (b)(3) of the INA. This is a discretionary procedure used by USCIS to provide relief from deportation by suspending the enforcement of the immigration law against a particular group of individuals.
- **Conditional Entrants** – individuals granted entry into the U.S. under section 203(a)(7) of the INA as in effect prior to April 1, 1980
- **Cuban or Haitian Entrants** – individuals from Cuba or Haiti who arrived in the U.S. without having undergone normal refugee-type departure proceedings and whose legal status has yet to be determined. Cuban or Haitian Entrants came to the U.S. by boat without proper travel documentation and are potentially eligible to become LPRs through the 1986 Immigration Reform and Control Act (IRCA).

Haitians approved for the Haitian Family Reunification Parole Program (HFRP) will enter the U.S. as Cuban/Haitian entrants under section 501(e) of the Refugee Education Assistance Act of 1980,

- **Battered Immigrant Aliens** – Immigrants who are battered spouses, battered children, parent of a battered child, or child of a battered parent with a petition pending under section 204(a)(1)(A) or (B) or section 244(a)(3) of the INA.
- **Iraqi and Afghan Immigrants** – Individuals from Afghanistan or Iraq arriving in the United

States after employment with the United States Military or United States based agency in Afghanistan or Iraq. Individuals who have been granted special immigrant status under section 101(a)(27) of the INA.

- **Afghan Humanitarian Parolees (Non-SI Parolees)** - Individuals paroled into the United States under section 212(d)(5) of the INA (8 USC 1182(d)(5)). That section gives the Attorney General the discretion to parole individuals in the United States “for urgent humanitarian reasons”. See section below under **Afghan Humanitarian Parolees (Non-SI Parolees)**.
- **Ukrainian Humanitarian Parolees** - Individuals paroled in the United States under section 212(d)(5) of the INA (8 USC 1182(d)(5)). That section gives the Attorney General the discretion to parole individuals in the United States “for urgent humanitarian reasons.” New legislation passed May 21, 2022, under the Additional Ukraine Supplemental Appropriations Act, 2022 (Public Law 117-128) removes the five-year bar for the specified Ukrainian parolees.

### **Refugee Status for Victims of Trafficking**

The Trafficking Victims Protection Act of 2000 (PL 106-386) grants potential eligibility status to certain aliens. An alien who is a victim of severe forms of trafficking is potentially eligible for benefits and services to the same extent as an alien who has been granted refugee status.

A severe form of trafficking is defined as one of the following:

- trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act is less than 18 years of age; or
- the forceful, fraudulent, or coercive recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of that person being subjected to involuntary servitude, bondage, or slavery.

For TANF eligibility purposes, a victim of a severe form of trafficking is defined as follows:

- An adult victim is an individual 18 years of age or older who has been subjected to a severe form of trafficking and has been certified as such by the U.S. Department of Health and Human Services (HHS).
- A child victim is an individual under 18 years of age who has been subjected to a severe form of trafficking. A child victim does not require HHS certification of victim status.

The HHS certification letter should be accepted as proof of the client’s status instead of normal INS documentation. A trafficking victim is not required to provide documentation or verification of his/her immigration status.

Authority has been delegated to the Office of Refugee Resettlement (ORR) to conduct certification activities and issue certification letters. The ORR also issues letters other than certification letters to confirm the victim status of children.

The ORR must be called at (202) 401-5510 to confirm the validity of a certification letter (or similar letter for children) presented by an applicant or recipient of cash assistance. The ORR must be notified when an individual who has been given a certification letter applies for TANF.

The certification date on the HHS certification letter serves the same purpose as the entry date on

other INS documents. Record the expiration date of the certification letter (or other letter for children) so that a re-determination of alien status can be completed at that time.

Certification as a trafficking victim is not automatic. Certification is the responsibility of the U.S. Department of Health and Human Services. It is not a responsibility of any local or state agency.

### **Potential Eligibility Based on Status as a Battered Spouse or Child**

An alien who is a battered spouse, battered child/ren, parent of a battered child, or child of a battered parent, meets the qualified alien criteria in certain situations solely because of the occurrence of domestic violence.

The Violence Against Women Act (VAWA), passed by Congress in 1994, enables a battered alien spouse and children of a U.S. citizen or an LPR to file a petition on his/her own behalf or on behalf of his/her child in order to obtain lawful permanent residency. Such a petition, filed on behalf of oneself or one's child, is called a self-petition.

An individual may file a self-petition if one of the following criteria is met:

- The individual is a battered spouse married to a U.S. citizen or LPR. An unmarried child under the age of 21 may be included on the petition as a derivative beneficiary.
  - The individual is a parent of a child who has been abused by the individual's U.S. citizen or LPR spouse. The petitioner's children, if under 21 years of age and unmarried, including those who may not have been abused, may be included on the petition as derivative beneficiaries.
  - The individual is under 21 years of age and unmarried and has been abused by his/her U.S. citizen or LPR parent. The individual's children (under 21 years of age and unmarried), including those who may not have been abused, may be included on the petition as derivative beneficiaries.
  - The individual lives abroad and falls into one of the above categories and the abuser is an employee of the U.S. government, a member of the uniformed services of the U.S., or if the abuser has subjected the spouse or child to abuse in the U.S.

A married petitioner must have entered into the marriage in good faith, and not solely for obtaining immigration benefits.

A petitioner, whether married or not, must have resided at some point with the abusive spouse or parent.

A battered immigrant who files a self-petition and who establishes a prima facie case is considered a qualified alien for the purpose of establishing potential eligibility for TANF. INS reviews the self-petition upon receipt.

If the USCIS makes what is called a prima facie determination, the self-petitioner will receive a Notice of Prima Facie Determination, valid for 150 days. In order to verify potential eligibility for TANF, this document must be presented to the case manager prior to approval of the TANF application.

If the self-petition is approved, the USCIS may exercise the option of placing the self-petitioner in

deferred action if the self-petitioner does not have legal immigration status in the U.S. Deferred action means that the INS will not initiate deportation proceedings against the self-petitioner. Deferred action decisions are granted in most self-petition cases.

A deferred action is valid for 27 months for an alien if a visa was available on the date that the self-petition was approved. All other deferred action decisions are valid for 24 months beyond the date a visa number becomes available. Extensions of deferred action can be granted by the USCIS if the self-petitioner files a request for an extension.

### **Date of Entry Criteria**

A qualified alien is potentially eligible for federal cash assistance based on the date of entry into the U.S.

A qualified alien who arrived in the U.S. prior to August 22, 1996, if otherwise eligible for assistance under the AFDC program, shall continue to be eligible for assistance under the TANF program upon meeting the same eligibility criteria as any other applicant or recipient.

The following qualified aliens are potentially eligible for TANF regardless of the date of entry:

- Asylee under section 208,
- Refugee under section 207,
- Iraqi and Afghan special immigrants under section 101(a)(27),
- a victim of a severe form of trafficking, as defined by the Trafficking Victims protection Act of 2000, who has been granted refugee status,
- Deportee whose deportation is being withheld under section 243(h).
- Cuban or Haitian Entrant.
- Amerasian; or an alien who is one of the following:
  - a veteran with an honorable discharge who served a minimum of 24 months in the U.S. Armed Forces, or
  - on active duty (other than active duty for training) in the U.S. Armed Forces, or
  - the spouse or unmarried dependent child of an individual described in the previous two bulleted statements.



A disabled, adult child who was disabled and dependent on the veteran or active-duty member prior to reaching 18 years of age meets the definition of an unmarried dependent child as it pertains to the statement above.

The following qualified aliens who entered the U.S. on or after August 22, 1996, are ineligible for TANF during the first five years after entry into the U.S.:

- a Parolee
- A Conditional Entrant
- A battered spouse, battered child, parent of a battered child, or child of a battered parent,
  - an LPR who does not meet the 40 qualifying quarters criteria.



The Iraqi and Afghan LPRs who are granted Special Immigrant Status are exempt from the 5-year waiting period required for the receipt of federal TANF benefits for a limited time.

Refer to Chart 1310.1 in this section for Determination of alien status.

### **Afghan Humanitarian Parolees (Non-SI Parolees)**

On September 30, 2021, Congress passed the Afghanistan Supplemental Appropriations Act, 2022 (Public Law 117-43), (Public Law 117-180). Section 2502 of this legislation provides that Afghan humanitarian parolees (also known as non-SI parolees) are now eligible to receive federal benefits, including TANF, from the date of enactment.

- Afghan citizens and nationals paroled into the US between July 31, 2021, and September 30, 2023;
- their spouses or children paroled after December 16, 2022; and
- their parents or guardians paroled after December 16, 2022, if the Afghan citizen or national is an unaccompanied child.

On September 30, 2022, Congress passed the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023. Division A, section 149(a) of this legislation extended the parole eligibility date to December 16, 2022.

On December 29, 2022, Congress passed the Consolidated Continuing Appropriations Act, 2023 (Public Law 117-328). Division M, General Provision – Title V, section 1501 of this legislation extends the parole eligibility date to **September 30, 2023**, for Afghan citizens and nationals covered under subsection (a)(1)(A) of section 2502 of Public Law 117-43, from the original parole eligibility date of September 30, 2022. Therefore, Afghan citizens and nationals paroled into the U.S. between July 31, 2021, and **September 30, 2023**, are eligible for TANF until March 31, 2023, (or the term of parole, whichever is longer) in the same way a refugee is eligible for TANF.

### **Ukrainian Humanitarian Parolees**

On May 21, 2022, Congress passed the Additional Ukraine Supplemental Appropriations Act, 2022 (Public Law 117-128). Section 401 of this legislation provides that Ukrainian humanitarian parolees are eligible to receive federal benefits, including TANF, from the date of enactment. The following individuals are eligible to apply for and receive TANF until the end of their parole term as determined by the Department of Homeland Security, and in the same way a refugee is eligible to apply for and receive TANF:

- Citizens or nationals of Ukraine (persons who last habitually resided in Ukraine) paroled into the United States between February 24, 2022, and September 30, 2023, due to urgent humanitarian reasons or for significant public benefit;
- Non-Ukrainian individuals who last habitually resided in Ukraine, who DHS has paroled in the United States between February 24, 2022, and September 30, 2023, due to urgent humanitarian reasons or for significant public benefit.
- A spouse or child of an individual described in bullet 1 or 2 who is paroled in the United States after September 30, 2023; and
- A parent, legal guardian, or primary caregiver of an unaccompanied refugee minor or unac-

companied child described in bullet 1 or 2 who is paroled into the United States after September 30, 2023.

Ukrainian humanitarian parolees who entered the United States between February 24, 2022, and May 21, 2022, have a TANF eligibility date (date of entry) of May 21, 2022. If they entered or will enter the United States after May 21, 2022, their date of TANF eligibility (date of entry) is their date of parole. Ukrainian humanitarian parolees are eligible for TANF benefits and services until the end of their parole term. The general rules of TANF, including limits on the duration of receiving assistance, as specified in a state's TANF plan, apply to these parolees as they would any TANF recipient.

The sponsor deeming requirement in section 421(a) of PRWORA shall not apply when determining the eligibility and the amount of benefits made available to Ukrainian humanitarian parolees treated as refugees under the Additional Ukraine Supplemental Appropriations Act (AUSAA).

If a Ukrainian humanitarian parolee displaced from Ukraine applies for and obtains Temporary Protected Status (TPS), he or she can continue to receive TANF benefits until the end of his or her parole term. TPS does not cancel out the benefits eligibility granted in the Additional Ukraine Supplemental Appropriations Act, 2022 (Public Law 117-128). However, an individual with only TPS (and not granted parole) is not eligible for TANF federal cash assistance and may not be eligible for other federal benefits.

### **Qualifying Quarters**

A qualified alien admitted as an LPR is potentially eligible for TANF without the five-year period of ineligibility if the alien has worked 40 qualifying quarters, and/or can be credited with 40 qualifying quarters.

The individual can receive credit for a quarter of employment (up to four in a calendar year) to count toward the number of qualifying quarters necessary to be potentially eligible.

A specified minimum amount of annual wages from employment or self-employment must have been reported in order for any quarters during a calendar year to be counted as qualifying quarters. This dollar amount is subject to annual automatic increases. Refer to Step 5 in Determining 40 Qualifying Quarters in this section.

A qualified alien can be credited with all qualifying quarters earned by a current or deceased spouse. Only qualifying quarters earned during the marriage can be credited to the alien. If the marriage has been terminated due to the death of a spouse, qualifying quarters can be credited through the quarter in which the marriage was terminated.

A minor qualified alien can be credited with all qualifying quarters earned by a natural parent (including qualifying quarters earned prior to the child's birth) through the quarter in which the alien turns 18 years of age.

A minor qualified alien can be credited with all qualifying quarters earned by an adoptive parent (including quarters earned prior to the child's birth) through the quarter in which the alien turns 18 years of age, provided the adoption occurred prior to age 18.

A minor qualified alien can be credited with all qualifying quarters earned by a stepparent, while

the stepparent is married to the child's natural or adoptive parent, through the quarter in which the alien turns 18 years of age. If the marriage of the child's stepparent to the child's natural or adoptive parent ends for reasons other than death, the qualifying quarters earned by the stepparent cannot be credited to the alien.

A qualified alien cannot be credited with a qualifying quarter earned by a child.

No quarter can be credited to a qualified alien for a month in which the alien, parent or spouse received any federal means-tested public assistance during the quarter. To have received is defined as being included in a federal public assistance family unit.

Public assistance includes any of the following:

- food stamp benefits
- housing
- TANF
- employment services
- support services
- childcare
- federal energy assistance
- subsidized utilities
- SSI
- Medicaid (other than Emergency Medical Assistance [EMA]).

This list is not all-inclusive.

Public assistance does not include the following:

- EMA
- public health assistance
- foster care
- adoption assistance
- soup kitchen meals
- crisis counseling
- short-term shelter
- educational assistance
- WIA
- disaster relief
- head start.

This list is not all-inclusive

## **Sponsored Aliens**

An alien lawfully admitted into the U.S. for permanent residence often has a sponsor. A sponsor is a person or an organization that executes an affidavit of support on behalf of the alien as a condition of the alien's entry into the U.S. Under the enforceable affidavit (Form I-864 of USCIS) the sponsor promises to support the immigrant and to repay certain benefits that the immigrant may use.

An alien lawfully admitted into the US for permanent residence under an agreement with a sponsor must have the income and resources of the sponsor or the sponsor's spouse considered in determining eligibility for federally-funded TANF cash assistance.

This income is deemed to the qualified alien for 10 years, or until s/he has obtained credit for 40 qualifying quarters.

Refer to Section 1632, Sponsored Alien Budgeting, of the policy manual.

### **EXCEPTIONS:**

Sponsored alien budgeting procedures do not apply if the sponsor is:

- the qualified alien's spouse and lives in the home with the alien.
- the sponsored alien is a victim of domestic violence or would become homeless without receiving assistance (The income would not be deemed for 12 months.)
- the sponsor is a public or private organization.
- Lawful Permanent Residents (LPR) who applied for an immigrant Visa at a consular office or adjustment of status to LPR before December 19, 1997.
- LPRS who adjusted their status to LPR from refugee or asylee status
- Qualified aliens who are not LPRs (e.g., refugees, asylees, parolees and Cuban and Haitian entrants)
- Victims of severe forms of trafficking who are not required to have a sponsor and are required to be treated like refugees for purposes of eligibility for federally funded or federally administered public benefit programs
- LPRs entering in most employment or other nonfamily classification, such as diversity classification, where a sponsor did not have to sign an I-864 Affidavit
- Noncitizens who earned, or can be credited with, 40 qualifying quarters of coverage as defined under title II of the SSA
- Noncitizens, including U.S. nationals, who do not have sponsors.
- Noncitizens whose sponsors signed an Affidavit of Support other than the I-864 Affidavit.

## **State-Funded Assistance**

Georgia provides cash assistance that is paid solely out of state funds, to a qualified alien who is otherwise eligible for federally funded cash assistance except for the fact that the qualified alien does not meet the date of entry, or the 40 qualifying quarters' criteria established by federal regulations for non-citizens.



Persons receiving state-funded TANF are subject to all TANF rules and requirements including the state determined (established) lifetime limits.

Although Federal law requires a sponsor's income and resources to be considered when determining eligibility for Federal cash assistance, Georgia has chosen to disregard the sponsor's income and resources when qualified aliens receive state-funded cash assistance.

An AU, who is receiving state funded TANF benefits, is no longer eligible for those benefits if s/he subsequently qualifies for federal TANF cash assistance. Thus, the state funded TANF must be stopped. In addition, the AU's eligibility for cash assistance must be determined under the federally funded TANF guidelines.

The sponsor's income and resources must be considered before approving the federal TANF.

Refer to Section 1632, Sponsored Alien Budgeting, of the policy manual.

### **Verification of Alien Status**

Verify alien status:

- at application
- when an individual is added to the AU
- when the agency becomes aware of a discrepancy, or,
- when the A/R's citizenship status appears questionable.

### **Ineligibility**

A standard filing unit (SFU) member who fails or refuses to cooperate in determining citizenship/alienage status is penalized. Refer to Section 1670, Budgeting the Income of a Penalized Individual.

An SFU member who is unable to verify citizenship/alienage status is ineligible. Refer to Section 1626, Budgeting the Income of an Ineligible Parent.



The agency should make all possible attempts to verify citizenship using resources listed below under the Verification Information System.

A non-SFU member, who fails, refuses or is unable to verify his/her citizenship/alienage status is excluded from the AU.

### **Verification Information System**

The United States Citizenship and Immigration Services (USCIS) is responsible for administering access to information contained in the Verification Information System (VIS). VIS is provided by the U.S. Citizenship and Immigration Services (USCIS) to agencies registered with the Systematic Alien Verification for Entitlements (SAVE) Program. This database is a nationally accessible database of selected immigration status information through the WEB-3 Method. WEB-3 access allows SAVE Program participants to verify the immigration status of non-citizens and certain citizens applying for various benefits.

The WEB-3 Access Method is designed to assist government agencies with eligibility determinations for federal, state and/or local public benefits including TANF.

WEB-3 establishes the legitimacy of alien documentation and provides verification of the status under which an alien has been admitted to the U.S.

Complete WEB-3 procedures to:

- establish the alien status of ALL non-citizens
- verify the legitimacy of an alien’s documentation
- determine the status of an alien whose documentation has been lost or expired
- determine if USCIS has assigned a new alien status to the A/R.

SAVE or USCIS Form G-845-S may be used to obtain secondary or additional information to verify alien status.

SAVE access is available through Gateway or the following web address can be used to access the site: [save.uscis.gov/Web/vislogin.aspx?JS=YES](https://save.uscis.gov/Web/vislogin.aspx?JS=YES). SAVE user ID and/or passwords are not required when the system is accessed through Gateway.

### **SAVE Procedures**

- Step 1** Access a case in any mode.
- Step 2** Update ‘Citizenship’ field on the ‘Person Demographics – Details’ screen as ‘non-US Citizen’.
- Step 3** Navigate to the ‘Alien – Details’ screen and update all required information and click ‘Next’.
- Step 4** The ‘Save Response’ screen is displayed. Click the ‘Submit Initial Verification’ button in the Initial Verification Response – Level 1 section.
- Step 5** Verification is returned and auto populated in the fields that match the description.

### **FOR ADDITIONAL VERIFICATION REQUESTS:**

There are several reasons for submitting additional verification requests including:

1. If the system prompts the user to input additional verification
2. If the system detects potential errors in the required information fields, a screen will be generated to allow you to update your data. To change or reenter information, select the “Request Additional Verification” option at the bottom of *the Case Details page* to resubmit the query. An additional section will appear to enter more information. Enter additional information.
3. Click the “Submit Additional Verification” button.

The AVIS system will return the Case Details from the initial results, the additional verification parameters, and the status of the additional verification. A response is returned within 3 to 5 federal working days.

When the response is returned, the “Response Date” field will be populated. If the non-citizen’s immigration status has expired, the “Expires On” field will pre-populate the expiration date.

### **FOR THIRD-STEP VERIFICATION REQUESTS:**

If there is a need for more information (i.e., copy of documents), the VIS system returns a message “Resubmit Doc (Need copy of original).”

To initiate third-step verifications:

1. Select “Resubmit Verification”.
2. After the third-step request is made, a browser will open with a pre-populated G-845 PDF, which includes the Verification Case Number. Print out and attach this document and send to the designated Status Verification Office (SVO).

The SVO for Georgia is located in Buffalo, NY. Send a copy of the G-845 and alien documents to SVO at the following address:


United States Citizenship and Immigration Services  
10 Fountain Plaza, 3<sup>rd</sup> Floor  
Buffalo, NY 14202  
ATTN: Immigration Status Verification Unit

The Form G-845 is usually returned to the agency within 10 to 20 federal working days from the date of receipt. The SAVE Program Assistance is available to all users Mon. – Fri., 9:00 A.M. to 7:00 P.M. EST (except federal holidays).

For technical assistance, call 1-800-741-5023. The SAVE e-mail address is: [SAVE.help@dhs.gov](mailto:SAVE.help@dhs.gov). Currently, SAVE does not contain information about victims of severe forms of trafficking.

The following chart lists alien status categories that may result in eligibility for cash assistance for an alien who meets the category criteria. Documents that can verify USCIS status are also listed. The USCIS has the discretion to change documents and codes and to allow any alien or group of aliens to stay in the U.S. for an indefinite period. DFCS may not be aware of these changes prior to implementation.

Additionally, documents issued by the USCIS may vary by local USCIS office. For example, two aliens with the same immigration status may not have the same document to verify the same status. USCIS status may also be verified by a letter of decision from an immigration judge.

 Pursuant to 45 C.F.R. § 400.211, the Office of Refugee Resettlement (ORR) Director is authorized to determine the eligibility period for RCA and RMA by publishing a final notice in the Federal Register. A Federal Register Notice announcing the increase in the RCA and RMA eligibility period from eight months to 12 was published on March 28, 2022.

ORR-DCL-22-12 expands the eligibility period for Refugee Cash Assistance (RCA) from eight months to 12 months for ORR-eligible populations whose date of eligibility for ORR benefits is on or after October 1, 2021. The date of eligibility is also referred to as the date of entry.

*Chart 1310.1 - DETERMINATION OF ALIEN STATUS*

| INS DOCUMENTATION   | IF ALIEN STATUS IS  | THEN  |
|---|---|---|
| Resident alien card, passport, visa, I-94, I-181, INSAR-3a or other INS documentation stating “processed for I-551, Temporary Evidence of Lawful Residence”   | a lawful permanent resident <b>with</b> 40 qualifying quarters of coverage who entered the U.S.:<br><br>prior to August 22, 1996    | the alien is eligible.  |
|   | on or after August 22, 1996   | the alien is eligible.  |
|   | a lawful permanent resident <b>without</b> 40 qualifying quarters of coverage who entered the U.S.:<br><br>prior to August 22, 1996 | the alien is eligible for state-funded TANF during a five-year period that begins on the date of entry.   |
|   | on or after August 22, 1996   | After five years from the entry date, the alien is eligible for federally funded TANF   |
| I-94 annotated with Section 207 or paroled as a refugee<br><br>I-688B annotated with 274a12(a)(3), (a)(4),(a)(10)<br><br>I-551 or other INS documents with refugee codes:<br><br>RE1, RE2, RE3, RE6, RE7, RE8, R86, P71, CH6, CU6, CU7, CU8, CU9, CNO, CUP, CNP, M83, Y64 | a refugee admitted under Section 207 of INA who entered the U.S.:<br><br>prior to August 22, 1996                                   | the alien is eligible.  |
|   | on or after August 22, 1996   | After five years from the entry date, the alien is eligible for federally funded TANF.  |
|   | on or after August 22, 1996   | After five years from the entry date, the alien is eligible for federally funded TANF.  |
| resident alien card, Iraqi passport, I-94, visa IV (special immigrant visa) under category SQ1 and DHS stamp or notation showing date of entry  | a lawful permanent resident with special immigrant visa,  | The principal Iraqi alien is eligible for a period not to exceed eight months.<br><br>The 8-month count begins on the date the individual entered the U.S. as a special immigrant LPR.  |
| resident alien card, passport, I-94, visa IV (special immigrant visa) under category SQ2 and DHS stamp or notation showing date of entry  | a lawful permanent resident with special immigrant visa,  | The spouse of the principal Iraqi alien is eligible for a period not to exceed eight months.<br><br>The 8-month count begins on the date the individual entered the U.S. as a special immigrant LPR                                     |
| resident alien card, Iraqi passport, I-94, visa IV (special immigrant visa) under category SQ3 and DHS stamp or notation showing date of entry  | a lawful permanent resident with special immigrant visa,  | The unmarried child under age 21 years of age of the principal Iraqi alien is eligible for a period not to exceed eight months.<br><br>The 8-month count begins on the date the individual entered the U.S. as a special immigrant LPR. |
| DHS Form I-551 (green card) with Iraqi passport showing Iraqi nationality with an IV (immigrant visa) code of SQ6   | a special immigrant adjusting visa status   | The principal Iraqi alien is eligible for a period not to exceed eight months.<br><br>The 8-month count begins on the date the status was adjusted to a special immigrant LPR.  |

| INS DOCUMENTATION   | IF ALIEN STATUS IS                                       | THEN  |
|---|--|---|
| P6 Category with DHS Form I-551 (green card) showing Iraqi nationality (or Iraqi passport) with an IV (immigrant visa) code of SQ7                              | a special immigrant adjusting visa status                | <p>The spouse of the principal Iraqi alien is eligible for a period not to exceed eight months.</p> <p>The 8-month count begins on the date the status was adjusted to a special immigrant LPR.</p>   |
| P6 Category with DHS Form I-551 (green card) showing Iraqi nationality (or Iraqi passport) with an IV (immigrant visa) code of SQ9,                             | a special immigrant adjusting visa status                | <p>The unmarried child under age 21 years of age of the principal Iraqi alien is eligible for a period not to exceed eight months.</p> <p>The 8-month count begins on the date the status was adjusted to a special immigrant LPR.</p>  |
| resident alien card, Iraqi or Afghan passport, I-94, visa IV (special immigrant visa) <b>under category SI1</b> and DHS stamp or notation showing date of entry | a lawful permanent resident with special immigrant visa, | <p>The <b>principal Iraqi or Afghan</b> alien is eligible.</p> <p>The eligibility period for <b>Iraqi immigrants is not to exceed eight months.</b></p> <p>The eligibility period for <b>Afghan immigrants is not to exceed Six months.</b></p> <p>The 8 or 6-month count begins on the date the individual entered the U.S. as a special immigrant LPR.</p>  |
| resident alien card, Iraqi or Afghan passport, I-94, visa IV (special immigrant visa) <b>under category SI2</b> and DHS stamp or notation showing date of entry | a lawful permanent resident with special immigrant visa, | <p>The <b>spouse of the principal Iraqi or Afghan</b> alien is eligible.</p> <p>The eligibility period for <b>Iraqi immigrants is not to exceed eight months.</b></p> <p>The eligibility period for <b>Afghan immigrants is not to exceed Six months.</b></p> <p>The 8 or 6-month count begins on the date the individual entered the U.S. as the spouse of a special immigrant LPR.</p>  |
| resident alien card, Iraqi or Afghan passport, I-94, visa IV (special immigrant visa) <b>under category SI3</b> and DHS stamp or notation showing date of entry | a lawful permanent resident with special immigrant visa, | <p>The <b>unmarried child</b> under age 21 years of age of the principal <b>Iraqi or Afghan alien</b> is eligible.</p> <p>The eligibility period for <b>Iraqi immigrants is not to exceed eight months.</b></p> <p>The eligibility period for <b>Afghan immigrants is not to exceed Six months.</b></p> <p>The 8 or 6-month count begins on the date the individual entered the U.S. as the child of a special immigrant LPR.</p> |


| INS DOCUMENTATION  | IF ALIEN STATUS IS  | THEN  |
|--|---|---|
| DHS Form I-551 (green card) with Iraqi or Afghan passport showing Iraqi or Afghan nationality with an IV (immigrant visa) <b>code of SI6</b>                   | a special immigrant adjusting visa status in the U.S.   | <p>The <b>principal Iraqi or Afghan</b> alien is eligible.</p> <p>The eligibility period for <b>Iraqi immigrants is not to exceed eight months.</b></p> <p>The eligibility period for <b>Afghan immigrants is not to exceed Six months.</b></p> <p>The 8 or 6-month count begins on the date the status was adjusted to a special immigrant LPR.</p>  |
| P6 Category with DHS Form I- 551 (green card) with Iraqi or Afghan passport showing Iraqi or Afghan nationality with an IV (immigrant visa) <b>code of SI7</b> | a special immigrant adjusting visa status in the U.S.   | <p>The <b>spouse</b> of the principal <b>Iraqi or Afghan</b> alien is eligible.</p> <p>The eligibility period for <b>Iraqi immigrants is not to exceed eight months.</b></p> <p>The eligibility period for <b>Afghan immigrants is not to exceed Six months.</b></p> <p>The 8 or 6-month count begins on the date the status was adjusted to the spouse of a special immigrant LPR.</p>                                   |
| P6 Category with DHS Form I-551 (green card) with Iraqi or Afghan passport showing Iraqi or Afghan nationality with an IV (immigrant visa) <b>code of SI9,</b> | a special immigrant adjusting visa status in the U.S.   | <p>The <b>unmarried child</b> under age 21 years of age of the principal <b>Iraqi or Afghan alien</b> is eligible.</p> <p>The eligibility period for <b>Iraqi immigrants is not to exceed eight months.</b></p> <p>The eligibility period for <b>Afghan immigrants is not to exceed Six months.</b></p> <p>The 8 or 6-month count begins on the date the status was adjusted to the child of a special immigrant LPR.</p> |
| <p>I-94 annotated with Section 208</p> <p>I-688B annotated with 274a.12(a)(5)</p> <p>other INS documents with asylum codes of AS1, AS2, AS3, AS6, AS7, AS8</p> | <p>an alien granted asylum status under Section 208 of INA who entered the U.S.:</p> <p>prior to August 22, 1996</p> <p>on or after August 22, 1996</p> | <p>the alien is eligible.</p> <p>the alien is eligible for federally funded TANF during a five-year period that begins on the date asylum is granted.</p> <p>After 5 years from the date asylum is granted, the alien is eligible for state funded TANF.</p>  |

| INS DOCUMENTATION   | IF ALIEN STATUS IS   | THEN  |
|---|--|---|
| I-94 annotated with Section 243(h)<br><br>other INS documentation from an immigration judge showing that deportation has been withheld                              | an alien whose deportation is being withheld under Section 243(h) of the INA who entered the U.S.:<br><br>prior to August 22, 1996                             | the alien is eligible.<br><br>the alien is eligible for federally funded TANF during a five-year period that begins on the date deportation is withheld.  |
|   | on or after August 22, 1996  | After 5 years from the date deportation is withheld, the alien is eligible for state funded TANF.   |
| I-688B annotated with 274a.12(a)(4) or c(11)<br><br>I-94 annotated with 212(d)(5)   | an alien paroled for at least one year under Section 212(d)(5) who entered the U.S.:<br><br>prior to August 22, 1996   | the alien is eligible.<br><br>the alien is eligible for state-funded TANF during a five-year period that begins on the date of entry.   |
|   | on or after August 22, 1996  | After five years from the entry date, the alien is eligible for federally funded TANF.  |
| I-94 annotated with 203(a)(7) or other INS document indicating conditional entrant status   | a conditional entrant under Section 204(a)(7) of the INA in effect prior to 4/1/1980 who entered the U.S.:<br><br>prior to August 22, 1996                     | the alien is eligible.  |
|   | on or after August 22, 1996  | the alien is eligible for state-funded TANF during a five-year period that begins on the date of entry.<br><br>After five years from the entry date, the alien is eligible for federally funded TANF.   |
| I-94 annotated with “paroled as a refugee”, Section 207 or married Cuban  | a Cuban or Haitian entrant admitted under Section 501(e) of the Refugee Education Assistance Act of 1980 who entered the U.S.:<br><br>prior to August 22, 1996 | the alien is eligible for TANF  |
|   | on or after August 22, 1996  | the alien is eligible for federally funded TANF during a five-year period that begins on the date such status is granted.<br><br>After 5 years from the date Cuban or Haitian entrant status is granted, the alien is eligible for state funded TANF. |
| I-94 annotated with AM1, AM2, AM3<br><br>I-551 annotated with AM6, AM7, AM8<br><br>Vietnamese Exist Visa, Vietnamese Passport, or US Passport stamped AM1, AM2, AM3 | an immigrant with Amerasian status who entered the U.S. either prior to or on or after August 22, 1996<br><br>prior to August 22, 1996                         | the alien is eligible for federally funded TANF during a five-year period that begins on the date of entry.   |
|   | on or after August 22, 1996  | After five years from the entry date, the alien is eligible for state funded TANF.  |

| INS DOCUMENTATION  | IF ALIEN STATUS IS   | THEN  |
|--|--|---|
| any USCIS document that establishes that an alien is lawfully residing in the U.S. and is a battered spouse, parent or child   | that of an alien who meets no other category listed in this chart.   | the alien is only eligible for state funded TANF during a five-year period that begins on the date of entry.<br><br>After five years from the entry date, the alien is eligible for federally funded TANF.        |
| no USCIS documentation is available, but an HHS/ORR certification letter or other letter verifies the alien is a victim of trafficking   | that of an alien who meets no other category listed in this chart.   | the alien is eligible for federally funded TANF during the five-year period that begins on the certification date.<br><br>After 5 years from the certification date, the alien is eligible for state funded TANF. |
| <p>Form I-94 noting humanitarian parole (per INA section 212(d)(5) or 8 U.S.C. § 1182(d)(5))</p> <p><b>Or</b></p> <p>Foreign passport with DHS/CBP admission stamp noting “DT”</p> <p><b>Or</b></p> <p>Foreign passport with DHS/CBP admission stamp noting Uniting for Ukraine or “U4U”</p> <p><b>Or</b></p> <p>Foreign passport with DHS/CBP admission stamp noting Ukrainian Humanitarian Parolee or “UHP”</p> <p><b>Or</b></p> <p>Form I-765 Employment Authorization Document (EAD) receipt notice with code C11</p> <p><b>Or</b></p> <p>Form I-766 Employment Authorization Document (EAD) with the code C11</p> | Ukrainian citizen or national who received humanitarian parole (known as a Ukrainian Humanitarian Parolee, or UHP) | the alien is eligible.  |
| <p>Any one of the forms or stamps listed above for UHPs</p> <p><b>And</b></p> <p>Documentation of last habitual residence in Ukraine<sup>8</sup></p>   | A non-Ukrainian individual who last habitually resided in Ukraine and received humanitarian parole                 | the alien is eligible   |



# 1315 Deprivation

|   |  |               |                                   |       |
|---|--|---------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |               |                                   |       |
|   | <b>Policy Title:</b>   | Deprivation   |                                   |       |
|   | <b>Effective Date:</b>   | November 2019 |                                   |       |
|   | <b>Chapter:</b>  | 1300          | <b>Policy Number:</b>             | 1315  |
|   | <b>Previous Policy Number(s):</b>  | MT 1          | <b>Updated or Reviewed in MT:</b> | MT-50 |

## Requirements

A dependent child must be deprived of the support or care of one or both parents to be eligible for cash assistance.

## Basic Considerations

The child must be deprived of the support or care of one or both parents for one of the following reasons:

- death
- continued absence
- incapacity
- recent connection to the work force.

Deprivation is determined for each child for one of the above reasons in the order listed.

Each AU is required to name the parent(s), when known, of a child for whom assistance is requested.

If the AU is unable to name a parent, deprivation will be based on the parent being unknown.

If the AU refuses to name a parent, deprivation cannot be established and eligibility for cash assistance cannot be determined.

## Paternity

The identity of a dependent child's father must be established for the following purposes:

- to determine on which parent to base deprivation,
- to establish the relationship of a paternal relative to the child. Refer to Section 1335, Living with a Specified Relative,
- to determine if a Child Support Enforcement (CSE) referral is required,
- to determine if the father is a non-custodial, non-supporting minor parent. Refer to Section 1345, Personal Responsibility Requirements.


Deprivation must be reestablished if a change occurs as a result of one of the following:

- The mother names someone else as the father.
- CSE determines that the man who is named as the father is not the biological father.
- A judicial proceeding establishes or alters paternity, e.g., adoption

The following chart is used to identify the man on whom deprivation is based:

*Chart 1315.1 - Identifying the Father*

| <b>IF</b>  | <b>THEN</b>   |
|--|---|
| the mother is unmarried at the time of the child's birth   | deprivation is based on the individual she names as the father.   |
| the mother is married, whether ceremonial or common-law, at the time of the child's birth and states that her husband is the biological father | deprivation is based on the husband.  |
| the mother is married at the time of the child's birth and states a man other than her husband is the biological father                        | deprivation is based on the husband until or unless one of the following occurs: <ul style="list-style-type: none"> <li>• the reputed father legitimates the child</li> <li style="text-align: center;">OR</li> <li>• the child's paternity is determined by a judicial proceeding</li> <li style="text-align: center;">OR</li> <li>• the reputed father, living in the home with the child, signs Form 185, Affidavit of Paternity</li> <li style="text-align: center;">OR</li> <li>• an affidavit of paternity is returned by CSE.</li> </ul> |

| IF  | THEN  |
|---|---|
| <p>the mother is unavailable, e.g., deceased or whereabouts unknown, and an application is filed by a nonparent</p>   | <p>deprivation is based on the man identified as the father by one of the following:</p> <ul style="list-style-type: none"> <li>• written evidence that paternity has been established in a judicial proceeding,</li> <li>• Social Security records showing that the child receives benefits from the reputed father’s account,</li> <li>• records of an employer showing that the child is a dependent of the reputed father for tax or insurance purposes,</li> <li>• court records showing that the mother has, under oath, asserted the father’s identity,</li> <li>• a document showing that the reputed father has legitimated the child,</li> <li>• the subsequent marriage, either ceremonial or common law, of the reputed father to the mother and his written statement that he is the father of the child,</li> <li>• the child’s birth certificate,</li> <li>• prior case record documentation of the mother’s statement of the father’s identity,</li> <li>• a written statement by the reputed father acknowledging paternity.</li> </ul> <p> This would not apply when the court has determined that the man identified is not the father.</p> |
| <p>CSE provides paternity test results that show the man the mother named as the father is not the father of the child</p> <p>AND</p> <p>the mother claims there is no other man who could be the father</p> <p>AND</p> <p>there is no other evidence to the contrary</p> | <p>deprivation continues to be based on the father originally named unless paternity of another man is established by CSE.</p> <p>CSE is notified that a penalty will not be applied.</p>   |
| <p>CSE provides paternity test results that show the man the mother named as the father is not the father of the child</p> <p>AND</p> <p>the mother refuses to name another man as the father</p> <p>AND</p> <p>there is supporting evidence to the contrary</p>          | <p>cash assistance for the AU is terminated for failure to cooperate.</p> <p>Refer to Section 1320, Child Support Enforcement.</p>  |


| IF   | THEN  |
|--|---|
| a nonparent maternal relative applies<br><br>AND<br><br>CSE determines the man the relative names is not the father<br><br>AND<br><br>the relative is unable to name another man | deprivation is established as if the father is unknown.   |
| a nonparent paternal relative applies<br><br>AND<br><br>CSE determines the man the relative named is not the father<br><br>AND<br><br>The relative is unable to name another man | the relationship of the paternal relative is not established and cash assistance is denied or terminated. |

## Procedures

Follow the procedures below to establish deprivation.

- Identify the parents of each dependent child.
- Determine if either or both parents are in the home.
- Determine on which parent to base deprivation.

## 1316 Deprivation Based on Death

|  | Georgia Division of Family and Children Services<br>TANF Policy Manual |                            |                                   |       |
|---|--|----------------------------|-----------------------------------|-------|
|   | <b>Policy Title:</b>   | Deprivation Based on Death |                                   |       |
|   | <b>Effective Date:</b>   | November 2019              |                                   |       |
|   | <b>Chapter:</b>  | 1300                       | <b>Policy Number:</b>             | 1316  |
|   | <b>Previous Policy Number(s):</b>                                      | MT 1                       | <b>Updated or Reviewed in MT:</b> | MT-50 |

## Requirements

Deprivation of parental support or care exists when one or both parents are deceased.

## Basic Considerations

A child who is deprived because of the death of a parent is required to have an application filed for RSDI benefits, Veteran Administration benefits or any other benefits to which s/he may be entitled. Refer to Section 1355, Application for Other Benefits.

## Procedures

### Verification and Documentation


Accept and document the AU's statement of the parent's death, unless information known to the agency conflicts with the AU's statement.

Verify by one of the following, if questionable:

- burial permit
- death certificate
- funeral home record
- governmental record
- insurance record
- medical or hospital record
- church record
- newspaper notice
- written statement of a responsible reference if none of the above is available.

 Document all efforts to obtain verification when using a responsible reference to verify death.

## 1317 Continued Absence from The Home

|  Georgia Division of Family and Children Services<br>TANF Policy Manual |                                 |                                   |       |
|--|---------------------------------|-----------------------------------|-------|
| <b>Policy Title:</b>   | Continued Absence from The Home |                                   |       |
| <b>Effective Date:</b>   | November 2019                   |                                   |       |
| <b>Chapter:</b>  | 1300                            | <b>Policy Number:</b>             | 1317  |
| <b>Previous Policy Number(s):</b>  | MT 23                           | <b>Updated or Reviewed in MT:</b> | MT-50 |

### Requirements

Deprivation of parental support or care exists when one or both parents do not live in the home with the child and the absence interrupts the ability to function as a parent.

### Basic Considerations

The absence of the parent from the home must be established to determine if the child is deprived based on continued absence.

In order to establish deprivation, the following information must be determined:

- The parent is not living in the home.
- The absence of the parent interrupts the parent's ability to function as a parent.

- The absence of the absent parent (AP) is of an indefinite duration.

The following information about each AP must be obtained from the AU:

- name of the AP,
- AP's social security number,
- AP's date of birth,
- date of the last contact with the AP,
- address or phone number of a family member or friend who knows how to contact the AP,
- date and amount of the last child support received from the AP.

### **Absence from the Home**

Deprivation is assumed to exist if one or both parents do not live in the home.

### **Incarceration**

Deprivation exists if a parent is incarcerated. The following information about the incarcerated parent must be established:

- crime for which the parent is incarcerated,
- location of the incarceration,
- length of sentence,
- minimum confinement,
- earliest parole date.

### **Adoption**

Deprivation exists if a child is adopted by a single parent.

### **Joint Custody**

Deprivation exists if the parents have joint custody of the child.

The following conditions must exist to establish deprivation in a joint custody situation:

- The time the child spends with the other parent is considered a visit.
- The time the child spends with the other parent may not exceed two months, or the child cannot be included in the AU for that period.
- The child may be eligible to receive cash assistance in either home but cannot be included in more than one AU in a month.

### **Absence Because of Court-Ordered Work**

Deprivation because of continued absence exists when both parents are in the home, but one parent is performing court-ordered work under the following conditions:

- The parent has been convicted of an offense and is under sentence by a court.
- The sentence requires, and the parent is performing, unpaid public work or community service during the workday.
- The parent is permitted by the court to live at home while serving the sentence.

The following conditions apply to the parent in this situation:

- The parent is not included in the AU.
- The parent does not have a work requirement.
- The parent is not referred to Division of Child Support Services (DCSS).
- The parent's income and resources are considered available to the AU. Refer to Section 1635, Allocation to an Ineligible Spouse.

The following information must be established regarding the court-ordered work:

- the conviction and sentence,
- the court's permission for the parent to live at home,
- the performance of unpaid community work.

### **Parental Functioning**

Deprivation may not exist if a parent is absent from the home, but parental functioning is not interrupted.

Parental functioning includes maintenance, physical care and guidance on a day-to-day basis equal to the amount that would be provided if the parent were in the home.

Deprivation may be established, and interruption of parental functioning is assumed even though the AP is in contact with the child because of court-ordered visitation, joint custody, or informal agreement by the parents.

The AU can rebut the assumption of deprivation if parental functioning is not interrupted and the AP provides maintenance, physical care and guidance on a daily basis.

### **Temporary Absence**

Deprivation may not exist if a parent is absent from the home on a temporary basis. Temporary absences that do not constitute continued absence include the following:

- seeking employment
- military duty
- employment-related travel
- vacations.

Deprivation does not exist if the parent is on active duty in the uniformed services of the United States. Uniformed services include the following:

- Air Force
- Army
- Coast Guard
- Marine Corps
- National Oceanographic and Atmospheric Administration
- Navy
- Public Health Service.

### **Contacting The AP**

Direct contact with the AP must be attempted, unless there is good cause for not attempting contact.

*Refer to Section 1320, Child Support Enforcement.*

The following resources are used to attempt to locate the AP if an address is unavailable:

- city directories
- STARS Interfaces
- Integrated Eligibility System (IES)
- other DFCS records
- telephone directories
- Internet browsing
- Clearinghouse DOL files.



Clearinghouse files may be used only as a last resort and with supervisory approval.

*This list is not all-inclusive.*

A letter to the AP is sent when an address is available and there is no good cause claimed or established. The letter to AP is sent:

- at application,
- when a new child is added to an AU, and the deprivation is based upon the continued absence of one or both parents from home,
- when a change in paternity is reported and the basis of deprivation is or continues to be the absence of one or both parents

The letter to AP is required for the following purposes:

- to verify deprivation if questionable,
- to verify payment of child support from the source,
- to notify the AP of the application for receipt of cash assistance for the child,
- to notify the AP of his or her debt to the state.



The AP letter is sent to the biological father if there is no legal father.

## Verification and Documentation

The AU’s statement of the absence from the home is accepted unless questionable.

If questionable, the absence is verified through documentary evidence or third-party collateral.

## Procedures

### Parent is Absent from Home


Follow the steps below when one or both parents are absent from the home.

- Step 1** Assume that the absence from the home interrupts the AP’s ability to function as a parent unless the AU rebuts the assumption.
- Step 2** Establish that the absence is of an indefinite duration. Obtain required information about the AP.
- Step 3** Attempt contact with the AP by sending the absent parent letter to a known address.
- Step 4** If an address is unknown, attempt to locate the AP through other resources.
- Step 5** Document attempts to contact the AP.
- Step 6** Follow the steps below when an absent parent returns to the home.

### AP Returns to Home

- Step 1** Establish the date the AP returned to the home.
- Step 2** Determine if deprivation still exists based on the presence in the home of the other parent.
- Step 3** Determine if the AP may be incapacitated.
- Step 4** Determine if the child may now be deprived based on recent connection.

## 1318 Deprivation Based on Incapacity

|   |  |  |                                 |                                   |       |
|---|--|--|---------------------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |  |                                 |                                   |       |
|   | <b>Policy Title:</b>   |  | Deprivation Based on Incapacity |                                   |       |
|   | <b>Effective Date:</b>   |  | November 2019                   |                                   |       |
|   | <b>Chapter:</b>  |  | 1300                            | <b>Policy Number:</b>             | 1318  |
|   | <b>Previous Policy Number(s):</b>  |  | MT 1                            | <b>Updated or Reviewed in MT:</b> | MT-50 |

## Requirements

Deprivation of parental support or care exists when one or both parents are physically or mentally incapacitated.

### Basic Considerations

A parent is physically or mentally incapacitated when s/he has a physical or mental defect, illness, or impairment of such a debilitating nature that it substantially reduces or eliminates the parent's ability to support or care for the child.

The incapacity must be expected to last for at least 30 days from the date of onset.

### Work Requirement

A parent who is incapacitated has a work requirement and is referred to employment services. Refer to Section 1349, Work Requirements.

### Determination of Incapacity

The incapacity determination is based on the following:

- the nature of the incapacity,
- the degree to which the incapacity limits normal employment,
- whether the incapacity prohibits the parent from supporting the family.

Incapacity may be established by one of the following methods in the order listed:

- prima facie evidence,
- personal observation,
- review of medical evidence or records.

### Prima Facie Evidence

Prima facie evidence of incapacity includes receipt of the following:

- RSDI benefits based on disability,
- SSI benefits based on disability,
- Railroad Retirement benefits based on disability,
- Veterans benefits based on 100% disability,
- Worker's Compensation benefits
- long or short-term disability benefits paid by or through an employer or insurance company.

This list is all-inclusive.



A parent receiving RSDI or SSI disability benefits is still considered to be incapacitated when benefits begin to be paid based on age.

## **Observation**

When prima facie evidence of incapacity is not available, the determination of whether incapacity exists is based on an evaluation of the following:

- the parent's physical or mental limitations as observed by the worker

**or**

- medical evidence

**and**

- information gathered on the Form 188, Social Data Report

## **Medical Evidence**

Medical evidence must be obtained from the parent to support the incapacity claim if a determination cannot be made solely through observation.

Medical evidence includes the following:

- Form 806, Medical statement, completed by the parent's doctor
- the parent's medical records.

The medical evidence in conjunction with social data gathered on Form 188, Social Data Report is evaluated to determine if the evidence supports the incapacity claim.

The agency must provide assistance if the AU needs help in obtaining medical evidence.

## **Social Data Information**

The following social data information is considered when evaluating the claim of incapacity:

- the parent's statement of incapacity and expected duration,
- the obvious physical or mental limitations,
- the types of job duties the individual normally performed, or is trained to perform,
- work activities of the parent prior to the incapacity,
- limitations that the incapacity places on the parent's normal work activities,
- employer's records documenting the effects of the incapacity on the parent's ability to work, if available.

Form 188, Social Data Report must be completed in order to obtain the social data information needed to establish incapacity.

The parent's education, training and work experience must be evaluated to determine if the physical or mental limitations prevent the parent from providing support and care to his/her children.

[Chart 1318.1](#) provides examples of incapacity determinations based on observation of the individ-

ual and social data information.

### Adjustment Period When Incapacity Ends

A three-month adjustment period is allowed when the incapacity ends, beginning with the month following the month capacity is restored.

The AU must continue to meet all other eligibility requirements during the adjustment period.

The following chart provides examples of how an incapacity determination is made by observation of the individual and evaluation of information collected on the Form 188.

*Chart 1318.1 - Incapacity Determinations by Observation*

|  |  |
|--|--|
| Situation: An individual sustains a broken foot in an auto accident. The break is severe, and the individual is in a cast up to the calf. Crutches must be used for three weeks; at which time the individual will be given a walking cast for five weeks.   |  |
| Case 1:<br><br>The individual has a ninth-grade education and has worked all of his adult life as a roofer. He is 45 years of age. He has received no technical education to allow him to pursue another trade.  | The individual is considered incapacitated for a minimum of eight weeks, at which time the incapacity must be reevaluated.             |
| Case 2:<br><br>The individual has a high school education and has been to technical school. She has been trained as a data entry operator. She works on the first floor of her building and can easily sit at the computer terminal with her foot propped. The company provides paid sick leave for days she cannot come to work because of doctor's appointments or personal illness. | The individual is not considered incapacitated to the point that it will hinder her ability to perform necessary day-to-day functions. |

## Procedures

### Establishing Incapacity

Follow the steps below when one or both parents claim incapacity:


- Step 1** Determine if the parent has prima facie evidence of the incapacity. If so, base deprivation on the incapacity. If not proceed to Step 2.
- Step 2** Determine, based on observance of the parent's condition, if incapacity can be established.
- Step 3** Request medical evidence if the incapacity cannot be established without it.
- Step 4** Complete Form 188, Social Data Report, to evaluate the parent's physical and/or mental limitations.
- Step 5** Establish deprivation based on the incapacity.
- Step 6** Document the nature and duration of the incapacity.

## Allowing the Adjustment Period

Follow the steps below when an incapacitated parent is able to return to work:

- Step 1** Document the circumstances, including the date capacity was restored.
- Step 2** Notify the family of the following:
- beginning month of the adjustment period,
  - the specific months of continued cash assistance,
  - the eligibility requirements during the adjustment period.
- Step 3** Review the AU's situation in the third month to determine if deprivation exists based on recent connection to the work force.

## 1319 Deprivation Based on Recent Connection to the Work Force

| Georgia Division of Family and Children Services<br>TANF Policy Manual             |                                   |  |                                   |       |
|--|-----------------------------------|--|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Deprivation Based on Recent Connection to the Work Force |                                   |       |
|  | <b>Effective Date:</b>            | October 2020   |                                   |       |
|  | <b>Chapter:</b>                   | 1300   | <b>Policy Number:</b>             | 1319  |
|  | <b>Previous Policy Number(s):</b> | MT 50  | <b>Updated or Reviewed in MT:</b> | MT-58 |

### Requirements

Deprivation of parental support or care exists in a two-parent family in which both parents are able-bodied and at least one parent has a recent connection to the work force.

### Basic Considerations

Deprivation is based on recent connection to the work force if both parents are in the home, both are able-bodied and one or both work or have a work history.

- i** In two-parent families in which one or both parents claim incapacity, deprivation based on incapacity must be determined before deprivation based on recent connection to the work force.

Recent connection to the work force is defined as one of the following:

- currently working at least 20 hours per week or worked an average of 20 hours per week in the four weeks prior to the application,
- currently receiving Unemployment Compensation Benefits (UCB) in the month of application or received UCB within 12 months prior to the month of application,

- currently unemployed or working less than 20 hours per week and earned a total of at least \$500.00 in the period covering the month of application and the prior six months,
- currently receiving retirement benefits or received retirement benefits in any of the six months prior to the month of application,
- received disability benefits based on 100% disability in any of the last six months prior to the month of application.

**i** Receipt of disability benefits in the month of application would establish deprivation based on incapacity.

Recent connection to the work force may be verified by the assistance unit's (AU) statement, unless information known to the agency is questionable.

### **Work Requirements**

In two-parent families in which both parents are able-bodied, both parents have a work requirement and must be referred to employment services.

**i** A parent who is not included in the AU because s/he is an ineligible alien does not have a work requirement.

### **Blended Families**

Standard filing unit (SFU) policy applies to a child in a blended family who is deprived based on a parent's recent connection to the work force. When there is a mutual child who is deprived because his/her parent meets recent connection to the work force, SFU policy requires that the mutual child and his/her parents be included in the AU with half siblings. This may result in the entire AU being ineligible for cash assistance. In this situation, stepparent budgeting cannot be applied to half siblings of the mutual child.

### **Aliens**

If both parents in a two-parent family are aliens and neither parent has Immigration and Naturalization Service (INS) authorization to work, the family is not eligible for cash assistance.

If at least one parent in a two-parent family has INS authorization to work, the family is potentially eligible for cash assistance. However, only those individuals who meet the alien criteria may be included in the AU.

Deprivation cannot be established in families in which both able-bodied parents are in the home and neither parent meets recent connection. The AU is not eligible for cash assistance.

### **Procedures**

Determine if either parent in a two-parent family meets recent connection to the work force.

Accept the applicant/recipient's (AR) statement unless questionable.

**i** If recent connection to the work force is based on receipt of Retirement Survivors Disability Insurance (RSD), Supplemental Security Income (SSI) or UCB, document information obtained

from Clearinghouse.

If questionable, verify recent connection to the work force by one of the following:

- statement from employer
- statement from the source of the retirement or disability payment.

Chart 1319.1 - Undocumented Two-Parent Households

| If  | Then  |
|---|---|
| One parent is a United States (US) citizen and the other parent is an undocumented alien, | Recent connection would have to be determined from the parent that is a U.S. citizen.                     |
| Both parents are not U.S. citizens, but one parent has INS authorization to work,         | Recent connection can be determined from the parent that has INS authorization to work.                   |
| Neither parent is a U.S. citizen and neither has INS authorization to work,               | Recent connection cannot be determined and therefore the family is not eligible for TANF cash assistance. |
| Neither parent is a U.S. citizen, but both have INS authorization to work,                | Recent connection can be determined from either parent.   |

## 1320 Child Support Enforcement

|  | Georgia Division of Family and Children Services |                                   |                       |
|--|--|-----------------------------------|-----------------------|
|  | TANF Policy Manual                               |                                   |                       |
|  | <b>Policy Title:</b>                             | Child Support Enforcement         |                       |
|  | <b>Effective Date:</b>                           | November 2023                     |                       |
|  | <b>Chapter:</b>                                  | 1300                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>  | MT 71  | <b>Updated or Reviewed in MT:</b> | MT-75                 |

### Requirements

A caretaker, payee or minor parent must cooperate with the Division of Child Support Services (DCSS) for the assistance unit (AU) members to receive cash assistance, unless good cause exists.

### Basic Considerations

An absent parent (AP) whose child receives cash assistance has incurred a debt to the state because of the AP's failure to provide child support for his/her child. This debt is incurred only when the AP is under a court order to pay child support during a month for which the AP's child receives cash assistance.

States are required to establish a program to enforce the AP's obligation to support his/her child. DCSS administers this program in Georgia.

An AU's rights to child support are assigned by law to the state upon receipt of cash assistance.

DFCS performs the following functions:

- provides information about DCSS to the AU,

- obtains information about the AP for the DCSS referral,
- refers the AP to DCSS,
- determines if good cause for failure to cooperate with DCSS exists,
- takes appropriate action for failure to cooperate.

DCSS performs the following functions:

- locates the absent parent,
- establishes legal paternity,
- obtains child support court orders,
- collects, enforces, and distributes child support payments,
- notifies DFCS when the AU fails to cooperate,
- participates in hearings regarding good cause,
- reviews the good cause decisions made by DFCS.

### **Providing Information**

The following information must be provided to the AU at initial application, at the standard review and when adding a child to the AU:

- an explanation of the child support program,
- an explanation of the assignment to the state of rights to child support,
- the requirement to cooperate with DCSS and the consequences for failing to cooperate,
- an explanation that the AU has the right to claim good cause at any time, the evidence needed to establish good cause, and the time frame for providing the evidence.

Form 138, Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in DCSS and Third Party Resource Requirements, must be discussed with the AU and/or the minor parent at application, review (if a change is reported), and when adding a dependent child to the AU.

### **Obtaining Information**

The following information, if available, must be obtained from the AU:

- full name of AP,
- AP's home and business addresses,
- AP's social security number,
- AP's date of birth,
- date of last contact with the AP,
- address of a family member or friend who knows how to contact the AP,
- date and amount of any child support received from the AP.





Refer to Section 1315, Deprivation, for policy on the requirement to name the AP as a part of the eligibility determination process.

## Referrals

The AP of the dependent child included in the AU must be referred to DCSS. The following individuals are not referred to DCSS.

- AP of a minor caretaker (head of household),
- AP of a married minor,
- AP of an 18-year-old dependent child

## Cooperation with DCSS

An AU must cooperate with DCSS in locating the AP of a dependent child included in the AU, establishing the legal paternity of that parent, and obtaining child support from him/her, unless good cause exists.

Cooperation with DCSS includes but is not limited to the following:

- attending scheduled appointments with DCSS,
- providing the following information to DCSS about the AP:
  - current or former address
  - date of birth
  - social security number
  - other information that would assist DCSS in locating the AP, establishing paternity and/or obtaining child support from the AP,
- attesting to this information or attesting to lack of this information under penalty of law,
- submitting to a paternity test if paternity is questioned or denied.

When an AU fails to cooperate with DCSS, DCSS will notify DFCS and DFCS must determine if good cause exists.

## Good Cause

Good cause may be claimed at any time during the application process or following approval.

Assistance is not delayed, denied, or terminated pending a determination of good cause if the AU has cooperated in providing information and supporting evidence.

Good cause can be established if one of the following circumstances exists:

- cooperation with DCSS may result in physical or emotional harm to the child, the grantee relative or the minor parent,
- the child was conceived as the result of rape or incest,
- legal proceedings for the adoption of the child are pending before a court,

- the parent is being assisted by a public or licensed social service agency to resolve the issue of whether to keep the child or release him/her for adoption and the discussions have not pended for more than three months.

The AU has primary responsibility for providing information and any required third-party evidence needed to establish good cause. The agency must assist the AU in obtaining information and/or evidence upon request.

When third party evidence is required to establish good cause, it must be provided by the AU within 20 calendar days of claiming good cause.

Refer to [Chart 1320.1](#) in this section for evidence needed to establish good cause.

 This time frame can be extended at the request of the AU. The reason must be documented.

When good cause is asserted on an active case, DCSS will suspend activity until a good cause determination is made.

A determination of whether good cause exists must be made within 45 calendar days of the application or 30 calendar days at any other time.

The following chart is used to determine the proof needed to substantiate a claim of good cause.

*Chart 1320.1 - Evidence Needed to Substantiate Good Cause Claim*

| GOOD CAUSE CIRCUMSTANCE  | EVIDENCE REQUIRED  |
|--|--|
| Actual physical and/or emotional harm has been done to the child, or the potential for harm exists.  | AU's statement, unless questionable. If questionable, third-party evidence must be obtained from one of the following sources:<br><br>Child Protective Services (CPS), court, criminal, law enforcement, medical, psychological or social services records indicating the possibility of physical or emotional harm by the AP. |
| Actual physical and/or emotional harm has been done to the grantee relative, or the potential for harm exists.                             | AU's statement, unless questionable. If questionable, third-party evidence must be obtained from one of the following sources: court, criminal, law enforcement, medical, psychological or social services records indicating the possibility of physical or emotional harm by the AP.   |
| The child was conceived as a result of rape or incest.   | medical or law enforcement records indicating that conception resulted from rape or incest.  |
| Any of the above good cause circumstances mentioned above exist.   | written statements from individual(s) with knowledge of good cause circumstances when the above evidence cannot be obtained.   |
| Legal adoption proceedings are pending.  | court documents or a written statement of a social services worker indicating that an adoption is pending in court.  |
| A public or private social service agency is assisting the parent in deciding whether to keep the child or release the child for adoption. | a statement from the public or private social service agency assisting the parent.   |

## **Good Cause is Established**

The AU must be notified of the decision regarding the good cause determination within two working days of the date the decision is made. DCSS will not attempt to establish paternity or collect child support when good cause is established.

## **Good Cause is Not Established**

When it is determined that good cause does not exist or it cannot be established, the AU must be allowed ten calendar days to choose one of the following options:

- cooperate with DCSS,
- request closure of cash assistance,
- request removal of the AP's child from the AU if that child is a non-SFU member,
- request a hearing,
- withdraw the application.

If a hearing is requested, the name and address of the local DCSS agent must be included on the hearing request. The referral to DCSS should not be made nor is any action taken pending the hearing decision.

## **Failure to Cooperate with DCSS**

If an AU member or the grantee relative fails to cooperate with DCSS without good cause, the AU is ineligible for cash assistance.



If the child is a non-SFU member, the AU has the option of requesting removal from the AU of the child of the AP about whom the individual fails to cooperate.

## **Reapplication**

An AU that reapplies for cash assistance following termination of cash assistance because of non-cooperation with DCSS, must cooperate with DCSS prior to approval of the new application.

If the reason for the termination of cash assistance was other than non-cooperation with DCSS, but a notice of non-cooperation with DCSS was also issued prior to termination of cash assistance, then the AU must cooperate with DCSS prior to approval of the new application.

If the notice of non-cooperation was issued during a period of non-receipt of cash assistance, then cooperation with DCSS is required prior to approval of the new application.

Form 5706, TANF Child Support Services Compliance Agreement can be used to verify DCSS compliance, but it is not required. If used, the individual must contact DCSS within 10 calendar days of signing the agreement, and if necessary, attend scheduled appointments.

DCSS gives priority to these cases and will notify DFCS whether the applicant cooperated.

If the AU has cooperated, the application must be approved if the AU is otherwise eligible. If the AU has failed to cooperate, the agency determines whether good cause exists.

If good cause is established, the application is approved if the AU is otherwise eligible. Notify DCSS immediately so it can close its case for the AP.

If good cause cannot be established, the AU must be allowed to choose from the same options listed under “Good Cause is Not Established” in this section.

## Procedures

### Providing Information

Provide all required information to the AU at initial application, at review (if a change in paternity is reported) and when adding a child to the AU.

Review with the AU Form 138, Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in DCSS and Third-Party Resource Requirements. Provide the AU with a copy of this form.

### Obtaining Information

Obtain the required information about the AP from the AU at initial application, at review (if a change in paternity is reported), and when adding a child to the AU.

Send Form 130, TANF and Family Medicaid - Child and Medical Support Letter, to AP if an address is available.

If Form 130 is returned by the AP, forward a copy to DCSS.

Refer to Section 1317, Continued Absence, for resources to use to attempt to locate the AP if an address is unavailable.

### Referrals

Make the necessary referrals. Refer to [Chart 1320.2](#) for special circumstances.

The chart below is used to determine whether to refer the AP to DCSS when special circumstances exist.

*Chart 1320.2 - DCSS Referrals in Special Circumstances*

| IF   | THEN   |
|--|--|
| <b>CASE SITUATIONS</b>   |  |
| a child born in wedlock is alleged to be the child of a man other than the mother’s legal husband, | refer the biological father. Notify DCSS that there is a legal father.                               |
| it is uncertain which of several men may be the AP,  | refer the man most likely to be the father of the child. Notify DCSS that paternity is questionable. |
| the identity of the AP is unknown,   | enter “unknown” for the absent parent’s name.  |
| a claim is made that the AP is incapacitated or disabled or receives SSI or RSDI,                  | refer the AP. Notify DCSS of the claim that the AP is incapacitated or disabled.                     |
| the only child receives SSI,   | do not refer the AP.   |

| IF   | THEN                 |
|--|----------------------|
| the parent is living in the home while sentenced to perform unpaid court-ordered work, | do not refer the AP. |
| parental rights have been terminated by judicial determination.                        | do not refer the AP. |
| parental rights have been voluntarily relinquished,                                    | refer the AP.        |

### Determining Good Cause

Follow the steps below when an AU claims good cause:

- Step 1** Notify the AU of the evidence needed to establish good cause and the time frame to provide the evidence.
- Step 2** Document the reason if this time frame is extended.  
  
Refer to [Chart 1320.1](#) for types of documentary evidence needed to establish a good cause claim.
- Step 3** Notify DCSS immediately when an AU's claim of good cause involves an AP who has been previously referred so that DCSS may suspend activities pending the good cause determination.
- Step 4** Review the information provided by the AU and the available evidence.  
  
Request additional evidence if necessary.
- Step 5** Assist in obtaining needed information if requested.  
  
If the AU requests assistance in obtaining information, do not contact the AP unless necessary to determine good cause. Notify the AU before contacting the AP.
- Step 6** Make a determination of good cause based on the available evidence.  
  
Determine good cause within 45 calendar days of the application or within 30 calendar days at any other time.
- Step 7** Document the good cause determination.

### Good Cause is Established

Notify the AU within two working days that good cause has been established and that DCSS will not pursue child support activities.

Review good cause circumstances at the next review, or more frequently if good cause is subject to change.

### Good Cause is Not Established

Notify the AU within two working days of the decision that good cause cannot be established. Allow the AU ten calendar days to choose one of the options available based on the denial of the good

cause claim.

Take appropriate action based on the decision.

Do not act or refer to DCSS if a hearing is requested.


### **Notice of Noncooperation**

Follow the steps below when DCSS notifies the agency that the AU has failed to cooperate:


- Step 1** Discuss the allegations with the AU.
- Step 2** Discuss mitigating circumstances with the DCSS agent.
- Step 3** Determine if good cause exists.
- Step 4** If good cause exists, take appropriate action.
- Step 5** If good cause is not established, refer to previous procedures.
- Step 6** Notify DCSS of action taken.

### **TANF Reapplication Following Termination Due to Noncooperation**

Follow the steps below when an individual reapplies for cash assistance following termination due to noncooperation:

- Step 1** Inform the AU of the requirement to cooperate with DCSS prior to approval of cash assistance.
- Step 2** Mail Form 5706, TANF Child Support Services Compliance Agreement. Remind the client the form must be signed.
- Step 3** Inform the applicant that s/he must contact DCSS and, if deemed necessary by DCSS, attend scheduled appointments.
  -  DCSS will give priority to clients who reapply for cash assistance after failing to cooperate with DCSS.
- Step 4** If DCSS provides notification that the AU has cooperated, approve the application if the AU is otherwise eligible.
- Step 5** If DCSS provides notification that the AU has failed to cooperate, determine whether good cause for non-cooperation exists.
- Step 6** If it is determined that good cause exists, approve the application if the AU is otherwise eligible.
- Step 7** If it is determined that good cause for noncooperation does not exist, deny the application for those individuals affected by the non-cooperation.

# 1325 Enumeration

|   |  |               |                                   |       |
|---|--|---------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |               |                                   |       |
|   | <b>Policy Title:</b>   | Enumeration   |                                   |       |
|   | <b>Effective Date:</b>   | November 2019 |                                   |       |
|   | <b>Chapter:</b>  | 1300          | <b>Policy Number:</b>             | 1325  |
|   | <b>Previous Policy Number(s):</b>  | MT 2          | <b>Updated or Reviewed in MT:</b> | MT-50 |

## Requirements

An individual must be enumerated in order to be included in the assistance unit (AU).

## Basic Considerations

Enumeration is the process by which a Social Security number (SSN) is obtained and validated.

The AU must provide the SSN or proof of an application for an SSN for each individual for whom cash assistance is requested. Verification of the SSN is not required in order for an individual to be included in the AU.

An effort should be made to obtain the SSNs of non-AU individuals whose income and/or resources are considered in determining eligibility. However, if the applicant fails to furnish the SSN of a non-AU member, eligibility is not adversely affected.

The AU's statement is accepted for the SSNs for individuals who have been assigned an SSN.

SSNs of AU members and non-AU members are entered in the system. The SSNs are validated through an interface with the Social Security Administration (SSA).

Refer to Section 1430, Social Security Number Validation.

SSNs are used to secure information from other databases for the following purposes:

- complete reviews necessitated by federal benefit changes
- discover unreported income or resources
- prevent duplicate benefits
- verify reported information.

## Applying for an SSN

An AU member who does not have an SSN or who does not know the number must apply for one with SSA. The AU is referred to SSA.

The AU must be informed of its responsibility to submit original or certified copies of documents that verify age, identity, and citizenship, such as birth certificates, driver's licenses, etc., to SSA with the application.

Refer to Sections [1305 Age](#), [1310 Citizenship/Alienage](#), and [1330 Identity](#) for types of verification the AU must submit.

The AU must provide proof of the application for the SSN.

The AU must be contacted no later than the fifth month following the month of application for the SSN to determine if the SSN has been received, and monthly thereafter until the SSN has been obtained.

### **Enumeration at Birth**

Infants may be enumerated at birth by a medical facility. When the Record of Live Birth is registered with the Bureau of Vital Statistics, an application for a SSN is automatically filed with the SSA. The Record of Live Birth or the Form SSA-2853, Message from Social Security provides verification of the application for the SSN.

The AU must be contacted no later than the fifth month following the month of the child's birth to determine if the SSN has been received, and monthly thereafter until the SSN has been obtained.

### **Duplicate SSNs**

If an individual reports or information known to the agency indicates that an individual has more than one SSN assigned to him/her, the individual must be referred to SSA to resolve the discrepancy. All duplicate numbers must be entered in the system.

The AU must be informed of the responsibility to report the correct and primary SSN to the county office upon resolution with SSA.

Refer to [1430 Social Security Number \(SSN\) Validation](#).

### **Good Cause**

Good cause may be claimed when an individual has not met the enumeration requirement because of the inability of the AU to obtain the necessary documents required by the SSA.

Good cause is established when it is determined that the AU member has made every effort to obtain the documents but has been unsuccessful.

The county department must make every effort to assist the AU in obtaining documents needed to complete the enumeration process.

The SSA makes provisions for mail-in applications in lieu of applying in person. Therefore, good cause does not include the following:

- illness
- lack of transportation
- temporary absence from the home

If good cause is established, the individual is eligible to be included in the AU.



The existence of good cause must be monitored within 90 days of the date good cause was established and monthly thereafter.

The following information must be documented when an AU claims good cause:

- the reason for the good cause claim
- the reason for approval or denial of good cause.

If it is determined that good cause no longer exists and the enumeration requirement is not met, a penalty may be applied.

## Penalty

An individual who does not meet the enumeration requirement without good cause and who is a member of the standard filing unit (SFU) is penalized until the requirement is met or good cause is established. The penalized individual's needs are not considered but his/her income and resources are included in determining eligibility and benefit amount.

Refer [1670 Budgeting the Income of a Penalized Individual](#).

An individual who is not a member of the SFU is not penalized but is excluded from the AU. His/her needs, income and resources are not considered in determining eligibility or benefit amount.

An individual becomes eligible the month following the month the enumeration requirement is met or good cause is established.

## Procedures

Follow the steps below to complete the enumeration process:

- Step 1** Request available SSNs for individuals for whom cash assistance is requested, and for those non-AU individuals whose income and resources are considered.
- Step 2** Document in the system those SSNs that are available.
- Step 3** Discuss any resulting discrepancies in the SSNs and refer to SSA for resolution, if necessary.
- Step 4** Refer the AU to SSA to apply for an SSN for all AU members who do not have a number or for whom a number is not known.
- Step 5** Inform the AU of its responsibility to submit original or certified copies of documents that verify age, identity and citizenship to SSA with the application for the SSN.
- Step 6** Request verification that the application has been made.

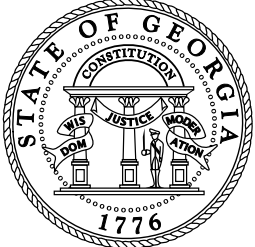
**Step 7** Document when verification of the application for the SSN has been received and include the individual in the AU.

If verification is not received and good cause does not exist, penalize the SFU individual for whom an application for an SSN has not been provided, or exclude the non-SFU individual.

**Step 8** Enter an alert to contact the AU no later than the fifth month following the month of the application for the SSN to determine if the SSN has been received. Contact the AU monthly thereafter until the SSN is provided.

**Step 9** Document the number in the system when received.

## 1330 Identity

|   |  |            |                                   |       |
|---|--|------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |            |                                   |       |
|   | <b>Policy Title:</b>   | Identity   |                                   |       |
|   | <b>Effective Date:</b>   | April 2022 |                                   |       |
|   | <b>Chapter:</b>  | 1300       | <b>Policy Number:</b>             | 1330  |
|   | <b>Previous Policy Number(s):</b>  | MT 56      | <b>Updated or Reviewed in MT:</b> | MT-66 |

### Requirements

The identity of a person applying for TANF must be verified, i.e. head of household.

### Basic Considerations

Verifying identification for the head of household who is a member of the assistance unit is an eligibility requirement for the TANF program. Identity of an individual who is not a member of the assistance unit (AU) but who applies to receive on behalf of the AU must also be verified.

The following list of secure and verifiable documents, published under the authority of O.C.G.A. § 50-36-2, contain documents that are acceptable verifications for identification purposes.

The documents on this list may not necessarily be indicative of residency or immigration status.

### Verification of Identity

Verify identity with one of the following sources:

- A United States passport or passport card
- A United States military identification card
- Department of Driver services interface
- A driver's license issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United

States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.

- An identification card issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer
- A tribal identification card of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. A listing of federally recognized Native American tribes may be found at: [www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/ind](http://www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/ind)
  - A United States Permanent Resident Card or Alien Registration Receipt Card
  - An Employment Authorization Document that contains a photograph of the bearer
  - A passport issued by a foreign government
  - A Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard
  - A Free and Secure Trade (FAST) card
  - A NEXUS card
  - A Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card
  - A driver's license issued by a Canadian government authority
  - Birth Certificate
  - A Certificate of Citizenship issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-560 or Form N-561)
  - A Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-550 or Form N-570)


Any document that reasonably establishes identity must be accepted. The list is not all inclusive.

In addition to the documents listed herein, if, in administering a public benefit or program, an agency is required by federal law to accept a document or other form of identification as proof of or documentation of identity, that document or other form of identification will be deemed a secure and verifiable document solely for that particular program or administration of that particular public benefit.



The requirement to verify identity does not apply to a recipient of benefits at renewals, who has previously verified his or her identity by submission of a secure and verifiable document and has also established that such applicant/recipient is a United State Citizen.

# 1335 Living with a Specified Relative

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Living with a Specified Relative  |                       |
|   | <b>Effective Date:</b>                                  | May 2024                          |                       |
|   | <b>Chapter:</b>   | 1300                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 56   | <b>Updated or Reviewed in MT:</b> | MT-77                 |

## Requirements

A child must be living in the home with a relative who is receiving cash assistance on the child's behalf.

## Basic Considerations

### Living Arrangements

A home includes the following:

- family residence
- homeless shelter
- battered women's shelter
- substance abuse treatment facility
- other group living facilities. This list is not all-inclusive.

A child is not considered to be living in the home with a specified relative when the child or relative is in one of the following facilities:

- detention facility such as a jail, prison, Regional Youth Detention Center, Youth Detention Center,
- public institution for the treatment of mental disease,
- private residential childcare institution such as the Georgia Baptist Children's Home, the United Methodist Children's Home, or the Georgia Sheriffs' Youth Homes.

### Temporary Absence

When the relative or the child is temporarily absent from the home because of treatment or training, the child is considered to be living with the relative if the following criteria are met:

- the absence is temporary, with a plan for the relative or the child to return to the home,

AND

- the relative continues to exercise care and control of the child.

Treatment or training may be received at locations such as schools, colleges, substance abuse treatment facilities, hospitals, private psychiatric facilities, and Job Corps facilities.


## Joint Custody

When the parents of a child share custody, the child must reside in the home of the parent at least half of the time in order to be considered living with that parent. The time the child spends with the other parent is considered a visit.

## Relationship


Relationship is established by one of the following:

- birth
- ceremonial or common-law marriage
- legal adoption
- legal guardianship.

 Refer to the glossary for the definition of a valid common law marriage. The common law marriage must have existed prior to July 1, 1997.

The following relationships meet the relationship requirement:

- parent (either by birth, legal adoption, or step relationship)
- grandparent (up to great-great-great)
- sibling (half, whole, step)
- aunt/uncle (up to great-great)
- niece/nephew (including child and grandchild of niece/nephew)
- first cousin
- first cousin once removed (the child of a first cousin)
- legal guardian
- spouse of any person named in the above group even after the marriage is terminated by death or divorce, unless the child is born after termination of the marriage.

 The spouse of a stepparent or the spouse of a stepsibling is not within the specified degree of relationship.

 Refer to Section 1315, Deprivation.

## Legal Guardianship

An individual who is not related to the child for whom assistance is requested, but who has legal guardianship, either temporary or permanent, is eligible to receive TANF for the child. Legal guardianship is assigned by a court, such as a family court, according to state laws.

A legal guardian may choose to be included in the AU or may receive TANF benefits for the child as

payee only. However, the relatives of legal guardians are not within the specified degree of relationship.

### **Adoption**

When a child is adopted, the adoptive family assumes the new relationships created by the adoption. However, adoption or severance of parental rights does not terminate the blood relationship for specified relatives. Therefore, biological siblings of an adopted child remain the siblings.

For TANF purposes the new adoptive relationship will take precedence over the blood relationships. The biological siblings will no longer be tied to the Standard Filing Unit.

A biological parent whose parental rights have been terminated or who has a child who has been adopted, continues to meet the relationship requirement but is treated as a non-parent relative.

Biological siblings of the child who has been adopted will continue to meet the relationship requirement.

### **Emergency Payee**

An unrelated individual may be designated as an emergency payee for a period not to exceed three months.

Refer to Chapter 1900, TANF Issuance


## **Verification and Documentation**

The AU's statement is accepted in determining who lives in the household, unless information provided conflicts with other information known to the agency.


If living arrangements are questionable, one of the following sources of verification is used:

- a statement from the landlord
- a statement from persons outside the AU who have knowledge of the AU's situation
- school records
- any other source which verifies the AU's statement.

The relationship of the child to the relative is traced by recording the names and relationships of all direct and/or intermediate relatives.

 Refer the non-custodial individual most likely to be the parent of the child-to-Child Support Enforcement. Paternity does not have to be verified. Case Notes must be documented with how the child is related.

The AU's statement of relationship is accepted unless information known to the agency conflicts with the AU's statement or is otherwise questionable.

 The AU's statement is accepted in determining degree of relationship except for legal guardianship. Legal guardianship must be verified.

## Verification Sources

If relationship is questionable, one of the following sources of verification is used:

- adoption record
- affidavit of persons present at the birth
- baptismal or other church record
- birth certificate of the child, relative and the intermediary relative
- census record
- court record
- family Bible
- insurance record
- marriage record
- medical record
- school record
- social security record
- vital statistics record
- will
- other reliable genealogical record
- letter of legal guardianship.


## Documentation

The following information must be documented:



- AU's statement of relationship and living arrangements
- source of verification, if questionable.

The following chart indicates if a child in a special situation meets the living arrangement criteria:

*Chart 1335.1 - Living with a Specified Relative*

| SITUATION   | TREATMENT  |
|---|--|
| <p>The adult relative is absent from the home because of treatment or training.</p>   | <p>The child meets the living with a specified relative criterion when all of the following conditions exist:</p> <ul style="list-style-type: none"> <li>• the absence is temporary, with a plan for treatment or training to return the adult relative to the home,</li> </ul> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <li>• the adult relative continues to exercise care and control of the child,</li> </ul> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <li>• the adult relative wants to receive cash assistance during the absence.</li> </ul> <div style="border: 1px solid gray; padding: 5px; margin: 10px 0;"> <p> Treatment or training may be received at locations such as schools, colleges, general hospitals, private psychiatric facilities, substance abuse treatment facilities, nursing homes, and Job Corps facilities. This list is not all-inclusive.</p> </div> <p>The child does not live with the adult relative if either of the following conditions exist:</p> <ul style="list-style-type: none"> <li>• The adult relative is incarcerated</li> <li>• The adult relative is in a public institution.</li> </ul> |
| <p>The AU resides in a shelter.</p>   | <p>The AU meets the living arrangements criteria in facilities such as homeless or battered women and children shelters as for any other group of related individuals who live together.</p>   |
| <p>The child lives with an individual who has legal custody but who is not a legal guardian and is not within the degree of relationship.</p> | <p>The child does not meet the living with specified relative criteria and is not eligible.</p>  |



| SITUATION  | TREATMENT  |
|--|--|
| <p>The child is absent from the home because of treatment or training.</p> | <p>The child meets the living with a specified relative criterion when all of the following conditions exist:</p> <ul style="list-style-type: none"> <li>• the absence is temporary, with a plan for treatment or training to return the child to the home</li> </ul> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <li>• the care and control of the dependent child continue to be the responsibility of the caretaker relative</li> </ul> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <li>• the caretaker or other eligible adult relative wants the child to be included in the AU.</li> </ul> <div style="border: 1px solid #ccc; padding: 5px; margin: 10px 0;"> <p> Treatment or training may be received at locations such as schools, colleges, general hospitals, private psychiatric facilities, substance abuse treatment facilities, nursing homes, and Job Corps facilities. This list is not all-inclusive.</p> </div> <p>The child does not meet the living with a specified relative criterion if the following conditions exist:</p> <ul style="list-style-type: none"> <li>• The child is incarcerated, including placement in a detention facility.</li> <li>• The child is placed in a public institution.</li> <li>• The child is placed in a private residential childcare institution such as the Georgia Baptist Children’s Home, the United Methodist Children’s Home or a Georgia Sheriffs’ Youth Home.</li> </ul> |
| <p>The only child(ren) receives SSI.</p>                                   | <p>The child’s eligibility is determined on all points other than financial need.</p> <p>The eligible caretaker and other eligible adult relative (if applicable) are eligible. The SSI child cannot be included in the AU when determining eligibility for cash assistance.</p> <div style="border: 1px solid #ccc; padding: 5px; margin: 10px 0;"> <p> The income and resources of an SSI child are not considered in the eligibility determination.</p> </div>   |
| <p>The child is in and out of the home.</p>                                | <p>The child meets the living with a specified relative criterion when the absence is to be temporary and care and control of the child remains with the adult relative.</p> <p>The child who appears to reside in the home based on any of the following indicators meets the living arrangements criteria:</p> <ul style="list-style-type: none"> <li>• The child has no other address.</li> <li>• The child lists the home as his/her address.</li> </ul> <p>A child who visits the home does not meet the living arrangements criteria.</p>  |

| SITUATION   | TREATMENT   |
|---|---|
| The parents have joint custody  | The child meets the living with specified relative criteria as long as the child resides for more than half the time in the home of the parent who is applying.   |
| The parent is in and out of the home.   | <p>The child meets the living with a specified relative criterion if the following are met:</p> <ul style="list-style-type: none"> <li>• The parent has no other residence.</li> <li>• The parent lists the home as his/her address.</li> <li>• The parent shares in household expenses.</li> </ul> <p>A parent who appears to visit the home based on any of the following does not meet the living with criteria:</p> <ul style="list-style-type: none"> <li>• The parent does not share in household expenses.</li> <li>• The parent has a specific time frame for his/her visits.</li> <li>• The parent maintains another residence.</li> </ul> |
| The parent lives in the home with the child and a specified relative who has legal custody of the child (parental rights have not been terminated).   | <p>The child meets the living with a specified relative criteria based on the parent.</p> <p>The relative with legal custody may be designated as the payee if it is not in the best interest of the child for the parent to be payee.</p>  |
| <p>The stepparent lives in the home</p> <p>AND</p> <p>the stepparent has no children of his or her own living in the home.</p>  | <p>The child meets the living with a specified relative criterion if one of the following situations exists:</p> <ul style="list-style-type: none"> <li>• There is not a parent living in the home.</li> <li>• The parent in the home receives SSI.</li> </ul> <p>The child does not meet the criteria based on the stepparent if a non-SSI parent lives in the home.</p>   |
| <p>The child lives with an individual who has legally adopted the child, parental rights have been terminated and the biological parent(s) live in the home with the adoptive parent and the child.</p> <p>The adopted child's biological siblings also live in the home.</p> | <p>The child meets the living with a specified relative criterion based on the legal adoption. The biological parent (s) will be considered non-parent relative (s) and will not be included in the AU. The adoptive parent will receive TANF benefits for the child.</p> <p>Biological siblings are no longer part of the new TANF AU's SFU. Adoption has terminated previous AU.</p>  |
| The Legal Adoption is terminated, and the child comes to live with his/her biological parent(s) and siblings.   | <p>The child meets the living with a specified relative criterion based on biological parent(s). Adoption does not terminate blood relationship.</p> <p>Eligible biological siblings must be included in the same AU with the child.</p>  |


## Procedures

Follow the steps below to determine if the dependent child lives with a specified relative:

**Step 1** Identify the dependent child for whom assistance is requested.

- Step 2** Establish that the child lives in the home.
- Step 3** Identify the relationship to the child of the individual requesting assistance. Document how maternal and paternal relationships were traced.
- Step 4** Refer non-custodial parent to Child Support Enforcement to establish paternity.

## 1340 Residency

|   |  |  |             |   |
|---|--|--|-------------|---|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |  |             |   |
|   | <b>Policy Title:</b>   |  | Residency   |   |
|   | <b>Effective Date:</b>   |  | August 2021 |   |
|   | <b>Chapter:</b>  |  | 1300        | <b>Policy Number:</b> 1340              |
|   | <b>Previous Policy Number(s):</b>  |  | MT 50       | <b>Updated or Reviewed in MT:</b> MT-63 |

### Requirements

Assistant Unit (AU) members must live in Georgia.

### Basic Considerations

There is no specific durational requirement but an individual who is in Georgia for a visit is not eligible to be included in the AU.

The place of residence need not be a fixed dwelling.

A child is considered to be a resident of the state in which the parent or caretaker of the child resides.

An individual who is temporarily absent from the state is still a Georgia resident. Temporary absence includes, but is not limited to, an absence for one of the following reasons:

- attending school
- receiving medical treatment
- working out of state
- caring for a family member.

### Verification

The AU’s statement of residency can be accepted, unless questionable. If questionable, verify by one of the following sources:

- current driver’s license
- lease agreement
- rent or utility company receipt

- school record
- employment record
- written statement of a responsible reference
- any other document proving residency.


**i** The Division of Driver Services (DDS) interface cannot be used to verify residency. This interface only verifies if the client has a Georgia driver’s license. It does not verify where a person lives.

## Procedures

Accept and document the AU’s statement of residency, unless questionable. If questionable, verify the AU’s residency.

Document why the applicant’s statement is questionable, and the date and source of verification.

# 1345 Personal Responsibility Requirements

|  |   |                                      |                       |
|--|---|--------------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                      |                       |
|  | <b>TANF Policy Manual</b>                               |                                      |                       |
|  | <b>Policy Title:</b>                                    | Personal Responsibility Requirements |                       |
|  | <b>Effective Date:</b>                                  | May 2023                             |                       |
|  | <b>Chapter:</b>   | 1300                                 | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>  | MT 71   | <b>Updated or Reviewed in MT:</b>    | MT-72                 |

## Requirements

Certain individuals have personal responsibility requirements that affect the ability of recipients to achieve self-sufficiency.

## Basic Considerations

Form 196, TANF Family Service Plan (TFSP), outlines all personal responsibilities that a client must meet.

Every grantee relative and every parent (including a pregnant woman or pregnant minor) must complete relevant sections of his or her own TFSP - Form 196, regardless of whether or not they are included in the AU with the children.

**i** The grantee relative or other adult relative with whom the pregnant minor lives must also sign the pregnant minor’s TFSP.

The TFSP- Form 196 must be completed during the initial application process, prior to final approval of the application, reviewed when a change in personal responsibilities occurs, or the case manager deems it necessary to review the plan.

*Refer to section 1815-9 TANF Family Service Plan Development, for the contents and review requirements of the TFSP.*

Transportation and childcare may be provided as needed to help the child only clients meet the requirements of the TFSP - Form 196.

Completion of the TFSP - Form 196 serves the following purposes:

- defines the recipient and agency responsibilities in carrying out the terms of the TFSP,
- emphasizes the contractual nature of assistance, and
- focuses on the TANF clock and the goal of self-sufficiency.
- understanding it is strictly prohibited to use the cash assistance funds or TANF DEBIT card to withdraw cash or perform transactions at unlawful places will constitute an intentional program violation (fraud) on the part of the benefit recipient.

Each parent in a two-parent family must complete his or her own TFSP, and each must sign the other's TFSP.

A minor parent, who is receiving TANF benefits as a dependent child, must complete Form 196 - TFSP, regardless of whether or not the minor's child is included in the AU. The grantee relative or other adult relative with whom the minor parent lives must also sign the minor parent's TFSP.

*Refer to section 1349, Work Requirements, for the definition of Work Eligible Individuals.*

A minor custodial parent who is receiving TANF benefits as a dependent child does not have a work requirement. However, the federal law mandates minor parents to attend school and meet other school attendance requirements.

School attendance for a minor parent is monitored as part of the minor parent's TFSP.

### **Non-Custodial, Non-Supporting Parent of a Minor Child**

A non-custodial, non-supporting parent is defined as a parent of a minor child who lives in the state and does not live in the same household as the minor child. If the non-custodial parent is included in a TANF AU and has a child who is included in another AU, they must complete Form 196, TFSP-PRP.

If the non-custodial parent is a minor parent included in a TANF AU, the grantee relative with whom the non-custodial minor parent lives must also sign the minor parent's TFSP. The name and case number of the minor parent's child must be documented.

A non-custodial, non-supporting parent included in a TANF AU must attend family planning counseling and participate in parenting skills and financial management classes. In addition, if the non-custodial parent is a minor and has not finished high school or does not have a GED, s/he must attend school or any other appropriate institution in order to earn a diploma or GED. School attendance for a minor parent is monitored as part of the minor parent's TFSP.


*Refer to Section 1347 - School Attendance, for school attendance requirements of minor parents.*

## Development of the TFSP

The TANF Family Service Plan is developed with the pregnant woman, the parent (including the pregnant minor or minor parent who is receiving cash assistance as a child), and/or grantee relative. The TFSP must be individualized for the AU, with special consideration given to the AU's TANF Clock.

The worker is responsible for ensuring that the AU fully understands the importance of meeting the requirements and the consequences for failing to do so.

Under no circumstances will the worker check any requirement that the AU does not have, nor will s/he check any requirement that the AU cannot meet because of inaccessibility or lack of support services.


 No requirements can be added to the TFSP - Form 196. The personal responsibilities listed are required by either federal or state law and are the only requirements that can be included on the TFSP.

Transportation and childcare may be provided when needed to facilitate fulfillment of personal responsibilities.

## Failure to Meet Personal Responsibilities

Failure or refusal to **sign the TFSP** at application, reviews or when a change occurs results in **denial** or termination of cash assistance for the entire AU.

Failure or refusal to meet without good cause **any personal responsibility requirement** agreed to by the AU may result in a **sanction** to the entire AU.

 A minor custodial parent who does not meet the school attendance requirement is penalized, rather than causing a sanction to the entire AU.

*Refer to Section 1347, School Attendance.*

*Refer to Section 1351, Sanctions, for information on good cause, the conciliation process and the sanctions associated with failure to meet personal responsibilities.*

## Procedures

Determine which individual must complete his or her own TFSP.

Screen the AU for active or previous CPS involvement and document findings on the TANF Family Service Plan.

Screen the AU for the number of TANF months used and document this number on the TFSP.

Screen the AU for the existence of any non-custodial, non-supporting parents of minor children.

Complete the TFSP with each parent, pregnant woman, and grantee relative.

If the individual is a pregnant minor or minor parent, require that the grantee relative or other adult with whom they live be present during the interview. Require that s/he sign the TFSP in addi-


tion to the pregnant minor or minor parent.

Require that each parent in a two-parent AU sign each other's TFSP.

Individualize the TFSP so that it reflects the requirements for that individual and for the children for whom s/he is responsible.

### **Guidelines for Requirements**

Use the following guidelines to determine which personal responsibilities must be met:

- attend parent/teacher conferences
    - Require of the parent and/or grantee relative if there are children age six and older in the AU.
  - ensure that minor dependent children attend school
    - Require of the parent and/or grantee relative if there are children ages 6 through 17 in the AU. Refer to Section 1347, School Attendance, for attendance requirements.
  - attend parenting classes.
    - Require for all non-custodial, non-supporting parents with minor children.
    - Require if there is any indication of a need.
  - attend financial management counseling classes.
    - Require for all non-custodial, non-supporting parents with minor children.
    - Require if there is a protective payee because of mismanagement of the cash assistance by the grantee relative.
    - Require if there is any other indication of a need.
  - attend life skills classes.
    - Require if there is any other indication of a need.
  - attend addictive diseases counseling/treatment or mental health counseling/treatment
    - Require that any parent, pregnant woman, or pregnant minor, whether included in the AU or not, or other individuals in the AU who are in obvious need of this service, attend an assessment appointment with an MH/DD/AD professional. Require that the individual cooperate with the treatment plan.
-  Do not enroll individuals in a counseling or treatment program. Allow professionals to whom assessment referrals are made to make the determination about the need for enrollment in an ongoing program.
- participate in rehabilitation services
    - Require if there is a pregnant woman, pregnant minor, or any parent, whether included in the AU or not, or other individuals in the AU who are known to be enrolled in a rehabilitation program. Document the results of the assessment and the progress of the treatment on Form 196A of the TFSP Work Plan.
    - Require if there is a pregnant woman, pregnant minor, or any parent, whether included in

the AU or not, or any other individual in the AU who is in obvious need of this service, including individuals who are claiming to be unable to work because of an incapacity. Complete a referral to Vocational Rehabilitation for professional assessment. Require that the individual attend that assessment appointment and follow the plan resulting from the professional assessment. Document the results of the assessment and the progress of the treatment on Form 196A of the TFSP Work Plan.

- comply with a DFCS Child Welfare case plan
  - Require if there is an active Child Protective Services case
  - Require if the individual has a work requirement.
- attend family planning counseling, which includes counseling on abstinence
  - Require for all parents, pregnant women, and pregnant minors, whether included in the AU or not, and all adults of childbearing age who are included in the AU.
  - Require for all children age 13 or older who are included in the AU.
  - Require for children under age 13 who are included in the AU if there is information that the children have reached childbearing age.



Family planning is required to be included as part of the TFSP - 196 for all of the above even if the requirement has been met. Good cause and/or why a referral is not made must be documented.

- Meet the work requirements including requirements to develop the TANF Family Service Plan Work Plan (Form 196A).
  - Require if the individual is work eligible.

Refer to Section 1349, Work Requirements.

Check only those personal responsibilities which are appropriate for that family. Ensure that the parent, pregnant woman, pregnant minor, or grantee relative fully understands the importance of meeting these requirements.

Document why a personal responsibility is not required if a resource or support services are not accessible.

Do not require any personal responsibility that the AU cannot meet because the resource is not available in the community.

Do not add any requirement to Form 196 of the TFSP that is not already listed.

Complete Form 196, TANF Family Service Plan. Provide a copy of the TFSP to the AU.

Review Form 196 of the TFSP at the completion of each activity/personal responsibility requirement, or more often, if a particular responsibility is not completed at the specified time on the service plan.

Follow up on the TFSP requirements at the review by confirming with the AU that all family members are meeting appropriate personal responsibilities.




## Monitoring

Accept the AU's statement that personal responsibilities are met, unless questionable. If questionable, contact the appropriate entity to determine if the family member is cooperating. If not, begin conciliation and/or sanction procedures.

Complete a new TFSP if there are any changes in the AU's responsibilities.

Review the TFSP and consider conciliation and/or sanction if the agency is aware that the AU is not meeting a personal responsibility requirement.

## 1347 School Attendance

|   |  |                   |                                   |       |
|---|--|-------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                   |                                   |       |
|   | <b>Policy Title:</b>   | School Attendance |                                   |       |
|   | <b>Effective Date:</b>   | May 2023          |                                   |       |
|   | <b>Chapter:</b>  | 1300              | <b>Policy Number:</b>             | 1347  |
|   | <b>Previous Policy Number(s):</b>  | MT 50             | <b>Updated or Reviewed in MT:</b> | MT-72 |

## Requirements

A school age child must attend school and have satisfactory attendance to meet the personal responsibility requirements of the parent or grantee relative.

## Basic Considerations

All children ages 6 through 17 who have not graduated from high school or who have not received a certificate of high school equivalency must attend school and have satisfactory attendance.

Children age 18 that are included in the AU because they are in school full-time must have satisfactory school attendance. Refer to Section 1305, Age.

A school is defined as one of the following:

- a public or private school
- vocational, technical or adult education school
- college
- a valid home study program registered with the local public school system
- a course of study granting a GED.

## Satisfactory Attendance

Each school system defines a child's attendance as satisfactory or unsatisfactory based on its own criteria. A school system's criteria may differ from one school to another, but all fall within the general guidelines established by the Board of Education.

Absences are either excused or unexcused. School systems base satisfactory attendance on the number of unexcused absences.

The worker acts based on the school system's assessment of the attendance record.


Children meet the school attendance requirement during vacation or break if they had satisfactory attendance prior to the vacation or break and intend to return to school.

A child has dropped out of school if the child does not attend a school as defined above or is not in an approved training or educational program that facilitates employment.

A child who has dropped out of school must re-enroll to meet the school attendance requirement.

### **Personal Responsibility**

School attendance is included on the TANF Family Service Plan - Form 196. Parents and/or other grantee relatives must ensure that minor children attend school and that they have satisfactory attendance. This requirement must be checked on the service plan if there are any children ages 6 through 17 included in the AU.


 School attendance for an 18-year-old child is an eligibility requirement rather than a service plan agreement. If an 18-year-old child fails to meet school attendance requirements, s/he must be removed from the AU.

If the only child in the AU is 18, this item is not checked on the TANF Family Service Plan - Form 196.

School attendance is addressed as part of the personal responsibility requirements at initial application, at the annual eligibility review, at service plan reviews, or as often as necessary.

### **Failure to Meet the Requirement**

Failure or refusal to cooperate without good cause with the personal responsibility to ensure that children attend school may result in a sanction to the entire AU.

 A minor custodial parent or pregnant minor who does not meet the school attendance requirement is penalized, rather than causing a sanction. Refer to Minor Parents and Pregnant Minors in this section.

Refer to Section 1345, Personal Responsibility Requirements, and to Section 1351, Sanctions, for information on good cause, the conciliation process, and the sanctions associated with failure to meet personal responsibilities.

### **Good Cause**

Good cause for failure to have satisfactory school attendance includes, but is not limited, to the following:

- lack of childcare or transportation,
- expulsion from school when there are no alternative programs or schools, or no availability in alternative programs or schools,

- court appearance or temporary incarceration,
- death of a relative or friend,
- observance of a religious holiday,
- family emergency,
- failure or refusal of the child to attend school despite the best efforts of the parent or grantee relative to meet the requirement,
- other circumstances beyond the control of the AU.

### **Minor Parents and Pregnant Minors**

A minor parent or pregnant minor, whether designated as a dependent child or a caretaker, has unique requirements regarding school attendance. These requirements apply to a minor who meets all the following criteria:

- under 18 years of age
- not married
- pregnant or the parent of a minor child at least 12 weeks of age in his/her care
- not finished with high school or its equivalent.

The minor who meets all these criteria must participate in and obtain passing grades in one of the following:

- an educational activity directed toward the attainment of a high school diploma or its equivalent
- an alternative educational or training program that has been approved by DFCS.

A minor custodial parent or pregnant minor who lives with his/her parent or grantee relative and receives TANF benefits as a dependent child does not have a work requirement. However, she/he is subject to the school attendance requirement described above. School attendance for a minor parent or pregnant minor is monitored as part of the minor's parent's TSPS - Form 196.

*Refer to Section 1345 - Personal Responsibility Requirements- for procedures to monitor the TFSP.*

### **Failure of a Minor Parent or Pregnant Minor to Meet School Attendance Requirement**

A minor parent or pregnant minor who fails to meet the school attendance requirement is penalized.

### **Verification**

The AU's statement of school attendance for children under 18 can be accepted, unless questionable.

The school attendance of an 18-year-old dependent child must be verified.

The following sources of verification are acceptable for 18-year-old dependent children, when a child who has dropped out re-enrolls, and when the AU's statement is questionable:

- attendance records
- computer print outs
- contact with school personnel
- report cards
- a completed attendance record form
- a county-developed verification form
- other methods established by the agency and the school system.

## Procedures

The county department must work with the local school system to develop methods of obtaining verification directly from the school when third party verification is necessary, including obtaining the names of contact persons and/or attendance officers who are able to provide verification.

Screen each AU for children ages 6 through 17.

Explain the satisfactory school attendance policy to the AU, and the consequences for failure to ensure that minor children attend school.

Indicate on Form 196 of the TANF Family Service Plan that the grantee relative and/or parent must ensure that the minor children in the AU attend school.


Accept the AU’s statement that children ages 6 through 17 are attending school, unless questionable.

Require third party verification if questionable.

**i** Require third party verification when a minor child who has dropped out of school re-enrolls.

Refer to Section 1305, Age, for verification requirements for 18-year-old students.

## 1349 Work Requirements

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Work Requirements                 |                       |
|   | <b>Effective Date:</b>                                  | July 2023                         |                       |
|   | <b>Chapter:</b>   | 1300                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 72   | <b>Updated or Reviewed in MT:</b> | MT-73                 |

## Requirements

Recipients of cash assistance have a work requirement and must participate in the employment services component of the TANF program.

## Basic Considerations

Every parent, pregnant woman, and grantee relative that is considered work eligible has a work requirement including the following:

- A non-parent relative or a legal guardian who is receiving assistance for themselves
- A non-recipient parent who lives with a child who receives TANF
- A pregnant minor or minor parent who is receiving assistance as head of the household.

*Refer to the Definition of a non-recipient parent in this section.*

## Work Eligible Individuals

A Work Eligible Individual (WEI) is:

- an adult (or minor child head-of-household) receiving assistance under TANF or a Separate State Program (SSP); or
- a non-recipient parent living with his/her dependent children in the same household and receiving cash assistance.



Both able bodied parents in a two-parent AU are considered work eligible and have a work requirement.

## Exceptions to Work Eligibility

If the parent or grantee relative meets one of the following exceptions, they are not considered work eligible.

- a minor parent who is not the head-of-household,
- a non-citizen who is ineligible to receive assistance due to his or her immigration status
- a parent providing care for a disabled family member living in the home and for whom the need for such assistance is supported by medical documentation(s)
- a parent who receives Supplemental Security Income (SSI)
- a parent who is a recipient of Social Security Disability (formerly known as RSDI) benefits. *Refer to Section 1004-2 for a definition of Disability.*



Verification of medical documentation for a parent providing care for a disabled family member living in the home must be requested at application, renewal, or when the medical verification expires

## Definition of Non-recipient Work Eligible Individuals

A non-recipient Work Eligible individual is a person who lives in the same household with his/her dependent children or is a pregnant individual with no minor dependent children and is not eligible to receive TANF cash assistance for themselves. Non-recipient individuals include:

- a disqualified parent, pregnant woman, or pregnant minor

- a penalized parent, pregnant woman, or pregnant minor
- a parent, pregnant woman, or pregnant minor who is excluded due to the receipt of Title IV-E Foster Care, Child Welfare Foster Care (Title IV-B), or Relative Care Subsidy income

**i** **The definition excludes non-recipient, non-custodial parents, and non-recipient care-taker relatives.** Refer to Section 1205, Penalized and Disqualified Individuals.

*Refer to section 1665 and section 1505 for budgeting the income and resources of a disqualified parent.*

*Refer to section 1670 and section 1505 for budgeting the income and resources of a penalized parent.*

## Exemption

An exemption is available to a work eligible single custodial parent of a child under 12 months old for a maximum of three-months per child and for a total maximum of 12 months per AU. The total work activity exemption period for the single custodial parent cannot exceed 12 months during the 48-months lifetime limit.

If the client has received the three-month exemption for four children, the AU is not eligible for another exemption.

Once the parent receives up to three-months of work exemption for a particular child, the parent is ineligible for future work exemptions for this child. If the parent has another child that is under 12 months of age, the parent may receive another exemption for up to three months.

**i** In the case of multiple births, the incident is still considered one “birth”, and the single custodial parent is entitled to only one exemption for this time period.

The exemption from work requirements is available to the single custodial parent only during the first 48 months of eligibility. There is no exemption from work requirements during an extension period.

A parent who qualifies for this three-month exemption can choose to volunteer to participate in work activities and reserve the exemption for future use. If the parent volunteers to participate, the parent can receive all work supports as needed. Special care should be taken to address all barriers related to parental responsibilities.

**i** The child does not have to be included in the AU but must live in the home. The following are **not eligible** for an exemption:

- When both parents of the child are in the home, neither parent is eligible for an exemption.
- A single custodial parent less than 20 years of age who has not completed high school or its equivalent cannot receive this exemption.

**i** A single custodial parent less than 20 years of age must participate in an educational activity or an alternate training activity as soon as it is deemed medically feasible following the birth of the child, but no later than when the child has reached 12 weeks of age.

If the work exemption was used for a child prior to April 2006, the client is not eligible for a work

exemption for additional children.

The case manager or other assigned staff should engage the client in extensive conversations regarding his or her level of commitment to work activities and document the findings of this discussion in the case record. The client's request for support services is subject to the case manager's approval.

The case manager will schedule an appointment to discuss work activity participation for the parent during the last month of exemption. At this time, the parent and the case manager will develop the TANF Family Service Plan-Work Plan, which will be effective the following month.

The first month for which the exemption is allowed is the first month of the three consecutive-month count.

For applicants, the exemption begins the month in which the applicant is determined eligible to receive cash assistance.

For recipients, the exemption begins the month after the agency receives the signed Form 489, TANF Work Requirement Exemption Form, requesting the exemption and ends the third month.

### **Voluntary Participation**

Every parent who is eligible for an exemption and who chooses to use the exemption, must complete Form 489, TANF Work Requirement Exemption to reflect his or her choice. If the eligible parent does not wish to use an exemption, the form is not required to be completed.

If the parent chooses to take the exemption, they have the option to end the exemption early to volunteer to participate. Once the exemption is ended, they do not have the option to reinstate it.

### **Cooperation with Work Requirements**

An applicant's refusal to participate in the development of the TFSP (PRP and/or Work Plan) or to sign it will result in denial of the TANF application.

A recipient's refusal to participate in the development of the TFSP (PRP and/or Work Plan) or to sign it will result in termination of the active TANF case.

The individual who has a work requirement must meet the requirements stipulated in the TFSP (PRP and/or Work Plan).

Refusal or failure to meet the requirements of the TFSP (PRP and/or Work Plan) without good cause can result in the imposition of a sanction against the entire AU.

*Refer to Section 1351, Sanctions, for information on sanctions and good cause.*

### **Voluntarily Quit**

A notice of the minimum penalty period must be sent on all voluntary quit or voluntary reduction decisions for an applicant or recipient who voluntarily and without good cause quits a job which involves:

- 30 hours or more per week or weekly earnings equivalent to the federal minimum wage multiplied by 30 hours

**And**

- The voluntarily quit is within 30 days of the date of application or anytime thereafter.



Terminating a self-employment enterprise or resigning from a job at the request of the employer shall not be considered voluntary quit.

If the case remains active, the case manager must enter an alert to contact the AR to determine eligibility at the end of the minimum penalty period.

**Penalties for Voluntary Quit**

**First violation** - The AU member is ineligible for a minimum of **one month** or until compliance of 30 hours or more per week or weekly earnings equivalent to the federal minimum wage multiplied by 30 hours, whichever is later.

**Second violation** - The AU member is ineligible for a minimum of **three months** or until compliance of 30 hours or more per week or weekly earnings equivalent to the federal minimum wage multiplied by 30 hours, whichever is later.

**Third and subsequent violations** – The AU member is ineligible for a minimum of **six months** or until compliance of 30 hours or more per week or weekly earnings equivalent to the federal minimum wage multiplied by 30 hours, whichever is later.

A determination of good cause is made prior to applying a sanction; contact is made with the AU to determine if good cause exists. Good cause includes circumstances beyond the AUs control such as, but not limited to the following situations:

- illness, either temporary or permanent,
- illness of another household member that requires the presence of the mandatory registrant,
- unavailability of childcare, transportation or other needed services, barriers beyond the AU’s control, a family or personal crisis, including domestic violence, sexual assault, sexual harassment, or stalking.

## 1351 Sanctions

| Georgia Division of Family and Children Services<br>TANF Policy Manual |                                   |               |                                   |       |
|--|-----------------------------------|---------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Sanctions     |                                   |       |
|  | <b>Effective Date:</b>            | November 2019 |                                   |       |
|  | <b>Chapter:</b>                   | 1300          | <b>Policy Number:</b>             | 1351  |
|  | <b>Previous Policy Number(s):</b> | MT 36         | <b>Updated or Reviewed in MT:</b> | MT-50 |



## Requirements

An individual who fails to meet certain requirements without good cause has committed a material violation that may result in a sanction against the assistance unit (AU).

## Basic Considerations

### Material Violation

A material violation is a failure by an individual to meet, unless good cause exists, any of the following:

- a personal responsibility requirement to which he or she has agreed on the TANF Family Service Plan (TFSP)
- a work participation requirement to which he or she has agreed on the TFSP-Work Plan, and/or
- the requirement to report that a child is absent from the home for a period of 45 consecutive days or longer and is not eligible to be included in the AU.



Policy on absence due to treatment or training still applies. An overpayment may exist, and a fraud referral may be necessary because of the child's absence.

The individual who committed the material violation does not have to be a member of the AU.

Refer to Section 1345, Personal Responsibility Requirements, Section 1349, Work Requirements, and Section 1335, Living with a Specified Relative.

### Sanction

A sanction is the application of a 25% reduction or termination of cash assistance for the commission of a material violation by an individual without good cause.

A sanction is imposed on the entire AU. The individual who committed the material violation remains a member of the AU, if otherwise eligible.

The sanction is assigned to the individual who committed the material violation.

The sanction follows the individual if he or she leaves the AU. The sanction does not follow the dependent children.

### Good Cause

An individual who may have committed a material violation has the right to claim good cause for failing to meet the requirement.

An individual may claim good cause at any time concerning the original material violation.

Good cause for failure to meet a requirement of the TFSP or to report that a child left the home is defined as a situation, event, or condition beyond the individual's control, which temporarily prevents the individual from meeting one of those requirements.



Refer to Chapter 1800, Employment Services, for the definition of good cause for failure to meet a work requirement.

When the individual asserts a claim of good cause, the county must determine whether the claim merits a good cause exception.

Examples of good cause for failure to meet a requirement include, but are not limited to, the following:

- a temporary medical condition or illness which is obvious or otherwise substantiated,
- a family crisis or personal crisis,
- domestic violence issues,
- a natural disaster or weather emergency,
- lack of transportation,
- lack of childcare, or
- a court-required appearance.

Refer to Section 1347, School Attendance, for additional good cause provisions related to the personal responsibility of ensuring that minor children attend school.

If the individual claims good cause and the worker determines that good cause did in fact exist, the individual did not commit a material violation.

If the individual claims good cause and the worker determines that good cause did not exist, the individual did commit a material violation.

## **Conciliation**

Conciliation is the process by which the case manager provides an individual with the opportunity to discuss the material violation that may have been committed.

An individual can conciliate a material violation only one time in his or her receipt of TANF.

Conciliation is only available prior to the first step in the sanction process.

The conciliation process provides the individual who may have committed the material violation an opportunity to meet with the worker and discuss the following:

- why the individual failed to meet the requirement
- whether or not the individual had good cause for failure to meet the requirement
- what can be done to conciliate the failure to meet the requirement and avoid the sanction
- the consequences of imposing a sanction
- how to prevent any other program violations.

The worker initiates the conciliation process by scheduling a conciliation appointment with the individual who may have committed the material violation.

The individual who may have committed the material violation is the grantee relative and/or parent who signed the TSFP.

The grantee relative must attend the conciliation interview with the individual who may have committed the material violation, if the violator is someone other than the grantee relative.

The case manager is required to initiate conciliation only once for a personal responsibility, work requirement or failure to report a child absent from the home, unless there is good cause.

After an individual has conciliated one time, the worker will not provide that individual with another conciliation opportunity if the individual fails again, without good cause, to meet a personal responsibility or work requirement or to report a child absent from the home.

 This one-time conciliation includes the personal responsibility requirement to meet work requirements and develop the TFSP.

A successful conciliation is one in which the individual who committed the material violation agrees to meet the requirement in the future. This is a conciliated material violation and no sanction is imposed.

 The individual does not have to meet the requirement to successfully conciliate.

A subsequent failure to meet any requirement will result in a sanction, without an opportunity to conciliate. The individual always has the right to claim good cause concerning the original material violation.

An unsuccessful conciliation is one in which the individual who committed the material violation indicates that he or she will not cooperate, and good cause cannot be established. This is an unconciliated material violation.

Conciliation that results in a good cause determination does not constitute use of the individual's one conciliation.

### **Failure to Keep the Conciliation Appointment**

When an individual fails to respond to a request for conciliation without good cause, including failure to keep the conciliation appointment, the AU's application must be denied or cash assistance terminated for failure to cooperate with the conciliation process. The worker must document the reason for TANF closure and the pending conciliation.

A notice must be sent to the AU explaining the reason for the closure for failure to cooperate. Timely notice is required for a recipient. A sanction is not imposed.

An individual may have good cause for not keeping the conciliation appointment.

If the AU reapplies, conciliation must take place prior to approval. Failure to successfully conciliate at application will result in denial.

Use of the conciliation process at application, whether pending from a previous receipt or resulting from a material violation committed during the application process, constitutes the use of the individual's right to one conciliation.

## **Failure to Meet a Requirement**

An applicant who fails to participate with applicant services or meet a personal responsibility requirement without good cause, and who does not successfully conciliate, will be denied. No sanction will be imposed for failure to meet work requirements or personal responsibility requirements at application.

A recipient who fails to meet a TFSP requirement without good cause, and who does not successfully conciliate, will cause the AU to be sanctioned.

## **Failure to Keep an Appointment**

An applicant or recipient who fails without good cause to keep an appointment with a case manager to discuss eligibility or work requirements will cause the AU's application to be denied or cash assistance terminated.

## **Sanction Process**

Sanctions are imposed in a progressive two-step reduction/ termination process. An AU will receive a 25% reduction in cash assistance for the first material violation without good cause, and a termination of cash assistance for a second material violation without good cause. If the AU reapplies after the initial termination period expires, the two-step process begins again, but results in a longer termination period.

Once any sanction is imposed, there is no opportunity for the AU to comply in order to lift it. The sanction remains in place until the expiration of the appropriate time period.

## **First Sanction**

After the one-time-only conciliation is used, the commission of another material violation will result in the first step in the two-step sanction process, a first sanction and a 25% reduction in the cash assistance.

The sanction is imposed on the entire AU. The individual who committed the material violation remains a member of the AU, if otherwise eligible.

The AU may claim good cause at any time concerning the material violation.

The case manager must provide the AU with timely notice via the Form 329, TANF Sanction. This notice is auto generated when the sanction has been imposed and authorized in Gateway.

The 25% reduction in cash assistance to the AU is applied effective the month following the month in which the timely notice expires. Sanctions are not imposed for historical months.

A sanction is considered imposed when timely notice expires.

Once imposed, the first sanction must continue for three calendar months.

A closure for any reason during the first sanction period will result in the first sanction pending until such time as the AU is approved for TANF again.

There is no compliance process.

The AU may avoid the first sanction by meeting the requirement before the timely notice expires.

The AU may request voluntary closure of the case, but the sanction will be imposed if the AU reapplies at a later date and is determined to be eligible.

### **Pending First Sanction**

An AU that reapplies and has a pending first sanction will be approved with the sanction in place for the full three-month period or any portion of the three months that have not been served.

### **Lifting the First Sanction**

The AU must be contacted in the third month of the first sanction period and an appointment scheduled through normal procedures to review the cause of the first sanction.

The purpose of this review is to make necessary adjustments to the TFSP, and to schedule appropriate work activities beginning in the fourth month.

Refer to Section 1820, Work Activities, for more information.

Failure to keep this appointment in the third month of the first sanction without good cause will result in termination of the cash assistance effective the fourth month for failure to cooperate in keeping a scheduled appointment.

### **Second Sanction**

The commission of another material violation after the first sanction will result in the second step of the two-step process, a second sanction.

There is no opportunity for conciliation prior to the imposition of a second sanction.

A second sanction will result in termination of cash assistance for three full calendar months.

The AU may claim good cause at any time concerning the material violation. The case manager must provide the AU with timely notice via Form 329, TANF Sanction Notice. This notice is auto generated when the sanction has been imposed and authorized in Gateway.


The AU may avoid the second sanction by meeting the requirement before the timely notice expires.

The second sanction is considered imposed when timely notice expires and is effective the following month.

Once imposed, the second sanction must continue for three full calendar months. There is no compliance process.

An AU on which a second sanction has been imposed may reapply for cash assistance at any time. However, the application must be denied if the date of application is more than 45 days prior to the last day of the third calendar month of the three-month sanction period.

The AU cannot receive cash assistance again unless good cause is established based on the material violation that caused the sanction, or the three-month termination is completed.

 If an AU becomes totally ineligible for cash assistance for another reason before timely notice expires, the cash assistance is terminated for the other reason and this step in the sanction process is not used. The sanction will pend until the AU reapplies and is approved for TANF.

### **Voluntary Closure**

An AU may not request voluntary closure of the TANF case to avoid a second sanction. The cash assistance will be terminated based on the second sanction and will remain closed for the duration of the three-month period.

### **Subsequent Sanctions**

Once an AU has been terminated for a second sanction, the two-step sanction process begins again if an individual commits another material violation without good cause.

The AU will receive a **25% reduction** in cash assistance for three calendar months for the first subsequent sanction of eligibility and a termination of cash assistance for **twelve months** for the second subsequent sanction.

There is no opportunity for conciliation prior to the imposition of a subsequent sanction.

All requirements for a first and second sanction apply to subsequent sanctions.

An AU on which a second subsequent sanction has been imposed may reapply for cash assistance at any time. However, the application must be denied if the date of the application is more than 45 days prior to the last day of the twelfth calendar month of the 12-month sanction period.

Once a second subsequent sanction has been imposed and an AU becomes eligible for TANF again after the 12-month sanction period, any material violation will lead to the subsequent sanction process. The first violation will result in a 25% reduction and the next will cause a 12-month termination. This cycle may be repeated for as long as the AU accesses the TANF program during the 48-month lifetime limit and continue to commit material violations.

### **Supervisory Approval**

Every sanction requires written supervisory approval. The supervisor must review the case to ensure that all contacts, attempts to contact, conciliation efforts and justification for the application of the sanction are fully documented.

### **Second Subsequent Sanction Panel Review**

A panel review must be completed of any case that is about to receive a 12-month termination for a second subsequent sanction.

The panel review must be initiated at the point the worker determines that an individual has committed a material violation that will result in the second subsequent sanction.

The case must be submitted for internal review within the county by the supervisor or other designee.

nated county staff.

If the internal review upholds the application of a second subsequent sanction, the case is submitted for a panel review.

The sanction review panel includes the field area's TANF Program Specialist, the Office of Family Independence (OFI) District Manager, the County Director or his or her designee, and the appropriate supervisor(s) and case manager(s).

The purpose of the panel review is to determine the following:

- that previous sanctions have been correctly imposed,
- that the county has made every effort to assist the client in complying with program requirements,
- that the 12-month termination is appropriate and unavoidable.

If the panel review upholds the second subsequent sanction, the case manager must provide the AU with timely notice via the Form 329, TANF Sanction Notice. This notice is auto generated when the sanction has been imposed and authorized in Gateway.

Results of the panel review are documented by the TANF Program Specialist on the panel review checklist. A copy of the checklist must be provided to the OFI District Manager and the OFI Program Manager at the State Office if the second subsequent sanction is imposed.

### **Second Subsequent Sanction Home Visit**

Before a second subsequent sanction can be imposed, a home visit must be made. The purpose of this home visit is as follows:

- to evaluate the family situation and the effect the sanction may have on the children in terms of abuse or neglect, and
- to determine if there may be any circumstances previously unknown to the agency that may lead to a good cause determination.

A minimum of two attempts to complete the home visit must be made. The county determines how to assign staff to make the home visit.

The Form TANF-HV, TANF Home Visit Guide, must be completed by the case manager at the home visit.

### **Timely Notice for Sanctions**

Imposing any sanction requires written timely notice to the AU. The notice of sanction must include the following information:

- the proposed action of a 25% reduction or termination
- the effective month of the action
- the AU's right to claim good cause

- information concerning fair hearings
- the written authority by which the action is taken.

Failure to satisfy the notice requirements could result in invalidation of the sanction.

### **Cooperation with the Office of Child Protection**

TANF regulations require close cooperation between TANF staff and social services staff to ensure that children are not abused or neglected as a result of sanctions.

The case manager must provide the services worker with copies of the TANF Family Service Plan if there is an existing service case of any kind for a TANF AU. The case manager must provide the services worker with a copy of the conciliation appointment letter if an individual commits a material violation and has not already used the one conciliation that is available. Copies of all sanction notices must also be sent to the services worker.

The services worker may attend the conciliation interview and any other appointments the AU may have. The services worker may also attend the second subsequent sanction panel review. A county may determine that a services worker is the appropriate person to make the home visit.

### **Conciliation at Application and Ongoing**

Follow the steps below if an individual may have committed a material violation during the application process and has not previously conciliated:

- Step 1** Initiate the conciliation process by scheduling a Conciliation appointment with the individual who failed to meet the requirement, and the grantee relative, if different. The appointment must be scheduled within seven days of the worker becoming aware of a possible material violation.

Schedule the appointment for no later than 14 days after becoming aware of the possible material violation. The conciliation process can be completed in a face-to-face contact or by phone.



If there is an active services case for this AU, inform the services worker about the Conciliation appointment and invite him or her to attend the Conciliation appointment.

- Step 2** Determine at the conciliation interview if the individual had good cause for failure to meet the requirement. If good cause exists, discuss any need for support services. If necessary, complete a new TFSP.

Document Form 190, TANF Material Violation Conciliation Letter with the resolution of good cause and provide the individual with a copy. This is not a material violation.

Proceed with the action that is being taken on the case.



**Step 3** Complete the conciliation process if the worker establishes that there is not good cause. If the individual agrees to meet the requirement, document Form 190, TANF Material Violation Conciliation Letter with the resolution, the specific action to be taken, and the information that failing to meet the requirement a second time will result in denial of the application.

Send a copy of documented Form 190, TANF Material Violation Conciliation Letter to the individual who failed to meet the requirement and the grantee relative, if different. This is a conciliated material violation. Proceed with the action that is being taken on the case.



The individual does not have to meet the requirement during the conciliation process.

**Step 4** Deny the application or terminate the active case if the individual does not keep the conciliation appointment. Pend the conciliation until the AU reapplies.

**Step 5** Deny the application if the individual keeps the conciliation appointment but refuses or continues to fail to meet the requirement.

**Or**

**Step 6** For an ongoing case impose a sanction if the individual keeps the conciliation appointment, there is no good cause, and the worker is unable to resolve the failure to meet the requirement. This is a material violation.

**Step 7** Document the resolution on Form 190 and file it in the case notes.

### **Imposing a First Sanction**

Impose a first sanction and a 25% reduction if a material violation is committed and the one-time-only conciliation has been used

Take the following actions:

- Obtain written supervisory approval.
- Impose the 25% reduction to the AU's cash assistance for three full calendar months.
- Send the AU timely notice on Form 329, TANF Sanctions. Form 329- TANF Sanctions will be generated when the sanction is imposed and authorized.
- If there is an active services case, notify the services worker that a sanction has been imposed.
- Schedule an appointment with the AU in the third month of the sanction period to review the personal responsibilities requirement that caused the sanction. Update the TFSP, and, if appropriate, schedule the individual for an activity to begin immediately in the fourth month.

### **Imposing a Second Sanction**

Impose a second sanction if another material violation occurs after a first sanction has been lifted.

Take the following actions:

- Obtain written supervisory approval.
- Advise the AU that the cash assistance will be terminated effective the following month if the requirement is not met prior to the expiration of timely notice. Send the AU timely notice on the Form 329, TANF Sanctions. This notice will be generated when the sanction has been imposed and authorized.
- If there is an active services case, notify the services worker that a second sanction has been imposed.

### **Imposing a Subsequent Sanction**

Impose a subsequent sanction if the AU applies for and becomes eligible for TANF after the three-month termination period ends, and another material violation is committed.

For the first subsequent sanction, impose a 25% reduction in cash assistance. Repeat the actions for a first sanction.

For the second subsequent sanction, take the following actions:

- Submit the case for internal review by the supervisor or other designated county staff.
- Submit the case for a panel review if the internal review process upholds the second subsequent sanction.
- If the panel upholds the second subsequent sanction, advise the AU that the cash assistance will be terminated effective the following month if the requirement is not met prior to the expiration of timely notice. Form 329, TANF Sanctions will be generated when the sanction is imposed and authorized in Gateway.
- Schedule a home visit before the sanction is imposed. Refer the case to the appropriate staff to schedule a home visit. Provide necessary information to the worker to enable him/her to discuss compliance.

At the home visit, evaluate child safety issues, the impact on the family and the availability of support services. Determine if there are unreported issues that may support good cause and discuss again the opportunity to meet the requirement.


Document results on Form 197 Home Visit Form and in Gateway.

- Terminate the cash assistance if good cause is not established.



If the panel does not uphold the sanction, follow the instructions for further action indicated on the panel review checklist. Do not impose a sanction.

## **1355 Application for Other Benefits**

|   |  |                                |                                   |       |
|---|--|--------------------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                                |                                   |       |
|   | <b>Policy Title:</b>   | Application for Other Benefits |                                   |       |
|   | <b>Effective Date:</b>   | May 2020                       |                                   |       |
|   | <b>Chapter:</b>  | 1300                           | <b>Policy Number:</b>             | 1355  |
|   | <b>Previous Policy Number(s):</b>  | MT 50                          | <b>Updated or Reviewed in MT:</b> | MT-56 |

## Requirements

An applicant and a recipient must apply for and accept all other monetary benefits, payments or allotments to which a member of the assistance unit (AU) may be entitled.

## Basic Considerations

Benefits to which a member of the AU may be entitled include but are not limited to the following:

- Retirement, Survivors, Disability Insurance (RSDI)
- Unemployment Compensation benefits (UCB)
- Veteran's benefits
- Worker's Compensation benefits
- income tax refund
- military allotment
- pension/retirement benefits.

## Exceptions

AU members are only required to apply for UCB if Clearinghouse information indicates potential eligibility.

A pregnant woman in the second trimester of pregnancy is not required to apply for UCB.

An AU member who is potentially eligible for SSI cannot be required to apply for it. An individual who is eligible for both TANF and SSI must choose to receive one or the other and cannot receive both.

## Penalty

Failure or refusal to apply for and accept all other monetary benefits, payments or allotments to which an AU member may be entitled will result in ineligibility of the AU. If the potential benefits are those of an individual who is not a member of the standard filing unit (SFU), the individual is not penalized but is excluded from the AU.

## Procedures

Discuss at application and review the potential eligibility for any monetary benefits. Review all

available information to determine potential eligibility for any monetary benefits.

Refer the A/R to the appropriate agency to apply for any benefits for which any member of the AU may be eligible.

Provide the A/R with a verification checklist with a deadline to provide verification that an application for other benefits has been made.

Deny the application or terminate the cash assistance if the A/R fails to provide proof of application for other benefits or refuses to make application for other benefits for a SFU member.

Exclude a non-SFU member from the AU if the A/R fails to provide proof of an application for other benefits or refuses to make an application for other benefits for the non-SFU individual.


## Verification

The A/R must provide verification that an application for other benefits has been made by one of the following:

- approval letter
- denial letter
- document showing proof of application
- contact with the agency with whom the application was filed.

If the application for other benefits cannot be verified through an interface or a third-party source, client statement maybe accepted as a last resort. Document the case record to indicate that an AU member must apply for other benefits, the deadline by which this must be done, the verification used and the effect on the eligibility of the AU.

## 1360 Immunization

| Georgia Division of Family and Children Services<br>TANF Policy Manual              |                                   |              |                                   |       |
|---|-----------------------------------|--------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Immunization |                                   |       |
|   | <b>Effective Date:</b>            | May 2020     |                                   |       |
|   | <b>Chapter:</b>                   | 1300         | <b>Policy Number:</b>             | 1360  |
|   | <b>Previous Policy Number(s):</b> | MT 50        | <b>Updated or Reviewed in MT:</b> | MT-56 |

## Requirements

A preschool age child must be properly immunized to be included in the assistance units (AU).

## Basic Considerations

A child under age seven who is not yet enrolled in public or private school must comply with TANF immunization requirements.

Public or private school includes kindergarten through grade 12. This does not include preschool or pre-kindergarten. Children enrolled in preschool or pre-kindergarten must meet TANF immunization requirements.

Enrollment in a public or private school or a registered home school is prima facie evidence that a child is properly immunized and therefore not subject to immunization requirements. These children must meet other state immunization requirements that are monitored by the school.

The AU's statement that a child is enrolled in public or private school or a registered home school is acceptable, unless the agency has information that conflicts with the statement.

### **Required Immunizations**

The immunizations must be consistent with the series required by Department of Human Services (DHS) that has been determined in collaboration with Department of Public Health and approved by the federal government for entry into a public or private school.

For Georgia the required immunization series begins at birth and continues through ages four to six years.

The preschool age child must begin the immunization series to be included in the AU and must continue the series to remain eligible. To determine eligibility of a newborn child, refer to Verification Procedures on page 5 (1360-5) of this section.

A child is considered current in the immunization series as long as the next immunization due date included on acceptable verification is a future date.

### **Penalty**

A child who does not meet the immunization requirement and who is a member of the standard filing unit (SFU) is penalized until the requirement is met or good cause is established.

Refer to Section 1670, Budgeting the Income of a Penalized Individual.

An individual who is not a member of the SFU is not penalized but is excluded from the AU. Refer to Section 1205, Assistance Units, for additional information.

If the only child is penalized or excluded, the AU is not eligible to receive cash assistance.

### **Good Cause**

The AU may claim good cause for failure or refusal to have the child immunized. The following are acceptable reasons for establishing good cause:

- The child has a physical condition/disability that makes immunization undesirable. The AU must provide verification to that effect from the health care provider. The statement from the provider should include an estimate of the disability's expected duration.



The child is exempt from the immunization requirement until this disability is no longer a factor.

- The parent or legal guardian of the child objects to immunization for religious reasons. The AU must provide a statement or affidavit affirming that fact. This statement does not have to be notarized.



The religious objection of another relative is not an acceptable reason for good cause. A non-parent grantee relative is not afforded good cause unless they have legal guardianship. For example, grandparent or aunt/uncle could not claim good cause due to religious reasons unless they also have guardianship.

- The AU is unable to have the child immunized within the normal time-period for providing verification because of scheduling problems with the health care provider. The AU's statement that an appointment has been scheduled is accepted, unless questionable.
- The AU must obtain verification from an out-of-state provider. The AU's statement that the verification has been requested is accepted, unless questionable.

*This list is not all-inclusive.*

Good cause is granted on a case-by-case basis. Follow-up is required and must be scheduled as appropriate for each good cause situation.

## Verification

The AU must provide verification that a preschool age child began the immunization series and that the series continues.

The following are acceptable sources of verifications:

- An original, photocopy, or computer-generated version of DHS Form 3231, Certificate of Immunization.
- Child Care Immunization Certificate.
- Form 3231, Certificate of Immunization obtained using the web-based service of the Department of Public Health known as "Georgia Registry of Immunization Transactions and Services (GRITS)
- Alternate methods of verification are acceptable if they include the same information found on the Form 3231, Certificate of Immunization including a provider signature.
- Certificate of immunization issued by any health care provider who immunizes the child. The verification must include a next immunization due date and the provider's signature. This date must be a future date for the child to be considered current in the series.
- If the child was immunized in another state, a certification of immunization from the other state is acceptable, provided it contains the same information found on the Form 3231, Certificate of Immunization.

*This list is not all inclusive.*



If immunizations cannot be verified through an interface (i.e. GRITS) or a third-party source, client statement may be accepted as a last resort. County DFCS offices may arrange with local providers to verify immunizations through direct contact. This verification, however, must be

signed by the provider and must include a next immunization due date.

Verification must be provided at application and in the month following the month in which the next immunization is due.


## Applications


Follow the steps below to verify immunizations for a preschool age child for whom a TANF application is filed:

**Step 1** Explain the immunization requirements and discuss good cause.

Explain Health Check services available through Public Health and how the AU can obtain these services.

**Step 2** Require verification of immunization. Instruct the AU to take the verification checklist to the provider.

 If the child is under two months of age, add the child and request that immunization verification be provided the month following the month in which the child reaches age two months.

 If the AU will be taking the child to the county Health Department, provide a statement that the AU is a TANF applicant and is unable to pay for the immunizations.

**Step 3** Inform the AU that the child must continue the immunization series and that it will be verified the month after each immunization is due.

**Step 4** Document that the immunization requirement is met or that good cause is established, and that Health Check has been discussed.

**Step 5** Enter a task to contact the AU the month in which the next immunization is due.

**Step 6** Scan all documents into WebCenter Enterprise Capture (WEC).

## Special Reviews

Follow the steps below to verify compliance with immunization requirements at special reviews:

**Step 1** Contact the AU the month in which the immunization is due to notify him/her that the verification is due no later than the end of the next month.

**Step 2** Verify with supporting evidence that the immunization series is continuing. Scan verification into WEC.

 If the verification is not obtained, follow the procedures for penalizing the child.

**Step 3** Document that the immunization requirement continues to be met and Health Check services were discussed.

## Adding a Preschool Age Child to an AU

Follow the steps below to verify immunization requirements when adding a preschool age child to an AU:

**Step 1** Explain the immunization requirements and discuss good cause.

Explain Health Check services available through Public Health and how the AU can obtain these services.

**Step 2** Require verification of immunization. Instruct the AU to take the verification checklist to the provider.



If the child is under two months of age, add the child and require that immunization verification be provided the month following the month in which the child reaches age two months.




If the AU will be taking the child to the County Health Department, provide a statement that the AU is a recipient and is unable to pay for the immunizations.

**Step 3** Inform the AU that the child must continue the immunization series and that it will be verified the month after each immunization is due.

**Step 4** Add the child to the AU when the verification is received. Refer to Section 1740, AU Composition Changes.

## 1365 Living Arrangements of a Minor Head of Household

| Georgia Division of Family and Children Services<br>TANF Policy Manual              |                                   |  |                                   |       |
|---|-----------------------------------|--|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Living Arrangements of a Minor Head of Household |                                   |       |
|   | <b>Effective Date:</b>            | May 2023   |                                   |       |
|   | <b>Chapter:</b>                   | 1300   | <b>Policy Number:</b>             | 1365  |
|   | <b>Previous Policy Number(s):</b> | MT 70  | <b>Updated or Reviewed in MT:</b> | MT-72 |

### Requirements

A minor parent head of household (HOH) and his/her dependent child or a pregnant minor HOH, must reside in the household of a parent, adult relative, or legal guardian to receive cash assistance as a caretaker.

### Basic Considerations

A minor parent or pregnant minor is defined as an individual who meets all the following criteria:

- is under 18



- is the biological parent of a dependent child living in the same household **or**
- is pregnant with no dependent children.



This does not affect the treatment of minor caretakers in the budget process. Refer to [1624 Budgeting the Income of the Parent\(s\) of a Minor Head of Household](#).

To meet the living arrangement requirement, the household in which the pregnant minor or minor parent lives must be the place of residence of one of the following:

- a parent, either biological, adoptive, or step
- adult relative
- a legal guardian.

## Exemptions

A pregnant minor HOH or minor parent HOH is exempt from the living arrangement requirement if the following applies:

- The pregnant minor or minor parent has no parent, adult relative, or legal guardian who lives in the state.
- The pregnant minor or minor parent does not know the whereabouts of a parent, adult relative, or legal guardian.
- The parent, adult relative, or legal guardian does not allow the pregnant minor or minor parent to live in his or her home.



Refusal to allow the pregnant minor or minor parent and dependent child to live in the home because the parent's income affects the pregnant minor's or minor parent's financial eligibility is not an exemption.

- The pregnant minor or minor parent lived apart from his or her parent, adult relative, or legal guardian for at least one year before either the birth of the child or the application was submitted for TANF cash assistance.
- The parental rights of the minor's parent have been terminated by the court. There may be an adult relative or legal guardian as a result.
- The pregnant minor or minor parent lives with another individual and the following criteria are met:
  - The individual is age 18 or older and related to the pregnant minor or minor parent or the dependent child within the specified degree.
  - The residence of the adult relative is maintained as a home for the pregnant minor or minor parent and his/her dependent child.
  - The adult relative exercises responsibility for the care and control of the pregnant minor or minor parent.
- The pregnant minor or minor parent lives in an adult-supervised supportive living arrangement. An adult-supervised supportive living arrangement must meet the following criteria:
  - The supportive living arrangement is a private family setting or other living arrangement

(not including a public institution) which is maintained as a family setting,

**AND**

- the supportive living arrangement assumes responsibility for the care and control of the pregnant minor or minor parent and dependent child.

**OR**

- the supportive living arrangement provides supportive services, such as counseling, guidance, or supervision.

Examples of supportive living arrangements include, but are not limited to, foster homes, maternity homes, second chance homes and group homes. Living with an adult friend does not meet the definition of a supportive living arrangement.

**Good Cause**

The pregnant minor or minor parent may have good cause for not living in the home of a parent, adult relative, or legal guardian. Acceptable good cause reasons include the following:

- The physical or emotional health or safety of the pregnant minor or minor parent and/or dependent child would be jeopardized if they lived with the minor's parent, adult relative, or legal guardian, including the following situations:
  - The minor alleges that the home of the parent, adult relative, or legal guardian is the scene of illegal activity.
  - The parent, adult relative, or legal guardian did not or will not provide adequate food, clothing, medical care, or other necessities for the pregnant minor or minor parent or his/her child.
  - The pregnant minor or minor parent is participating in a licensed substance abuse treatment program which would no longer be available if s/he returned to the home.
  - The pregnant minor or minor parent, the parent, adult relative, or the legal guardian has an active Child Protective Services (CPS) case.



If the pregnant minor or minor parent has an active CPS case, defer to the CPS worker in determining the appropriate living arrangements for the pregnant minor or minor parent and dependent child.

- The agency otherwise determines that there is good cause for not requiring the pregnant minor or minor parent to live in the home of the parent, adult relative, or legal guardian, including, but not limited to, the following situations:
  - The return of the pregnant minor or minor parent and child would violate a lease agreement.
  - The return of the pregnant minor or minor parent and child would be in violation of local health or safety standards.

## Penalty

If the pregnant minor or minor parent does not live in the home of a parent, adult relative, or legal guardian, does not meet an exemption, and does not have good cause, the pregnant minor or minor parent is penalized and not included in the AU as caretaker with his/her child. The unborn and/or dependent child is eligible, and the pregnant minor or minor parent is ineligible.

Refer to [1670 Budgeting the Income of a Penalized Individual](#).

The penalty continues until the pregnant minor or minor parent meets one of the following:

- becomes exempt,
- establishes good cause,
- moves into the home of a parent, adult relative, or legal guardian, or
- no longer meets the criteria of a pregnant minor or minor parent.

## Protective Payee

A protective payee is established in all pregnant minor or minor parent cases regardless of whether the minor is a caretaker or a payee.



In those situations, in which a protective payee cannot be located, the pregnant minor or minor parent may receive the TANF EPPICard in his/her name.

## Explanation of Living Arrangement Requirement

Explain the living arrangement requirement to the AU when the agency becomes aware that a minor is pregnant or has become a parent. Inform the pregnant minor or minor parent about the specific exemptions and reasons for good cause. Give him/her the option of claiming these exemptions or asserting good cause.

Document that the requirement was explained to the AU and to the minor affected by it.

## Determination of Exemption

If the pregnant minor or minor parent claims an exemption, determine if the claim is valid through one or more of the following methods:

- Contact or obtain a statement from the parent or legal guardian.
- Contact or obtain a statement from the adult relative with whom the pregnant minor or minor parent and dependent child currently live.
- Obtain a copy of court documents verifying severance of parental rights.
- Contact or obtain a statement from an adult responsible for the supportive living arrangement.
- Accept the statement of the pregnant minor or minor parent, provided other contacts listed above are not feasible and there is no reason to question the minor's statement.

Refer to [Chart 1365.1](#) for instructions on action to take when the exemption claim has been determined. Document the exemption claim determination.

## Loss of Exemption

If the pregnant minor or minor parent loses his/her exemption, apply the living arrangement requirement the month following the month the information becomes known to the agency.

## Determination of Good Cause

Advise the pregnant minor or minor parent that s/he may claim good cause for not meeting the living arrangement requirement. Document any good cause assertions.

Assist the pregnant minor or minor parent in obtaining verification to substantiate the claim.

Determine if the good cause assertion is valid through one or more of the following methods:

- Obtain court, criminal, law enforcement, medical or psychological records indicating the possibility of physical or emotional harm by the parent, adult relative, or legal guardian.
- Obtain court or law enforcement records indicating a history of illegal activities at the home of the parent, adult relative, or legal guardian, or a statement from individuals who would be able to corroborate the pregnant minor or minor parent's claim.
- Contact the substance abuse treatment program with which the minor is participating or obtain a written statement from that source.
- Contact the parent, adult relative, legal guardian, or leasing office to obtain a statement regarding the conditions under which the minor may violate a lease agreement or health safety standards if the pregnant minor or minor parent and dependent child return to the home.
- Contact the CPS worker responsible for the active protective service case.
- Contact or obtain a statement from other social service agencies which can confirm the pregnant minor's or minor parent's claim.

Review the provided information and available evidence. Request additional evidence if necessary. Base the determination on the supporting evidence provided.

## Child Protective Services Referral

If the pregnant minor or minor parent claims good cause based on physical or emotional health or safety of the pregnant minor or minor parent or dependent child but the claim cannot be substantiated through any of the preceding methods, follow the procedures below:

- Accept the minor's statement.
- Complete a referral to CPS for a full investigation.
- Include the pregnant minor or minor parent in the AU with the dependent child until the CPS investigation is completed.

## Referral Follow Up

Contact CPS at the next PRP or PWP review if the results of the CPS investigation have not been received.

Refer to [Chart 1365.1](#) for instructions on action to take when the good cause claim has been deter-

mined. Document the good cause determination.

### Protective Payee


Establish a protective payee for all pregnant minor or minor parent cases. Arrange for the adult with whom the minor lives or another suitable adult to receive the check on the minor's behalf.

*Chart 1365.1 - Determining if a Pregnant Minor or Minor Parent Can Be a Caretaker*

| IF  | THEN  |
|---|---|
| the pregnant minor or minor parent lives in the home of a parent or legal guardian  | include the pregnant minor or minor parent in the AU with his/her dependent child.  |
| the pregnant minor or minor parent does not live in the home of a parent or legal guardian, and claims an exemption                                       | determine if the exemption is valid.<br><br>If valid, include the pregnant minor or minor parent in the AU with his/her dependent child.<br><br>If not valid, inform the pregnant minor or minor parent of her options to either meet the requirement, claim good cause, or be penalized.         |
| the minor parent does not live in the home of a parent or legal guardian, claims good cause and the claim is valid  | include the minor parent in the AU with his/her dependent child.  |
| The pregnant minor does not live in the home of a parent or legal guardian, claims good cause and the claim is valid                                      | Include the pregnant minor in their own AU with their unborn child  |
| the pregnant minor or minor parent claims good cause for reasons other than physical or emotional health and it is determined that the claim is not valid | inform the pregnant minor or minor parent of her options to meet the requirement or be penalized.   |
| the pregnant minor or minor parent claims good cause because of physical or emotional health, but the claim cannot be substantiated                       | accept the minor's statement and complete a referral to Child Protective Services (CPS) to determine if the good cause claim is valid.<br><br>Include the pregnant minor in their own AU with the unborn child.<br><br>OR<br><br>Include the minor parent in the AU with his/her dependent child. |
| CPS determines that the good cause claim is valid   | document the record and continue eligibility.   |
| CPS determines that the good cause claim is not valid   | inform the pregnant minor or minor parent of his/her option to meet the requirement or be penalized.  |

**i** The penalty continues until the pregnant minor or minor parent becomes exempt, establishes good cause, moves into the home of a parent, adult relative, or legal guardian, or no longer meets the criteria of a pregnant minor or minor parent.

## 1370 Pregnancy and Prenatal Care

|   |  |  |                             |                                   |       |
|---|--|--|-----------------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |  |                             |                                   |       |
|   | <b>Policy Title:</b>   |  | Pregnancy and Prenatal Care |                                   |       |
|   | <b>Effective Date:</b>   |  | September 2023              |                                   |       |
|   | <b>Chapter:</b>  |  | 1300                        | <b>Policy Number:</b>             | 1370  |
|   | <b>Previous Policy Number(s):</b>  |  | MT 72                       | <b>Updated or Reviewed in MT:</b> | MT-74 |

## Requirements

A pregnant woman or pregnant minor must receive prenatal care to be included in the assistance unit (AU).

## Basic Considerations

An individual who reports being pregnant must receive prenatal care or make an appointment to receive prenatal care.

The requirement to report pregnancy and the requirement to receive prenatal care must be explained at application, at each review, and when it is reported that an individual is pregnant.

## Pregnant Individuals

### Verification and Documentation

An individual who reports being pregnant and the fetus(es) are considered for TANF eligibility, therefore the number of fetuses must be verified. Therefore, third party verification of the number of fetuses is required.

Client statement may be accepted for pregnancy and prenatal care. However, verification of the number of fetuses must be verified by third party verification. Verification must include identifying information such as the customer's name, the date, and the number of fetuses (if the customer reports that she is carrying more than one fetus).

If the customer reports that she is carrying more than one fetus, but the third-party verification provided does not indicate the number of fetuses, and no other verification has been provided to verify the number of fetuses, the agency is only able to include one fetus in the AU until further verification is provided that verifies the actual number of fetuses.

### Prenatal Care for Applicants

The requirement to receive prenatal care is met if the individual received prenatal care within 30 days prior to the date of application or has scheduled an appointment for prenatal care.

### Prenatal Care for Recipients

A recipient should report her pregnancy within 10 days of becoming aware that she is pregnant.

A client who reports that she is pregnant meets the requirement if she has received prenatal care

within the last 30 days or has scheduled an appointment for prenatal care.

Thereafter, prenatal visits are monitored at each review of the TANF Family Service Plan (TFSP)-Work Plan. The requirement to receive prenatal care is met if the pregnant woman or pregnant minor has attended at least one prenatal checkup within 90 days prior to the TFSP-Work Plan review.

A pregnant individual who fails to meet this requirement without good cause and who is a member of the standard filing unit (SFU) is penalized until the requirement is met or good cause is established.

### **Penalty**

An individual who is not a member of the SFU is not penalized but is excluded from the AU.

Refer to Section 1670, Budgeting the Income of a Penalized Individual.

### **Good Cause**

A pregnant woman or a pregnant minor may have good cause for not meeting the requirement to receive prenatal care. Good cause includes, but is not limited to, the following circumstances:

- The pregnant woman or pregnant minor and the county department are unable to find a provider willing to accept her as a Medicaid patient. The statement of the Department of Family and Children Services (DFCS) worker responsible for finding Medicaid providers is accepted.
- The pregnant woman or pregnant minor does not have transportation and/or childcare. Her oral or written statement of the lack of transportation and/or childcare is accepted.
- The pregnant woman or pregnant minor has religious objections to medical care. Her written statement affirming this fact is accepted.

A pregnant woman or pregnant minor may select a prenatal care provider of her choice. If she is unable to find a provider, the county department must assist her in obtaining a provider who will accept her as a Medicaid patient, if she receives Medicaid.

### **Procedures**

Explain the following at application and review:

- the requirement to report that an AU member is pregnant, and
- the requirement that an AU member who is or who becomes pregnant is required to receive prenatal care.

### **Verification and Documentation**

TANF Orientation should include information about the requirement to report pregnancy and the requirement to receive prenatal care.


Client statement may be accepted for prenatal care. Document the prenatal care appointment dates and that prenatal care was received within the specified time frames or that an appointment for

prenatal care has been scheduled. If receipt of prenatal care is questionable, verification must be requested.

If an applicant who is pregnant fails to receive prenatal care, a penalty will be applied that will cause them to become ineligible for cash assistance. Approve cash assistance for the other AU members.

If a recipient fails to receive prenatal care, apply a penalty to the pregnant woman or pregnant minor following timely notice.

## 1380 Cooperation with Eligibility Investigations

|   |   |   |                       |
|---|---|---|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |   |                       |
|   | <b>TANF Policy Manual</b>                               |   |                       |
|   | <b>Policy Title:</b>                                    | Cooperation with Eligibility Investigations |                       |
|   | <b>Effective Date:</b>                                  | December 2019                               |                       |
|   | <b>Chapter:</b>   | 1300  | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 2  | <b>Updated or Reviewed in MT:</b>           | MT-51                 |

### Requirements

An AU must cooperate with an investigation or review conducted by one of the following:

- Office of Investigative Services (OIS)
- Fraud Prevention Investigator (FPI)
- Evaluation and Reporting (E&R)

### Basic Considerations

#### Penalty

Cooperation with an OIS or FPI investigation or an E&R review includes, but is not limited to, any or all of the following activities:

- appearing for an interview
- responding to questions
- providing requested documents
- providing any information deemed necessary by the investigator or reviewer.

If an AU does not cooperate with a Food Stamp Program (FSP) investigation or review, the cash assistance is terminated when the information needed for the FSP investigation or review could affect eligibility for cash assistance.

An AU must provide information and verification necessary to establish eligibility for historical months.



The entity conducting the investigation or review provides notification in writing to the worker if an AU has failed to cooperate.

Failure or refusal to cooperate with an eligibility investigation or review results in ineligibility of the AU.

If the AU agrees to cooperate during the timely notice period, closure of the case is delayed until E&R, OIS or the FPI notifies DFCS that the investigation has been completed.

If an AU reapplies for benefits after closure due to failure or refusal to cooperate with an eligibility investigation or review, all factors of eligibility must be verified by a third party prior to approval.

The following chart provides the action taken when information is requested for a historical month.

*Chart 1380.1 - Failure to Cooperate in Providing Historical Information*

| IF   | THEN   |
|--|--|
| the AU fails to provide information for a historical month   | each historical month for which requested information is not provided is an ineligible month. Cash assistance is recouped for the appropriate historical months. |
| the AU provides the information at a later date, after a claim has been scheduled                          | eligibility is not redetermined for the historical month. The claim amount remains valid.  |
| the AU provides the information at a later date, before a claim has been scheduled                         | eligibility is redetermined for the historical month. The claim amount is invalidated.   |
| the AU fails to provide information for a historical month that is needed to determine ongoing eligibility | cash assistance is terminated, or the application is denied.   |


## Procedures

Provide the AU with timely notice that the case will be closed if the worker receives notification from OIS, E&R or an FPI that an AU has failed or refused to cooperate.

Terminate the case following expiration of timely notice.

Verify all factors of eligibility prior to approval if an AU reapplies for cash assistance after denial or termination for failure to cooperate with an eligibility investigation.

## 1385 Intentional Program Violations

| Georgia Division of Family and Children Services<br>TANF Policy Manual              |                                   |                                |                                   |       |
|---|-----------------------------------|--------------------------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Intentional Program Violations |                                   |       |
|   | <b>Effective Date:</b>            | December 2019                  |                                   |       |
|   | <b>Chapter:</b>                   | 1300                           | <b>Policy Number:</b>             | 1385  |
|   | <b>Previous Policy Number(s):</b> | MT 29                          | <b>Updated or Reviewed in MT:</b> | MT-51 |

## Requirements

Individuals who have committed an intentional program violation (IPV) are disqualified from receiving TANF.

## Basic Considerations

An IPV is an intentional action by an individual to establish or maintain an assistance unit's (AU's) eligibility, or to increase or prevent a decrease in the AU's benefits, by providing false or misleading information or withholding information.

The Office of Investigative Services (OIS) is the state agency responsible for establishing the existence of an IPV.

An IPV is established by one of the following methods:

- conviction by a court
- administrative finding.

An administrative finding includes the following:

- signing of a Prosecuting Attorney's Consent (PAC) Agreement.
- an Administrative Disqualification Hearing (ADH) completed by the Office of State Administrative Hearings (OSAH).
- a Waiver of Disqualification Hearing (WDH) completed by OIS.

OIS notifies the county when an individual has been found to have committed an IPV and the method by which the IPV was established.

A disposition package is forwarded to the county by OIS and includes one of the following:

- a copy of the court order authorizing the disqualification
- a copy of the PAC Agreement
- a copy of the ADH decision
- Form 5640, WDH, consent agreement

## Disqualifications

An individual who is disqualified cannot be included in the AU. Refer to Section 1665, Budgeting the Income of a Disqualified Individual, for treatment of income and Section 1505, Resources, for treatment of resources.

## Disqualification Periods

The appropriate disqualification period is determined by the OIS agent who adjudicated the claims based on the following criteria:

- whether the IPV is established by a conviction or an administrative finding,

- the reason for the conviction,
- the date the IPV was committed,
- the number of IPVs committed by the individual.

### **Convictions for Misrepresenting Residency**

Individuals convicted on or after January 1, 1997, of misrepresenting their residency in order to receive TANF, Medicaid, FS or SSI in two or more states simultaneously are disqualified from receiving TANF for 10 years.

### **Convictions for Offenses other than Misrepresentation of Residency**

Individuals convicted of an offense other than misrepresentation of residency are disqualified from receiving TANF.

Disqualification periods for these convictions are based on when the commission of the IPV began.

Only IPVs committed in Georgia are considered when establishing the disqualification period for an individual convicted of an IPV other than misrepresentation of residency.

Individuals convicted of committing an IPV for an offense other than misrepresentation of residency on or after July 1, 1998, are disqualified from receiving TANF for the following periods:

- first conviction - six months
- second conviction - twelve months
- third conviction - permanently.

Individuals convicted of committing an IPV for using cash assistance funds or the TANF EBT transactions performed at liquor stores , casinos, adult entertainment business, bails, bonds, night clubs/salons/taverns, bingo halls, race tracks, gun/ammunition stores, cruise ships, psychic readers, smoking shops, tattoo/piercing shops, and spa/massage salons after June 2012 are disqualified from receiving TANF for the following periods:

- first conviction - six months
- second conviction - twelve months
- third conviction - permanently.

### **Court Ordered Disqualification Periods**

If a court order imposes a disqualification period other than those indicated, the court-ordered period is imposed.

### **Administrative Findings**

Individuals found to have committed an IPV through a PAC agreement, an ADH or a WDH are disqualified from receiving TANF for the following periods:

- first violation - six months

- second violation - twelve months
- third violation - permanently.

Only IPV's committed in Georgia are considered when establishing a disqualification period for individuals found to have committed an IPV through an administrative finding.

### Effective Month of Disqualification

Adequate notice must be provided to the AU prior to imposing a disqualification. Timely notice is not required. The disqualification is imposed as early as the month following the month adequate notice is sent but no later than the second month following that notice.

If a court order specifies a date for imposing the disqualification, the court-ordered date is imposed. If the individual is not receiving cash assistance for the effective month of the disqualification, the disqualification is postponed until the individual reapplies and is approved for cash assistance.

Once a disqualification period is imposed, it remains in effect until the end of the disqualification period, regardless of the continuing eligibility of the disqualified individual.

If the disqualification is not imposed for the appropriate month, an overpayment (OP) exists.

 Refer to section 1665 to learn Budgeting the Income of a Disqualified Individual.

The following chart provides the disqualification periods applied to individuals who have committed an IPV:

*Chart 1385.1 - IPV Disqualification Periods*


| IPV CATEGORY  | DISQUALIFICATION PERIOD  |
|---|--|
| Individuals convicted on or after January 1, 1997, of misrepresenting residency in order to receive TANF, Medicaid, FS or SSI in two or more states simultaneously. | disqualified for 10 years  |
| Individuals convicted of other IPV's which were committed on or after July 1, 1998  | first conviction - six months<br>second conviction - twelve months<br>third conviction - permanently |
| Individuals found through PAC, ADH or WDH to have committed an IPV.   | first violation - six months<br>second violation - twelve months<br>third violation - permanently    |
| Individuals convicted of IPV's that were committed on or after June 1, 2012.  | first violation - six months<br>second violation - twelve months<br>third conviction - permanently   |

### Procedures

Follow the steps below when notification is received from OIS that an IPV has been established:

- Step 1** Determine the method by which the IPV was established.
- Step 2** Determine the reason for the conviction if convicted by the court.
- Step 3** Determine the date the IPV was committed.
- Step 4** Determine the number of IPVs committed by the individual.
- Step 5** Disqualify the individual who committed the IPV for the appropriate period.
- Step 6** Determine eligibility for the remaining AU members. Do not include the disqualified member in the AU.
- Step 7** Provide adequate notice to the AU prior to imposing the disqualification. Timely notice is not required. Include in the notice the new benefit amount and the period of the disqualification.
- Step 8** Impose the IPV disqualification effective as early as the month following the month of the adequate notice sent in Step 7, but no later than the first day of the second month following that notice. Comply with the court order if it specifies the date for imposing the disqualifications. If the disqualified individual is not receiving benefits for the effective month, postpone the disqualification until the individual applies for and is determined otherwise eligible for benefits.
- Step 9** Consider any OPs created when the disqualification is not imposed timely.
- Step 10** Enter a task for the end of the disqualification period if the individual will be eligible to be included at that time.
- Step 11** Ensure all supporting documents and notices are scanned into Web Enterprise Capture (WEC).
- Step 12** If a case with a pending IPV disqualification is closed before the disqualification period begins, document case notes.  
  
Once imposed, continue the period of disqualification uninterrupted regardless of the eligibility of the disqualified individual.
- Step 13** Establish a claim record, if appropriate.

## 1387 Lawbreakers

|   |   |      |                                   |                       |
|---|---|------|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |      |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |      |                                   |                       |
|   | <b>Policy Title:</b>                                    |      | Lawbreakers                       |                       |
|   | <b>Effective Date:</b>                                  |      | December 2019                     |                       |
|   | <b>Chapter:</b>   |      | 1300                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   |   | MT 1 | <b>Updated or Reviewed in MT:</b> | MT-51                 |

## Requirements

Individuals who are convicted of certain crimes, who are probation or parole violators, or who are fleeing to avoid prosecution, custody or confinement for a felony are penalized and cannot be included in the assistance unit (AU).

## Basic Considerations

### Violent Felons

Individuals convicted on or after January 1, 1997, of a serious violent felony are penalized for life and cannot be included in the AU. A serious violent felony includes the following:

- murder
- felony murder
- armed robbery
- kidnapping
- rape
- aggravated child molestation
- aggravated sodomy
- aggravated sexual battery This list is all-inclusive.

### Controlled Substance Abuse Felons

Individuals convicted on or after January 1, 1997, of an offense classified as a felony related to the possession, use or distribution of a controlled substance are penalized for life and cannot be included in the AU.

### Fleeing Felons

Individuals who are fleeing to avoid custody or confinement for a felony conviction or fleeing to avoid prosecution for a felony are penalized and cannot be included in the AU. The individuals are penalized until they are no longer fleeing.

### Parole/Probation Violators

Individuals who are violating a condition of their parole or probation are penalized and cannot be included in the AU. The individuals are penalized until they are no longer violating a condition of their parole or probation.

An individual who meets the definition of a lawbreaker but who is not a member of the standard filing unit (SFU) is not subject to a penalty but is excluded from the AU for the same period of time for which a penalty would be imposed.

Refer to Section 1205, Assistance Units, for additional information. The following chart provides the penalties applied to lawbreakers:

Chart 1387.1 - Lawbreakers

| LAWBREAKERS   | PENALTY   |
|---|---|
| Individuals convicted on or after January 1, 1997, of a serious violent felony  | penalized for life.   |
| Individuals convicted on or after January 1, 1997, of a felony related to possession, use or distribution of a controlled substance | penalized for life.   |
| Individuals fleeing to avoid prosecution, custody or confinement for a felony   | penalized until no longer fleeing to avoid prosecution, custody or confinement. |
| Individuals violating a condition of their probation or parole  | penalized until no longer a probation/parole violator.                          |

### **First Offender Status**

An individual who meets the definition of a lawbreaker but who has been granted first offender status by the court is not subject to a penalty as a lawbreaker.

### **Minors**

A minor adjudicated as a delinquent through the juvenile court system has not been convicted of a crime. The minor is not subject to a penalty as a lawbreaker.

A minor who is prosecuted and convicted as an adult is subject to a penalty as a lawbreaker.

### **Disclosure/Exchange of Information**

The address of an individual who meets the definition of a lawbreaker may be provided to federal, state or local law enforcement officials.

Refer to Section 1002, Confidentiality, for policy on providing information to law enforcement officials.

### **Verification**

The AU's verbal or written statement of whether any member of the AU meets the definition of a lawbreaker is acceptable, unless questionable. The statement is obtained at application, review, and when adding an individual to an existing AU.

If questionable, the written statement from the appropriate law enforcement agency or court is acceptable.

### **Procedures**


Discuss the policy regarding lawbreakers with the AU at application and review.

Document the AUs statement of whether any AU member meets the definition of lawbreaker.

Accept the AUs verbal or written statement, unless questionable. If questionable, verify with the appropriate source.

Document the following information: AUs statement or date and source of verification, if question-able.

## 1390 Lifetime Limit

|   |  |                |                                   |       |
|---|--|----------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |                |                                   |       |
|   | <b>Policy Title:</b>   | Lifetime Limit |                                   |       |
|   | <b>Effective Date:</b>   | May 2023       |                                   |       |
|   | <b>Chapter:</b>  | 1300           | <b>Policy Number:</b>             | 1390  |
|   | <b>Previous Policy Number(s):</b>  | MT 56          | <b>Updated or Reviewed in MT:</b> | MT-72 |

### Requirements

Receipt of TANF is limited to 48 months in a lifetime for an assistance unit (AU) in which the grantee relative is subject to the lifetime limit.

### Basic Considerations

Each month, beginning January 1997, in which an adult receives TANF cash assistance counts toward the 48-month lifetime limit.

- States are to count only months for which an adult received assistance as the head-of-household or as the spouse of the head-of-household.
- Any month when a pregnant minor or minor parent received assistance as the head-of-household or married to the head-of-household counts toward the 48-month lifetime limit.

**i** The State and Federal time clock will increment monthly for an individual that meets the conditions above.

TANF is defined either as cash assistance, or as a support service or TANF childcare received by an AU in which no one is employed.

**i** Childcare provided in accordance with Childcare and Parent Services (CAPS) policy is not paid from TANF funds. Therefore, receipt of childcare that is paid through UAS codes 516, 517 or 535 is not counted as a month of TANF even if the AU receives it for a month during which no one in the AU is employed. A month in which a family receives only non-TANF childcare does not count toward the 48-month lifetime limit.

### Parent Grantee Relative

Only months an adult, minor head of household, or spouse of the head of household who receives TANF cash assistance for themselves counts toward the lifetime limit.

The lifetime limit does not apply to an adult or minor parent head-of-household or the spouse of the head-of-household if they are ineligible.



The lifetime limit does not apply to an adult or minor parent head-of-household or the spouse of the head-of-household if they are excluded because they receive SSI.

The lifetime limit applies to an adult, minor head-of-household, or the spouse of the head-of-household in which only the parent receives TANF because the only child receives SSI.

In a two-parent family in which the parents have not received TANF for the same number of months, the lifetime limit closure is based on the parent who has received TANF for the greater number of months.

### **Non-Parent Grantee Relative**

The lifetime limit applies to a non-parent grantee relative who is receiving TANF cash assistance for themselves.

The lifetime limit does not apply to the non-parent grantee relative who is not receiving TANF cash assistance.

A non-parent grantee relative who has received TANF cash assistance as a recipient for 48 months can continue to receive TANF as a payee-only for related children.

A non-parent grantee relative who has received TANF cash assistance as a recipient for 48 months cannot receive TANF for his/her own children even if these children have never received TANF. If the non-parent grantee relative was receiving TANF cash assistance as a TANF recipient for less than 48 months, s/he can receive TANF for his/her own children for the months remaining of the 48-month lifetime limit.

### **Minor Parent Grantee Relative**

Any month a pregnant minor or minor parent receives assistance as the head-of-household or is married to the head-of-household counts toward the state and federal lifetime limit. All other criteria applicable to a parent apply to a minor parent grantee relative.

Months of receipt of TANF as a dependent child, including a minor parent who receives TANF as a dependent child and are not the head-of-household, do not count toward the 48-month lifetime limit.

### **Countable Months**

The following months count toward the 48-month lifetime limit:

- each full or partial month for which an AU correctly receives cash assistance, regardless of the correctness of the amount,
- a month in which a support service and/or TANF childcare (e.g., childcare paid directly out of TANF funds) is received by an AU in which no one is employed,
- a month in which cash assistance is diverted to an employer under subsidized employment,
- a month for which the entire cash assistance benefit is recouped for payment of an outstanding claim.

If, because of the date on which timely notice expires, the AU receives an additional month of cash assistance, the additional month of benefits counts toward the TANF lifetime limit.

The AU may waive timely notice so that the receipt of additional cash assistance can be avoided, reserving the month for a later time when the need for cash assistance may be greater.

### **Non-Countable Months**

The following months do not count toward the 48-month lifetime limit:

- a month for which cash assistance is not issued because the benefit amount prorates to \$0,
- a month for which an AU receives cash assistance, but which is later determined to be a month of total overpayment,
- a month for which cash assistance is not issued because the amount is less than \$10,
- a month for which the entire cash assistance benefit is returned by the AU,
- a month for which an AU does not access its cash assistance and the entire month's benefits are purged,
- a month in which only support services are received by an employed AU member,
- a month in which non-TANF childcare (paid through UAS codes 516, 517 or 535) is received, regardless of whether an AU member is employed.

### **AU Moving to Georgia from another State**

An AU that has received cash assistance in another state is subject to Georgia's 48-month lifetime limit, regardless of the lifetime limit in the other state.

Each month, beginning in January 1997, in which an AU receives TANF cash assistance in another state counts toward the lifetime limit in Georgia.

Months in which an AU received AFDC in another state prior to that state's implementation of TANF do not count toward the lifetime limit.

The TANF cash assistance received in another state of residence, prior to moving to Georgia, will count towards the life-time limit only if the assistance was paid from the federal funds in the previous state.

### **Hardship Waiver**

An AU that is subject to the lifetime limit may have the limit waived if it is determined that the AU meets certain hardship criteria.

Refer to Section 1392 for additional information regarding hardship waiver from the TANF time limits.

### **Documentation and Verification**

Determine if the lifetime limit applies to the AU and document the reason. The link to the National Directory is [dpaweb.hss.state.ak.us/files/pdfs/NATIONALDIRECTORY.pdf](http://dpaweb.hss.state.ak.us/files/pdfs/NATIONALDIRECTORY.pdf). It is essential that former

states be contacted to identify and verify the number of TANF months received in other states prior to initial approval to prevent any cases being approved in error.

Verify the following:

- the accuracy of the system information regarding the number of months for which cash assistance has been received,
- the number of months in which support services, other than childcare, were received by an AU in which no one was employed,
- the number of months for which cash assistance was received in another state, and the date TANF was implemented in the other state, if applicable.
- the number of months for which cash assistance received in another state was paid solely out of state funds.

Document this information and correct the tracking system, if necessary.


## Procedures

Use the following chart to determine the number of months an AU has used toward its lifetime limit when the AU has received TANF in another state.

*Chart 1390.1 - DETERMINING THE NUMBER OF MONTHS USED TOWARD THE LIFETIME LIMIT FOR AN AU MOVING TO GEORGIA*

| IF  | THEN  |
|---|---|
| the applicant states s/he did not receive TANF in another state in January 1997 or thereafter   | accept the applicant's statement unless it is questionable.   |
| the applicant states s/he received TANF in another state in January 1997 or thereafter<br><br>or<br><br>the applicant's statement is questionable | contact the previous state of residence to verify the following: <ul style="list-style-type: none"> <li>• the number of months for which the applicant received TANF from January 1, 1997, or from the date TANF was implemented in the other state, whichever is later, and</li> <li>• the date of TANF implementation.</li> </ul> Count the months for which the AU received TANF from January 1, 1997, or from the date TANF was implemented in the other state, whichever is later. |
| the applicant first received TANF in Georgia and subsequently received TANF assistance in another state   | count the months for which the AU received TANF in Georgia from January 1, 1997, and the months for which the AU received TANF in the other state after January 1, 1997, or from the date TANF was implemented in the other state, whichever was later.   |
| the applicant received TANF in more than one state prior to moving to Georgia   | count the months for which the AU received TANF in the other states from January 1, 1997, or from the date TANF was implemented in the other states, whichever is later, and the months for which the AU received TANF in Georgia after January 1, 1997.  |
| the applicant received state funded TANF in more than one state prior to moving to Georgia  | Disregard the months for which the AU had received state funded TANF in the other states.   |

# 1392 Hardship Waiver

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Hardship Waiver                   |                       |
|   | <b>Effective Date:</b>                                  | February 2024                     |                       |
|   | <b>Chapter:</b>   | 1300                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 72   | <b>Updated or Reviewed in MT:</b> | MT-76                 |

## Requirements

A waiver of the lifetime limit may be granted to an assistance unit (AU) if certain hardship criteria are met.

## Basic Considerations

A hardship waiver may be granted to an AU that is subject to and has reached Georgia's 48-month lifetime limit.

If granted a waiver, an AU may receive an extension of cash assistance beyond the lifetime limit.

Cash assistance can be extended to an AU based on the following:

- the presence in the AU of someone who is, or has been a victim of domestic violence, sexual assault, sexual harassment, or stalking and the threat of the domestic violence, sexual assault, sexual harassment, or stalking is a barrier to the AU's attainment of self-sufficiency, or
- another hardship, as defined by the state exists.

**i** An AU may be granted a waiver based on domestic violence, sexual assault, sexual harassment, or stalking if the victim is not included in the AU because s/he is penalized, disqualified or ineligible or is an SSI recipient.

## Hardship Criteria

A hardship exists when one or more of the following criteria has been or is a barrier to the AU's attainment of self-sufficiency.

- The AU meets the domestic violence criteria described above.
- The AU has an active child protective services case and the circumstances necessitating the CPS case create a barrier to the AU's attainment of self-sufficiency.
- Participates in substance abuse program
- Physical/Mental incapacity to work
- Caring for a disabled household member
- The disability of the grantee relative, household member or other eligible adult is a barrier to employment.



Documentation of the disability of a grantee relative, household member or other eligible adult must specifically support that the individual has significant barriers that hinder their ability to obtain gainful employment and must include a complete vocational rehabilitation assessment.

An AU may be eligible for a hardship waiver without a completed vocational rehabilitation assessment if:

- the grantee relative develops a serious medical condition or a catastrophic injury occurs in the 44<sup>th</sup> month or later, and
- the condition renders the individual incapable of any type of work activity, and it is a barrier to the AU's attainment of self-sufficiency, or
- The vocational rehabilitation assessment must take place during the initial 3-month extension.

If the disability is that of a household member, documentation must specifically address attempts made to develop opportunities for participation in work activities, including the reason that the attempts failed to yield positive results.

### **Two-Parent AU**

Both parents in a two-parent family must meet the hardship criteria for the AU to be granted a waiver.

### **When to Grant a Waiver**

A hardship waiver may be granted at the following times:

- the end of the 48-month lifetime limit,
- any time an AU that previously reached its lifetime limit, reapplies for cash assistance and meets one of the hardship criteria.
- the grantee relative has a disability that has been or is a barrier to the AU's attainment of self-sufficiency, or
- the grantee relative cares for a disabled household member, and the provision of care has been or is a barrier to the AU's attainment of self-sufficiency.

### **Granting a Waiver**

Hardship waivers are granted on a case-by-case basis. An AU may be granted a waiver and cash assistance may be extended for as long as an individual or both parents continue to meet at least one of the hardship criteria.

The AU must continue to meet all TANF eligibility requirements for as long as it receives an extension.



An AU that has had certain eligibility requirements waived because of domestic violence, sexual assault, sexual harassment, or stalking, may continue to have requirements waived, if necessary.

TANF policy supports a hardship waiver only if the disability of the grantee relative hinders his or her ability to obtain or maintain gainful employment. There must be adequate evidence supporting a cause for a hardship waiver for the family.

### **Extension Period**

Extension for a period of up to three months can be granted to an AU.

Staffings are held in the last month to review eligibility for continued extensions.

### **Federal Limits**

The federal TANF lifetime limit is 60 months. TANF assistance cannot be extended beyond the 60-month federal lifetime limit to more than 20% of the state's average monthly TANF caseload.

Hardship waivers beyond the 60-month limit may not necessarily be granted to every AU that meets the hardship criteria because of the 20% cap.

If not all AUs who meet the hardship criteria can receive an extension, priority will be given to AUs based on the hardship in the order in which the criteria are listed.

### **Hardship Waiver Approvals**

A hardship waiver for the period from the 49<sup>th</sup> month through the 60<sup>th</sup> month requires supervisory approval.

A hardship waiver beyond the 60<sup>th</sup> month requires a recommendation at the local supervisory level and may also require final approval by the state office.

If an AU is otherwise eligible, the county can grant a hardship waiver and an extension of TANF eligibility from the 49<sup>th</sup> month through the 60<sup>th</sup> month of receipt of TANF.

If an AU is otherwise eligible for an extension of cash assistance after having received TANF for 60 months, the State Office may need to grant final approval of an extension because of the statewide limit on the number of extensions that can be granted.

### **Hardship Waiver Approvals after 60 months**

The federal government has placed a 20% cap on the number of Hardship Waivers beyond 60 months.

When the aggregate of the Hardship Waivers from all of the counties combined reaches the statewide 20% limit, then the individual counties must request final approval of an extension from the state office.

A need for State Office approval of extensions beyond 60 months will be communicated to county offices when the state office is close to reaching the 20% limit.

### **Work and Personal Responsibility Requirements During an Extension**

There are no exemptions to work requirements in an extension period. An exemption cannot con-

tinue beyond 48 months, nor can a new exemption be given during an extension period. Refer to Section 1349, Work Requirements.

When an individual fails, without good cause, to meet a work requirement or a personal responsibility requirement during an extension period, the case must be closed.

Sanction policy does not apply to an AU in an extension month.

## **Staffings**


County staff must have a staffing (face-to-face or phone), in the 44<sup>th</sup> month and in the 47<sup>th</sup> month of receipt of TANF, in the last month of each extension period and at every reapplication subsequent to the end of the 48-month lifetime limit.

### **Staffings - Who Must Attend**

The following individuals must attend the staffing:

- the case manager responsible for TANF eligibility,
- the case manager responsible for employment services, if a work plan is involved,
- the grantee relative or both parents in a two-parent family.

The case manager's immediate supervisor may choose to attend the staffing.

 Good cause reasons may exist for one parent in a two-parent family to not attend a staffing. Good cause reasons may include, but are not limited to, the existence of domestic violence, sexual assault, sexual harassment, or stalking or the enrollment of one parent in a residential treatment facility.

### **Staffings - Who May Attend**

The following individuals must be invited to attend the staffing:

- the CPS worker and supervisor, if the AU has an active CPS case,
- the domestic violence assessor, if appropriate,
- the substance abuse counselor, if appropriate,
- any other DFCS or non-DFCS staff person whose attendance is deemed appropriate.

### **Staffings - What Must Be Discussed**

At each staffing, the case manager must discuss the purpose of the staffing, including the following:

- explanation of the TANF federal life-time limit,
- the issue of domestic violence, sexual assault, sexual harassment, or stalking and completion of Form 194, TANF Assessment for Domestic violence, Sexual Assault, Sexual Harassment, or Stalking, if applicable,
- barriers to full-time employment and self-sufficiency,
- participation in current work activity,

- the appropriateness of the current TFSP and how is it leading to self-sufficiency,
- the appropriateness of current support services and the need for additional services,
- any information that could affect the AU's eligibility for a hardship waiver, including family circumstances,
- the AU's potential eligibility for a hardship waiver and an extension or continued extension of benefits,
- the grantee relative's responsibilities during the AU's remaining months of eligibility for cash assistance,
- the requirement that the AU must continue to meet all conditions of eligibility during the extension period,
- what the AU can do during an extension period to attain self-sufficiency.
- the consequences of the AU's failure to meet all conditions of eligibility during the extension period
- the AU's potential eligibility to continue to receive Food Stamp benefits and Medicaid if cash assistance is terminated,
- what the AU can do to support itself if it does not meet hardship waiver criteria and is not eligible for an extension.

If the AU fails to keep a staffing appointment, the case must be terminated after expiration of timely notice. Form 192, TANF Lifetime Limit Termination or Denial Notice must be mailed.

### **Annual Reviews**

Reviews of continued eligibility are required for all cases every twelve months. If the twelfth month falls in an extension period, a standard review must be completed.

### **Procedures**

The following steps are listed as a procedural guide to complete the requested case action.

#### **44-Month Staffing**

Follow the steps below to complete the 44-month staffing:

- Step 1** Send an appointment letter no later than the fifth calendar day of the month in which the staffing is due to every AU that is subject to the lifetime limit. Schedule the staffing to be conducted on or before the 15<sup>th</sup> of the month. Provide a copy of the appointment letter to individuals who have been asked to attend the staffing.
- Step 2** If the grantee relative, or both parents in a two-parent family, keeps the appointment, conduct a face-to-face interview. Proceed to Step 4.



- Step 3** If the grantee relative, or both parents in a two-parent family, does not keep the appointment, terminate the case for failure to cooperate after the expiration of timely notice. If the grantee relative or one parent in a two-parent family contacts the agency within the timely notice period, reschedule the appointment. If this appointment is not kept, terminate the case based on the original timely notice.
- Step 4** Discuss with the AU the required information listed under Staffings in this section.
- Step 5** Identify circumstances that may qualify the AU for a hardship waiver at the end of 48 months.
- Step 6** Thoroughly document the results of the staffing in case notes. Form 114, TANF Hardship Waiver Staffing Worksheet, may be used to minimize the amount of documentation required in case notes. Remember to scan any documents used into WebCenter Enterprise Capture (WEC) system and document the transaction number.
- Step 7** A task will be generated as a reminder to complete the 47-month staffing.



If the AU reapplies for TANF, conduct the staffing as part of the application. Complete Steps 3 through 6.

#### 47-Month Staffing

Follow the steps below to complete the 47-month staffing:

- Step 1** Send an appointment letter no later than the fifth calendar day of the month in which the staffing is due to every AU that is subject to the lifetime limit. Schedule the staffing to be conducted on or before the 15<sup>th</sup> calendar day of the 47<sup>th</sup> month.  
  
Provide a copy of the appointment letter to individuals who have been asked to attend the staffing.
- Step 2** If the grantee relative, or both parents in a two-parent family, keeps the appointment, conduct a face-to-face or phone interview. Proceed to Step 5.
- Step 3** If the grantee relative, or both parents in a two-parent family, does not keep the appointment manually generate Form 192 TANF Lifetime Limit Termination or Denial Disposition Notification Form, to be mailed. The TANF case will be terminated following the expiration of timely notice.
- Step 4** Discuss with the AU the required information listed under Staffings in this section.
- Step 5** Determine whether the AU qualifies for a hardship waiver. Refer to [Chart 1392.1, Hardship Waiver Determination](#). Obtain supervisory approval.
- Step 6** Thoroughly document the results of the staffing in case notes. Form 114, TANF Hardship Waiver Staffing Worksheet, may be used to minimize the amount of documentation required in case notes. Remember to scan any documents used into WebCenter Enterprise Capture (WEC) system and document the transaction number.

- Step 7** If a waiver is granted, update the **TANF Extended Benefits-Details** screen in Gateway and re-authorize the case. (This prompts Gateway to mail Form 191, TANF Hardship Waiver Disposition Notification.)
- Step 8** Close the case after the expiration of timely notice of adverse action if the client keeps the staffing appointment and a hardship is established, but the client requests that the TANF case be closed. If the client request voluntarily closure, terminate the TANF effective the month after the request.
- Step 9** Close the case after the expiration of timely notice of adverse action if the client keeps the staffing appointment but a hardship is not established. Manually generate Form 192 TANF Lifetime Limit Termination or Denial Disposition Notification Form, to be mailed.
- Step 10** Review the current case information provided, as well as previous case documentation regarding the family situation, to determine the need for a CPS referral. Refer only if an investigation is needed to address situations that have been identified that may pose a threat to the safety of a child.
- Step 11** Complete a referral to the local Community Action Agency for Family Resettlement Program (FRP) services for an AU that is at risk of homelessness because it is not being granted a hardship waiver and TANF extension.



If the AU reapplies following denial of a hardship waiver because the AU did not keep the 47-month staffing appointment or because the AU did not qualify for a waiver, conduct a staffing as part of the application process

### **Extension Period Staffings**

Follow the steps below to complete a staffing during an extension period:

- Step 1** Send an appointment letter no later than the fifth calendar day of the last month of the extension period. Schedule the staffing to be conducted on or before the 15<sup>th</sup> calendar day of the final month of the extension period. Provide a copy of the appointment letter to individuals who have been asked to attend the staffing.
- Step 2** If the grantee relative, or both parents in a two-parent family, keeps the appointment, conduct a face-to-face interview. Proceed to Step 4.
- Step 3** If the grantee relative, or both parents in a two-parent family, does not keep the appointment, manually generate Form 192 TANF Lifetime Limit Termination or Denial Disposition Notification Form, to be mailed. The TANF case will be terminated following the expiration of timely notice. A home visit is not required.
- Step 4** Discuss with the AU the required information listed under Staffings in this section.
- Step 5** Determine whether the AU qualifies for an additional extension. Refer to Chart 1392.2, Hardship Waiver Determination. Obtain supervisory approval.

- Step 6** Thoroughly document the results of the staffing in case notes. Form 114, TANF Hardship Waiver Staffing Worksheet, may be used to minimize the amount of documentation required in case notes. Remember to scan any documents used into Web-Center Enterprise Capture (WEC) system and document the transaction number.
- Step 7** If a waiver is granted, update the TANF Extended Benefits-Details screen in Gateway and re-authorize the case. (This prompts Gateway to mail Form 191, TANF Hardship Waiver Disposition Notification.)
- Step 8** If a waiver is not granted, manually generate Form 192, TANF Lifetime Limit Termination or Denial Disposition Notification Form, to be mailed. The TANF case will be terminated following the expiration of timely notice.
- Step 9** Close the case if the client keeps the staffing appointment and a hardship is established, but the client requests that the TANF case be closed. If the client voluntarily requests closure, terminate the TANF case the month after the request. Manually generate Form 192 TANF Lifetime Limit Termination or Denial Disposition Notification Form, to be mailed.
- Step 10** Close the case after the expiration of timely notice of adverse action if the client keeps the staffing appointment but a hardship is not established. Manually generate Form 192 TANF Lifetime Limit Termination or Denial Disposition Notification Form, to be mailed.
- Step 11** Review the current case information provided, as well as previous case documentation regarding the family situation, to determine the need for a CPS referral. Refer only if an investigation is needed to address situations that have been identified that may pose a threat to the safety of a child.
- Step 12** Complete a referral to the local Community Action Agency for Family Resettlement Program (FRP) services for an AU that is at risk of homelessness because it is not being granted a hardship waiver and TANF extension.



Conduct a staffing as part of the application process if the AU reapplies following denial of a hardship waiver due to the AU's failure to keep the extension period staffing appointment, or because the AU did not qualify for a hardship waiver.

Follow the procedures below to determine if the AU qualifies for a hardship waiver and for any subsequent consideration of eligibility for a waiver:


*Chart 1392.1 – Hardship Waiver Determination*

| IF  | THEN   |
|---|--|
| <p>a claim is made that an AU member is, or has been a victim of domestic violence, sexual assault, sexual harassment, or stalking, domestic violence, sexual assault, sexual harassment, or stalking is established, and it is determined that it has been or is a barrier to the AU's attainment of self-sufficiency,</p>   | <p>The grantee relative, case manager and supervisor must attend the staffing.</p> <p>If available, the domestic violence assessor should attend the staffing. The domestic violence assessor's input must be considered in making a hardship waiver determination.</p> <p>Follow the procedures in Section 1302, Domestic Violence, Sexual Assault, Sexual Harassment, or Stalking, for establishing a claim or suspicion of domestic violence, sexual assault, sexual harassment, or stalking.</p> <p>A waiver may be granted, and cash assistance extended.</p> |
| <p>it is verified through the agency's CPS records that the AU has an active CPS case,</p> <p>it is determined that the conditions of the CPS plan have been or are a barrier to the AU's attainment of self-sufficiency,</p>   | <p>Determine if the conditions set forth in the CPS plan have been or continue to be a barrier to the AU's attainment of self-sufficiency.</p> <p>The CPS worker should attend the staffing, if possible. The CPS worker's input must be considered in making a hardship waiver determination.</p> <p>A waiver may be granted, and cash assistance extended.</p>   |
| <p>the grantee relative claims to have a disability</p> <p>it is verified that the grantee relative has a disability, and that the disability has been or is a barrier to the AU's attainment of self-sufficiency,</p>  | <p>Verify, using medical information provided by VR, that:</p> <ol style="list-style-type: none"> <li>1. the grantee relative cannot work,</li> <li>2. the nature of the grantee relative's disability and the limitations it places on the grantee relative's ability to work and</li> <li>3. the expected duration of the disability.</li> </ol> <p>A waiver may be granted, and cash assistance extended.</p>   |
| <p>the grantee relative is caring for a disabled household member,</p> <p>It is verified that it is necessary for the grantee relative to care for the disabled household member and it is determined that this necessity has been or is a barrier to the AU's attainment of self-sufficiency,</p>  | <p>Verify with a medical statement from the disabled household member's physician that it is necessary for the grantee relative to remain in the home to care for the disabled individual.</p> <p>Verify there are not enough resources available for the disabled relative in the community.</p> <p>Verify the expected duration of the grantee relative's need to provide care. The disabled household member need not be a member of the AU.</p> <p>A waiver may be granted, and cash assistance extended.</p>  |
| <p>the grantee relative or other eligible adult indicates during or after 44-month's staffing that, s/he has developed a serious medical situation, or a catastrophic event has occurred that would prevent him/her from participating in any type of work activity.</p> <p>it is verified that the grantee relative is currently under treatment, and it is determined that his/her current condition is a barrier to the AU's attainment of self-sufficiency.</p> | <p>Review medical records to determine that the grantee relative's recent medical condition is a barrier in obtaining stable employment.</p> <p>Verify the expected duration of the client's recent medical condition. Refer to VR for further assessment in making a hardship waiver determination.</p> <p>A waiver may be granted, and cash assistance extended. VR assessment may be postponed until next staffing.</p>   |

| IF  | THEN  |
|---|---|
| <p>the grantee relative has made all appropriate efforts to find work, but is unable to find unsubsidized employment because local labor market conditions preclude a reasonable job opportunity,</p> <p><b>and</b></p> <p>the AU resides in a city or county designated as having insufficient job opportunities, which has proved to be a barrier to the AU's attainment of self-sufficiency,</p> | <p>A waiver may be granted, and cash assistance extended.</p> |

# 1400 Computer Matches

## 1401 Computer Matches Overview

|   |  |                           |                                   |       |
|---|--|---------------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                           |                                   |       |
|   | <b>Policy Title:</b>   | Computer Matches Overview |                                   |       |
|   | <b>Effective Date:</b>   | January 2020              |                                   |       |
|   | <b>Chapter:</b>  | 1400                      | <b>Policy Number:</b>             | 1401  |
|   | <b>Previous Policy Number(s):</b>  | MT 29                     | <b>Updated or Reviewed in MT:</b> | MT-52 |

### Requirements

Applicants and recipients whose resources and income are used to determine eligibility are matched with the files of other government agencies.

### Basic Considerations

The client's primary Social Security number (SSN) is matched with the SSNs contained in other government agency files. The information associated with the SSNs is compared. Discrepancies are identified for follow-up and investigation.

Computer matches made possible by using the client's SSN are intended to detect income and resources that may not have been reported. Computer matches may also provide other information required to establish eligibility and benefit levels.

Information obtained from the computer matches is used for the following purposes:

- to verify the client's eligibility,
- to verify the proper amount of benefits/income received from other agencies for example, Social Security, SSI, Unemployment Compensation Benefits, etc. This information is used to determine whether recipients are eligible to receive the benefits to which they are eligible, and,
- to obtain information to conduct criminal or civil prosecutions based on receipt of benefits to which recipients are not entitled.

Computer matches are accessed via system terminals or through personal computers connected to the system.

Users must have a valid password that is obtained from the state office.


Unlawful access is prohibited. A record of all inquiries by password is kept and monitored by the system.



Additional information about securing federal tax information, unauthorized access to or release of IRS/BEERS information is available in Section 1410 of the policy manual.

Any UCB or TANF information from another state that is received on interstate matches should be regarded as verified.

## 1405 Income and Eligibility Verification System (IEVS)

|   |  |   |                                   |       |
|---|--|---|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |   |                                   |       |
|   | <b>Policy Title:</b>   | Income and Eligibility Verification System (IEVS) |                                   |       |
|   | <b>Effective Date:</b>   | November 2021                                     |                                   |       |
|   | <b>Chapter:</b>  | 1400  | <b>Policy Number:</b>             | 1405  |
|   | <b>Previous Policy Number(s):</b>  | MT 52   | <b>Updated or Reviewed in MT:</b> | MT-64 |

### Requirements

The Income and Eligibility Verification System (IEVS) is a federally operated system through which agencies request personal data, wage information and benefit information from other state and federal agencies on applicants and recipients.

### Basic Considerations

IEVS computer matches are performed by the Integrated Eligibility System (IES) with the following files from other agencies:

- SSA Beneficiary Earnings Exchange Record System (BEERS)
- U.S. Internal Revenue Service (IRS)
- Interstate Files
- SSA Prisoner Verification Inquiry
- SSA Death Verification Inquiry
- SSA Benefit Data Exchange System (BENDEX).

A match between IES is completed on wage and benefit information and another computer file. If there is information in the systems on the same individual, the information is compared.

If the information in one system differs from the information in IES, a system generated task is sent to inform the worker of the discrepancies. The worker must take action to resolve discrepancies and document.

The SSA Prisoner Verification Inquiry and SSA Death Verification Inquiry match the files of the Social Security Administration with IES files to determine if a client is incarcerated or deceased.

IRS and BEERS information are subject to special security considerations. Refer to Section 1410, IRS/BEERS Security.

## Processing Match Data

Use information received from the matches to determine eligibility and benefit level for both historical and ongoing months.

Resolve discrepancies within 45 days of receipt of the information.

Resolution of discrepancies may be postponed to the next review if the actions cannot be completed due to non-receipt of verification already requested from a collateral contact.

## Verification

When a computer match is received, use the following information as a lead and verify its accuracy:

- RSDI,
- earned income listed on DOL wage matches,
- earned income and pensions listed on IRS matches,
- questionable IEVS information,
- prisoner verification data.


 Gross RSDI income can be verified on Clearinghouse.

## Documentation

Document the following information:

- the reason a discrepancy exists, if applicable,
- the reason a discrepancy does not exist, if applicable
- the date on which verification was requested and from whom verification was requested,
- the date on which action was taken to correct ongoing benefits,
- the date on which the discrepancy was resolved.

# 1410 Security for IRS, FTI, and BEERS Information

| Georgia Division of Family and Children Services<br>TANF Policy Manual              |                                   |  |                                   |       |
|---|-----------------------------------|--|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Security for IRS, FTI, and BEERS Information |                                   |       |
|   | <b>Effective Date:</b>            | February 2024                                |                                   |       |
|   | <b>Chapter:</b>                   | 1400   | <b>Policy Number:</b>             | 1410  |
|   | <b>Previous Policy Number(s):</b> | MT 72  | <b>Updated or Reviewed in MT:</b> | MT-76 |
|   |                                   |  |                                   |       |

## Requirements

It is the responsibility of the Department of Human Services (DHS) to protect the Federal Tax Infor-



mation (FTI) provided through the Internal Revenue Services (IRS) to the state agencies.

Safeguarding FTI is critically important to continuously protect taxpayer confidentiality as required by IRC § 6103. FTI consists of federal tax returns and return information (and information derived from it) that is in the agency's possession or control that is covered by the confidentiality protections of the IRC and subject to the IRC § 6103(p)(4) safeguarding requirements including IRS oversight. FTI is categorized as Sensitive but Unclassified (SBU) information and may contain personally identifiable information (PII).

FTI includes return or return information received directly from the IRS or obtained through an authorized secondary source such as Social Security Administration (SSA), Federal Office of Child Support Enforcement (OCSE), Bureau of the Fiscal Service (BFS) or Centers for Medicare and Medicaid Services (CMS or another entity acting on behalf of the IRS pursuant to an IRC § 6103(p)(2)(B) Agreement.

Unauthorized use or access of Federal Tax Information, i.e., IRS/Beneficiary Earnings Exchange Record System (BEERS) information, earning records and/or unearned income records maintained by Social Security Administration, is forbidden. The confidentiality and security of FTI must be protected and maintained at the level of federal standards and requirements.

## Basic Considerations

FTI includes any information created by the recipient that is derived from federal return or return information received from the IRS or obtained through a secondary source.

**FTI may not be masked to change the character of information to circumvent IRC § 6103 confidentiality requirements.**

As a condition for receiving FTI (IRS/BEERS, DFCS is required to establish and maintain certain safeguards designed to prevent unauthorized use of the information and to protect the confidentiality of the information.

There are two criminal penalties associated with unauthorized access and/or unauthorized disclosure of Federal Tax Information (FTI).

The penalties for unauthorized access of FTI (IRS/BEERS) include the following:

- a fine of up to \$1,000, or imprisonment of up to 1 year, or both,
- costs of prosecution for felony access.

Penalties for unauthorized **disclosure** of IRS information include the following:

- a fine of up to \$5,000, or imprisonment of up to 5 years, or both,
- costs of prosecution for felony disclosure.
- termination from employment upon conviction of unauthorized disclosure.
- payment of civil damages to the individual about whom information was illegally disclosed if that individual brings a civil action.

The accused employee can be guilty of both offenses and prosecuted for both. In addition to that,

there is a civil penalty for unauthorized access or unauthorized disclosure. In the case of a state employee, the employee is personally liable as opposed to the agency.

## **Security of Federal Tax Information**

To ensure that information is secured in accordance with federal laws, three individuals at the State Office are given access to maintain Federal tax information. The following actions are required if FTI is received:

1. The Secured Verification Letter, Form 1215, must be sent to third parties such as financial institutions, employers or retirement boards, if any discrepancy is reported/exists. Copies of the Secured Verification Letter must be retained in a two-barrier secure environment until the completed letter is returned by the third party.

When the completed Secured Verification Letter is returned, the copy must be shredded. The destruction of the copy of the Secured Verification Letter must be recorded on Form 379, IEVS print log in.

2. If the third party completes the Secured Verification Letter and returns it to the State Office, the receipt of the form must be recorded, and the top portion of the form is shredded. The bottom portion may be scanned in the case file.
3. The completed Income Eligibility Verification System (IEVS) Print Log-in Form 379 must be retained in a two-barrier security system for five years.

If the third party returns the verification using a document other than the Secured Verification Letter, the other document must be scanned in the case file.

The receipt of Federal Tax Information from IRS/BEERS cannot be documented in Case Notes in the Integrated Eligibility System (IES).

All staff, including Quality Control reviewers and fraud investigators who request verification, are to adhere to the secured verification procedures.

State auditors or other contractors shall not have access to FTI.

## **Posters**

The State Office should receive a UNAX (Unauthorized Access) poster to display in employee areas within the building.

## **Limiting Access to IRS and BEERS Data**

The SOG USER Access roles provide access to FTI (IRS/BEERS) to designated State Office personnel. Access should be limited to no more than three TANF staff at the State Office. Only staff that have a need-to-know should have access to these files.

Restricting access to designated personnel minimizes improper disclosure of FTI. No employee should be given greater access than is necessary for the job-related duties.

Picture identification, badges, or credentials must be visible and worn above the waist at all times.

FTI (IRS/BEERS) such as copies of alerts, verification requests and destruction logs must be logged on Form 379, IEVS print log in and stored in a two-barrier security system.

### **Record Keeping, Secure Storage, Restricted Requirements and Case File Purge**

Printing and/or faxing FTI is strictly prohibited. In the event it is printed, FTI (IRS/BEERS) such as copies of alerts, verification requests and destruction logs must be logged on Form 379, IEVS print log in and stored in a two-barrier security system for five (5) years.

FTI (IRS/BEERS) cannot be maintained in a case record. FTI (IRS/BEERS) that is currently maintained in a case file must be purged of printed copies of IRS/BEERS alerts, verification or verification requests resulting from IRS/BEERS system alerts. Information purged from the case file must be documented and placed in secured storage or destroyed.

A two-barrier security system is one in which information is maintained in a locked file cabinet or container located in a locked room. Entrance to the secured room must be limited to specifically authorized personnel. If authorized personnel leave the room for any reason, the room must be locked.

### **Access Requirements**

Access to FTI is permitted only to individuals who require the FTI to perform their official duties and as authorized under the Internal Revenue Code (IRC). FTI must never be indiscriminately disseminated, even within the recipient agency, body, or commission. Agencies must evaluate the need for FTI before the data is requested or disseminated. Inadvertent access is access to FTI without authority and is non-willful. Willful access to FTI by a person without authorization or need-to-know may be prosecuted under IRC § 7213A.

No more than three employees should have keys to the room and file. Non-DFCS personnel cannot have access to the locked room. Key access will be addressed at the state level Quality Assurance yearly review. Maintenance of the room is to be performed under the supervision of an agency employee.

### **FTI (IRS/BEERS) in IES**

FTI is processed during scheduled periods of the tax year. If there is a match with an active TANF case, the individual will display on the Federal Tax Information – TANF Summary screen in IES for a worker with the FTI (IRS/BEERS) security role to review.

BEERS is processed during scheduled periods of the tax year. If there is a match with an active TANF case, a task will be generated and assigned to worker with FTI (IRS/BEERS) security role. The task must be reviewed daily to determine if reported information will impact TANF eligibility.

When FTI (IRS/BEERS) data impacts TANF eligibility, DFCS submits a request for an Intentional Program Violation (IPV) investigation.

### **Verification of FTI/BEERS**

Computer-generated letters must not be used to verify FTI/BEERS information. Form 1215, Secured Verification Letter is maintained by the State Office TANF Policy Unit and can be duplicated for

future use.

Verification requests related to FTI (IRS/BEERS) must be safeguarded until transported to the mail carrier. The worker assigned to process FTI must transport any mail containing FTI data to the mail carrier or post office to ensure that safeguards are in place.

### **Faxing or Emailing FTI**

Using Fax and/or e-mail to request or receive Federal Tax Information is prohibited to transmissions outside of the agency's internal network. Emails are only sent to authorized recipients and must require adequate labeling and protection. Mail servers, clients, and network infrastructure must meet requirements listed in Publication 1075.

If FTI information is inadvertently faxed or emailed outside of the agency's requirements, the agency Privacy Officer ([privacy@dhs.ga.gov](mailto:privacy@dhs.ga.gov)) must be contacted immediately.

### **Security Measures**

The Information and Technology (IT) Section, Office of Quality Management OFI Quality Assurance Section (QA), Federal Regulations and Data Analysis Section and Program and Administration Section assist in the efforts to meet security objectives. The QA review is used to evaluate the State Office TANF Unit security measures.

### **Physical Security of Computers, Electronic and Removable Media**

Computers and electronic media that receive, process, store, access, protect and/or transmit FTI must be in a secure area with restricted access. In situations when requirements of a secure area with restricted access cannot be maintained, such as home work sites, remote terminals or other office work sites, the equipment must receive the highest level of protection practical. All computers and mobile devices that contain FTI and reside at an alternate work site must employ encryption mechanisms to ensure that FTI may not be accessed if the computer is lost or stolen.

All FTI must be locked up when not in use. When removable media contains FTI, it must be labeled as FTI.

All computers, electronic media and removable media containing FTI must be kept in a secured area under the immediate protection and control of an authorized employee or locked up. When not in use, the media must be promptly returned to a proper storage area/container.

### **Piggyback or Tailgate Restrictions**

"Piggyback" or "tailgate" into restricted locations is prohibited. DFCS must ensure that all individuals entering an area containing FTI do not bypass access controls or allow unauthorized entry of other individuals. Unauthorized access must be challenged by authorized individuals. Security personnel must be notified of piggyback/tailgate attempts.

### **Clean Desk**

All employees must keep a clean desk for the protection of FTI. No documents containing FTI information should be left within eyesight of anyone without approved access. This includes paper out-

put and electronic storage to preclude unauthorized disclosures.

### **Employee Termination**

If an employee's access is terminated the User Access Request form must be completed to delete or change the SOG User Role.

### **Alternate Work Site**

If the confidentiality of FTI can be adequately protected, telework sites such as employee's homes or other non-traditional work sites can be used. FTI remains subject to the same safeguard requirements and the highest level of attainable security.

The agency must retain ownership and control for all hardware, software and end-point equipment connecting to public communication networks, where these are present at alternate work sites. The use of virtual desktop infrastructure with non-agency-owned devices is an acceptable alternative if all requirements of a Virtual Desktop Infrastructure (VDI) are met.

Employees must have a specific room or area in a room that has the appropriate space and facilities for the type of work done. Employees also must have a way to communicate with their managers or other members of the agency if security problems arise.

Printing of FTI at an alternate work site is prohibited. If an exception is required, the agency must ensure employees have access to locking file cabinets or desk drawers so that documents, disks, and tax returns may be properly secured when not in use. If agency furniture is not furnished to the employee, the agency must ensure that an adequate means of storage exists at the alternate work site. The agency must provide "locking hardware" to secure automated data processing equipment to large objects, such as desks or tables. Smaller, agency-owned equipment must be locked in a filing cabinet or desk drawer when not in use.


FTI may be stored on hard disks only if agency-approved security access control devices have been installed, are receiving regularly scheduled maintenance including upgrades and are being used. Access controls must include password security, an audit trail, encryption, virus detection and data overwriting capabilities.

Only agency-approved security access control devices and agency-approved software will be used. Use of illegal and/or non-approved software is prohibited. Electronic media that is to be reused must follow media sanitization requirements.

Do not leave computers unprotected at any time. Ensure the computer is locked during brief absences while employees are away.

All participating employees and managers must complete specialized training in security, disclosure awareness and ethics provided by the agency. This training covers situations that could occur as the result of an interruption of work by family, friends, or other sources.

## **1415 Clearinghouse**

|   |  |               |                                   |       |
|---|--|---------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |               |                                   |       |
|   | <b>Policy Title:</b>   | Clearinghouse |                                   |       |
|   | <b>Effective Date:</b>   | January 2020  |                                   |       |
|   | <b>Chapter:</b>  | 1400          | <b>Policy Number:</b>             | 1415  |
|   | <b>Previous Policy Number(s):</b>  | MT 1          | <b>Updated or Reviewed in MT:</b> | MT-52 |

## Requirements

Clearinghouse is an automatic on-line computer system through which wage and benefit information on applicants and recipients is matched with other state and federal agency files.

## Basic Considerations

Clearinghouse matches are completed with the following files:

- Georgia Department of Labor (DOL) Wage Files contain the most recent five quarters of employment history by employer name, employer number, and the gross amount of wages earned.
- DOL Employer Address Files contain the work location and/or the address of the accounting office of the employer.
- DOL Unemployment Compensation Benefits (UCB) Files contain the monthly UCB amounts for the most recent 13 calendar months and a list of individual checks for the last ten consecutive weeks.
- Unemployment Compensation Benefits (UCB) Claimant Address Files contain the address of a UCB recipient.
- BENDEX files contain RSDI benefit information on individuals who are current or past recipients of public assistance.
- State Data Exchange (SDX) files contain SSI benefit information.
- W-4 Employer Reporting System New Hire Information Inquiry files provide the name and address of an employer who has just hired an individual, plus the date of hire.

Clearinghouse files are accessed for any individual who is receiving or who has applied for cash assistance, is age 14 or older, or who may affect eligibility for cash assistance for the following individuals:

- applicants
- recipients
- disqualified individuals
- ineligible aliens
- sanctioned individuals
- ineligible students
- individuals whose presence in the assistance unit (AU) is questionable.


Consider UCB information received on a computer match as verified.

## Procedures

Clearinghouse is automatically accessed at the following times for members of an AU who are receiving or who have applied for cash assistance.

- at registration or finalization of a new or reopening of an AU,
- in the month prior to the review month, when the AU is selected for review, and
- if a primary SSN is changed or added by adding a person to the AU or interim change.

## 1430 Social Security Number (SSN) Validation

|   |  |  |   |                                   |       |
|---|--|--|---|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |  |   |                                   |       |
|   | <b>Policy Title:</b>   |  | Social Security Number (SSN) Validation |                                   |       |
|   | <b>Effective Date:</b>   |  | January 2020                            |                                   |       |
|   | <b>Chapter:</b>  |  | 1400                                    | <b>Policy Number:</b>             | 1430  |
|   | <b>Previous Policy Number(s):</b>  |  | MT 1                                    | <b>Updated or Reviewed in MT:</b> | MT-52 |

## Requirements

The system interfaces with the files at the Social Security Administration (SSA) to verify the accuracy of the Social Security number of an AU member.


## Basic Considerations

Each Social Security number (SSN) entered in the system will interface with SSA files.

## Procedures


Use the following procedures to complete the validation requirements:

*Chart 1430.1 - SSN Validation*

| IF AN AU MEMBER'S SSN   | THEN  |
|---|---|
| is valid  | <p>the system will annotate the SSN with a FV (federally verified).</p> <p>No further action is required.</p>   |
| <p>appears on the system generated enumeration or validation discrepancy report</p> <p> A task is generated.</p> | <p>determine if the AU member's full name, date of birth and SSN matches the information on that individual's official documents.</p> <p>Correct any incorrect information.</p> <p>Refer the A/R to SSA for corrective action if the SSA information is in error.</p> |

| IF AN AU MEMBER'S SSN   | THEN  |
|---|---|
| matches with another SSN known to the system  | determine which number on the system is correct. Correct any SSNs erroneously entered in the system<br><br><b>OR</b><br>refer the AU member to SSA for corrective action if multiple individuals are assigned the same SSN. |
| is validated by the system but differs from verification (SSN card) obtained from the A/R | follow the steps under How to Change a Validated SSN in this section.   |

## 1440 Prisoner Verification Inquiry System

| Georgia Division of Family and Children Services<br>TANF Policy Manual            |                                   |                                      |                                   |       |
|---|-----------------------------------|--------------------------------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Prisoner Verification Inquiry System |                                   |       |
|   | <b>Effective Date:</b>            | January 2020                         |                                   |       |
|   | <b>Chapter:</b>                   | 1400                                 | <b>Policy Number:</b>             | 1440  |
|   | <b>Previous Policy Number(s):</b> | MT 1                                 | <b>Updated or Reviewed in MT:</b> | MT-52 |

### Requirements

The Prisoner Verification Inquiry is a computer interface between the system and the Social Security Administration to determine if a member of an assistance unit (AU) is incarcerated.

### Basic Considerations

The Social Security Number (SSN) of individuals in an active or pending Food Stamp case and who are age 14 or older are matched with the SSA Prisoner Verification Inquiry system.

An alert is generated when the SSN is matched with the SSN of an individual who is in a federal, state or local penal, correctional or other detention facility for more than 30 days.

The SSN of a member of a TANF AU who is not also a member of a Food Stamp AU will not be matched with the Prisoner Verification Inquiry system.

The interface occurs at the following times:

- application,
- finalization of a new or reopened case,
- when a primary SSN is changed or added, and
- in the month prior to the review month.


The alert includes one of four codes from the SSA. The codes are numbered 1 through 4.

Refer to Volume III, Food Stamps, Section 3520, for additional information and procedures concerning the Prisoner Verification Inquiry system.



# 1500 Financial Eligibility Criteria

## 1501 Financial Overview

|   |  |                    |                                   |       |
|---|--|--------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                    |                                   |       |
|   | <b>Policy Title:</b>   | Financial Overview |                                   |       |
|   | <b>Effective Date:</b>   | January 2020       |                                   |       |
|   | <b>Chapter:</b>  | 1500               | <b>Policy Number:</b>             | 1501  |
|   | <b>Previous Policy Number(s):</b>  | MT 1               | <b>Updated or Reviewed in MT:</b> | MT-52 |

### Requirements

Financial eligibility for cash assistance is based on the resources and income available to the assistance unit (AU).

### Basic Considerations

#### Resource Limits

Resource limits are set by the state. The resource limit is \$1,000 per AU.

All countable resources available to the AU are applied to the resource limit.

If the countable resources are less than or equal to the resource limit, the AU is eligible based on resources.

If the countable resources exceed the resource limit, the AU is ineligible based on resources.

#### Income Limits


Income limits for cash assistance are set by the state legislature.

The gross income ceiling (GIC) is a percentage of the state standard of need (SON). It is currently 185% of the state's SON.

The SON is a fixed amount established by the state legislature. It is a compilation of the basic budgetary needs based on the size of the AU. Budgetary needs include food, shelter, fuel, lights, water, medicine and other incidentals.

The state legislature sets the maximum payment that can be made to an eligible AU. This is the family maximum.

## 1505 Resources

|   |  |              |                                   |       |
|---|--|--------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |              |                                   |       |
|   | <b>Policy Title:</b>   | Resources    |                                   |       |
|   | <b>Effective Date:</b>   | January 2020 |                                   |       |
|   | <b>Chapter:</b>  | 1500         | <b>Policy Number:</b>             | 1505  |
|   | <b>Previous Policy Number(s):</b>  | MT 23        | <b>Updated or Reviewed in MT:</b> | MT-52 |

## Requirements

Resources are assets available to the assistance unit (AU) which can be converted to cash to meet daily living expenses. These assets must be taken into consideration in determining financial eligibility.

## Basic Considerations

Eligibility based on resources is determined by resolving the following questions:

- Whose resources are considered?
- Who owns the resource?
- Is the resource available to the AU to meet its needs?
- Is the resource included or excluded?
- What is the value of the resource?

Resources which are available to an AU are used to determine financial eligibility at the following times:

- application
- review
- when the agency becomes aware of a change.

## Consideration of Resources

The resources of the following individuals are used to determine financial eligibility:

- AU members
- disqualified individuals
- penalized individuals
- ineligible parents.

The resources of an SSI recipient are not considered in determining eligibility.

## Resource Limits

The state of Georgia has established \$1000.00 as the resource limit for the Georgia TANF program.

In order for an AU to receive TANF benefits, the available resources to the AU must be equal to or less than \$1000.00.

### **Ownership of the Resource**

It is assumed that a resource belongs to the individual in whose name it is titled unless the AU can prove otherwise.

The burden of proof in establishing that a resource does not belong to an individual rest with that AU.

Convincing evidence such as the following must be provided to rebut ownership:

- legal documents which substantiate the claim,
- statements from other individuals in a position to substantiate the AU member's claims.

### **Jointly Owned Resources**

A resource that is jointly owned with a non-AU member is considered available to the AU in its entirety if both of the following conditions apply:

- The AU has the right to dispose of the property.
- The AU can dispose of the resource without the consent of the other owner.

A resource which is jointly owned with a non-AU member is excluded if all of the following apply:

- The resource cannot be practically subdivided.
- Access is dependent on the agreement of the other owner.
- The joint owner states in writing that s/he is unwilling to dispose of the resource.

A portion of a jointly owned resource is included if the AU can prove it has access to and may dispose of a portion of the resource and can obtain the value of that portion for living expenses.

If a resource is owned by individuals in different AUs, the resource is considered available to each owner in equal shares.

### **Jointly Owned Bank Accounts**

A jointly owned bank account is divided among the individuals who own it.



When an AU member is named on a joint bank account with a non-AU member solely for convenience or emergency, the joint account is excluded as a resource to the AU member if the other individual, or someone who is in a position to know, verifies that s/he has deposited all the money in the account and all withdrawals are used for the non-AU member's benefit.

### **Accessibility of the Resource**

A resource is considered available when the AU has the legal ability to liquidate the resource and to use the proceeds.

Resources which are inaccessible to the AU or which the AU cannot legally liquidate are excluded.

Examples of excludable resources include the following:

- security deposits on rental property or utilities,
- property in probate,
- real estate which the AU is making a good faith effort to sell,
- resources jointly owned by an AU member who is a victim of domestic violence and by the individual who victimized the AU member if access to or sale of the resource is dependent on the agreement of both owners,
- money placed in an account for AUs residing in public housing or receiving Section 8 assistance and participating in the Family Self Sufficiency Program as long as the AU does not have legal access to the money,
- money placed in an Individual Development Account (IDA).

 This list is not all-inclusive.

### **Bankruptcy**

Bankruptcy is a condition in which a debtor, either voluntarily or invoked by a creditor, is judged legally insolvent, and the debtor's remaining property is administered and distributed to his/her creditors by a bankruptcy court.

The AU's resources are included only if the AU can liquidate the resource and retain the proceeds. The bankruptcy court must be contacted to determine whether the AU has this ability.

### **Countable Resources**

[Chart 1510.1 Treatment of Resources](#), indicates whether a specific resource is used in the eligibility determination.

Only those resources which are available to the AU at the time that eligibility is being determined are counted.

A payment or money is not counted as a resource in the same month the payment or money is counted as income.

### **Commingled Resources**

Excluded resources may be commingled with countable resources. The portion of the commingled funds that can be identified as excluded resources retain the exclusion. Funds that cannot be identified as excluded resources must be counted in their entirety.

### **Conversion of Resources**

If an excluded resource is converted to a countable resource, accrual rights apply. The value of the resource is applied to the resource limit the month following the month the resource is converted but no later than the second month, depending on when timely notice expires.



Proceeds from the sale of capital goods are considered income. Refer to [Chart 1530.1, Types of Income](#).

If a countable resource is converted to cash, the cash is counted toward the resource limit.

### **Money Received for the Replacement/Repair of a Resource**

Money received from a third party, such as an insurance company, that is intended to pay for the replacement or repair of a resource is excluded if the following criteria are met:

- It is used for the replacement or repair of the resource.
- It is used or contracted to be used for the repair or replacement of the resource within six months of receipt.

Any amount not used for the specified replacement or repair or not used within six months is considered income to the AU. Any amount not used as specified and that exceeds the federal poverty level is budgeted as a lump sum in the month received. Refer to Section 1650, Budgeting Lump Sum Income.

### **Acquisition of a Resource**

Accrual rights apply in determining the first month in which a newly acquired resource is considered in determining financial eligibility. The value of the resource is applied to the resource limit the month following the month the resource is acquired.

The value of a resource is determined by using one of the following:

- cash value
- fair market value
- equity value.

#### **Cash Value**

Cash value is the amount available to the AU if the resource is converted to U.S. funds. In some cases, a penalty may be applied for early withdrawal of funds. The amount of the penalty is deducted from the value of the resource to determine the cash value available to the AU.

#### **Fair Market Value**

Fair market value is the amount for which the item can sell on the open market in the geographic area involved.

#### **Equity Value**

Equity value is the fair market value less legal debts or encumbrances.

If the owner has financed the purchase of a resource with a loan, the current payoff amount of the loan must be verified by the lender to determine indebtedness.

Proof of this legal debt or encumbrance must be in writing and signed by the lien holder or lender.

It must describe the property and indicate the amount of the debt.

### **Determining Appreciation/Depreciation**

The appreciation or depreciation of a resource is considered in determining the resource value.

Appreciation is an increase in the value of a resource because of any of the following:

- improvements to the property
- normal market increases
- interest accrued.

Appreciation is determined by subtracting the value of the resource at the time the owner obtained it from the current value of the resource. The difference is the appreciated amount.

Depreciation is a decrease in the value of a resource because of any of the following:

- destruction of property in a storm, fire, or other reason
- long term use of the resource (e.g., vehicles).

Depreciation is determined by subtracting the current value of the resource from the value at the time the owner obtained it. The difference is the depreciated amount.

The value of a resource is determined by using one of the following:

- cash value
- fair market value
- equity value.

### **Transfer of Resources**

A transfer of resources includes selling, swapping, trading or giving away a countable resource for less than the fair market value.

There is no penalty for transferring resources. Only resources owned by the AU at the time of the eligibility determination are considered.

### **Verification**

The value of the following resources must be verified:

- jointly owned property,
- real property,
- some vehicles. Refer to [Chart 1515.1](#) to determine if the value of a vehicle is excluded or included and therefore subject to verification,
- all resources when the total value as stated by the AU exceeds \$750,
- when interest paid from a resource totals \$10.00 or more a month.

For all other countable resources, the AU member's statement regarding the type and value of a resource is accepted unless the information provided conflicts with other information available to the agency.

The resources listed above must be verified at application, standard review or when a change occurs.

The most current information available is used to verify the value of a resource in determining eligibility.

Sources which may be used to determine ownership and the value of a resource include the following:

- bank record
- deeds
- property records
- tax records
- tag receipts
- insurance policies
- stock quotes in newspapers
- statements from individuals in a position to verify the value of a resource.

 This list is not all-inclusive.

## Documentation

For each type of resource document the following:

- type
- owner
- value
- source of verification
- exclusions or exemptions
- calculation of fair market value and/or equity value.

## Procedures

### Determining Eligibility on Resources

Follow the steps below to determine whether the AU meets the resource limit:

**Step 1** Determine whose resources must be considered.

**Step 2** Determine if the resources are available to the AU.


**Step 3** Determine if the resource must be counted.

**Step 4** Calculate the total countable resources.

If the total countable resources are less than or equal to the resource limit, continue the eligibility determination process.

If the total countable resources exceed the resource limit, deny or terminate cash assistance.

## 1510 Treatment of Resources by Resource Type

|   |   |   |                       |
|---|---|---|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |   |                       |
|   | <b>TANF Policy Manual</b>                               |   |                       |
|   | <b>Policy Title:</b>                                    | Treatment of Resources by Resource Type |                       |
|   | <b>Effective Date:</b>                                  | March 2023                              |                       |
|   | <b>Chapter:</b>   | 1500                                    | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 52   | <b>Updated or Reviewed in MT:</b>       | MT-71                 |

The chart below lists types of resources alphabetically and provides the following information:



- the source/type of resource,
- a description of the resource,
- the value to consider cash value (CV), equity value (EV) or fair market value (FMV),
- Whether the resource is included (I) or excluded (E) in the eligibility determination.

Refer to [Chart 1530.1 Treatment of Income by Income Type](#), for information on how to treat a source of income prior to considering its treatment as a resource.


*Chart 1510.1 - Types of Resources*

| SOURCE / TYPE   | DESCRIPTION / VALUE TO CONSIDER   | TREATMENT |
|---|---|-----------|
| Achieving Better Life Experiences Act (ABLE)<br><br>The Georgia ABLE program is named STABLE. | The Stephen Beck, Jr., Achieving a Better Life Experience Act (ABLE) aims to ease financial strains faced by individuals with disabilities by making tax-free saving accounts available to cover qualified disability expenses.     | E         |
| Agent Orange Payment  | money retained from a payment made to a Vietnam veteran who was exposed to Agent Orange and to the surviving spouse and/or children of a deceased Vietnam veteran who was exposed to Agent Orange                                   | E         |
| Alaska Native Claims Settlement Act (ANCSA), PL 100-241                                       | Stock, land, an interest in land or an interest in a settlement trust received from a native corporation  | E         |
|   | Up to \$2000 annually in money retained from a payment received from a native corporation is excluded.<br><br>Money in excess of \$2000 that is retained from a payment received from a native corporation is a countable resource. | I         |



| SOURCE / TYPE                          | DESCRIPTION / VALUE TO CONSIDER   | TREATMENT |
|--|---|-----------|
| Annuity (Supplemental Retirement Plan) | <p>an investment plan.</p> <p>It can be established as a supplemental retirement plan through an insurance company or other investment source</p> <p>Count cash value.</p> <p> Exclude if termination of employment or retirement is required for access and employment continues.</p>   | I         |
| Bond                                   | <p>government-issued, interest-bearing certificate, such as U.S. savings bond, municipal bond, etc.</p> <p>Count cash value.</p>  | I         |
| Burial Contract and Burial Insurance   | <p>prepaid contract to cover funeral expenses or an insurance policy specifically designated for burial</p> <p> The funeral home is usually named as the beneficiary of the insurance policy.</p> <p>*Exclude up to \$1500 of the combined equity value of all burial contracts and burial insurance for each AU member.</p> <p>*Include the equity value in excess of \$1500.</p> | *         |
| Burial Plot                            | one burial plot per AU member   | E         |
|  | Count the equity value of each additional plot.   | I         |
| Cash                                   | <p>money on hand</p> <p>Count the cash value minus any money considered income in that month.</p>   | I         |
| Certificate of Deposit (CD)            | certificate representing a specific sum of money on deposit with a financial institution which accrues interest over a set period. Count the cash value minus any penalties for early withdrawal. Count the cash value minus any money considered income in that month.   | I         |
| Checking Account                       | <p>an account on which checks may be written against amounts on deposit</p> <p>Count the cash value minus any money considered income in that month.</p>  | I         |
| Coin Collection                        | <p>a collection of coins</p> <p>Count the face value of the coin collection as the cash value, regardless of the collection's age.</p>  | I         |
| Commingled Funds                       | <p>an excluded resource commingled with a countable resource</p> <p>*The portion of the commingled funds that can be identified as an excluded resource retains the exclusion. Funds that cannot be identified as an excluded resource are counted in their entirety.</p>   | *         |
| Credit Union Account                   | <p>money on deposit with a cooperative organization which functions as a bank</p> <p>Count cash value minus any money considered income in that month.</p>  | I         |

| SOURCE / TYPE   | DESCRIPTION / VALUE TO CONSIDER   | TREATMENT |
|---|---|-----------|
| Crime Victim Compensation Program   | money retained from payments received from federal or federally funded state or local programs that cover costs incurred by victims of crimes   | E         |
| Deferred Compensation Plan  | a retirement plan, including a 401K and 457, available only upon retirement, onset of a hardship, or termination of employment  | E         |
| Disaster Relief Act of 1974 and Emergency Assistance Act of 1988            | <p>Money retained from government (federal, state, local) payments designated for the restoration of a home damaged in a major disaster or natural catastrophe.</p> <p>Included are government payments intended to save lives, protect property and public health and safety or to lessen or avert the threat of a catastrophe or major disaster.</p> <p>Also included are loans and grants received from the Federal Emergency Management Assistance (FEMA) and payments made by the Department of Housing and Urban Development, disaster loans, family grant programs and grants made by the Small Business Administration because of a disaster.</p> | E         |
| Earned Income Tax Credit (EITC)   | <p>Money retained from a tax credit that is received in one of the following ways:</p> <ul style="list-style-type: none"> <li>• advanced payment – a tax credit received as part of the regular paycheck</li> </ul>   | E         |
|   | <ul style="list-style-type: none"> <li>• non-recurring lump sum – a tax credit received in the form of an income tax refund.</li> </ul>   | E         |
| Energy Assistance other than LIHEAA (Low Income Home Energy Assistance Act) | money retained from payments or allowances made under any federal, state, or local program for the purpose of energy assistance   | E         |
|   | Federal or state one-time assistance for weatherization or emergency repair or replacement of heating or cooling devices.   | E         |
| Home Place  | <p>the home and surrounding land occupied by the AU</p> <p>Refer to Section 1520, Real Property, for additional information.</p>  | E         |
| Household / Personal Goods  | <p>household and personal effects or other belongings such as furniture, appliances, clothing, personal items or items required because of a disability</p> <p>Included are items of unusual value such as silver, jewelry, stamps, guns or other collections.</p>  | E         |
| Income Tax Refund   | <p>money retained from monetary refunds paid to taxpayers from the state or federal government</p> <p>Count the cash value of the money retained.</p> <p>If any portion of the refund includes a tax credit, refer to Earned Income Tax Credit (EITC) in this section.</p>  | I         |


| SOURCE / TYPE   | DESCRIPTION / VALUE TO CONSIDER   | TREATMENT |
|---|---|-----------|
| Indian Tribe Payment  | <p>money retained from payments to native Americans based on federal statutes, including distribution of judgment and settlement funds and receipts from lands held in trust</p> <p>Federal statutes that provide for payments to members of various Indian tribes include Public Laws 85-794, 92-254, 93-134, 93-531, 94-114, 94-189, 94-540, 95-433, 95-498, 95-499, 95-608, 96-318, 96-420, 97-95, 97-372, 97-376, 97-402, 97-403, 97-408, 97-436, 97-458, 98-64, 98-123, 98-124, 98-432, 98-500, 98-602, 99-130, 99-146, 99-264, 99-346, 99-377, 100-139, 100-383, 100-411, 100-580, 100-581, 101-41, 101-277, 101-153, 101-618, 103-66, 103-116 and 103-436.</p> | E         |
| Individual Development Account (IDA)                            | <p>A trust account, established by or on behalf of a TANF client, and opened with income, to pay for post-secondary educational expenses, for the first purchase of a home or to start a new business.</p> <p>Exclude funds up to \$5000, including funds withdrawn and used for the stated purpose.</p> <p>Refer to Section 1530, Treatment of Income by Income Type.</p>  | E         |
| Individual Retirement Account (IRA)                             | <p>funds deposited into a retirement account</p> <p>Count the cash value of the funds in the account minus any early withdrawal penalty.</p>  | I         |
| Installment Contracts/Agreement (for sale of land or buildings) | <p>a written agreement with specific stipulations for the sale of land or buildings</p> <p> The property sold under the contract or held as security is also excluded.</p>   | E         |
| Keogh Plan (owned by individual)                                | <p>funds deposited into a retirement plan</p> <p>Count the cash value of the funds in the retirement plan minus any early withdrawal penalty.</p>   | I         |
| Keogh Plan (owned with others)                                  | <p>If the plan contains a contractual agreement with an individual whose resources will not be considered in determining eligibility, the funds are considered inaccessible to the AU.</p>  | E         |
| Life Insurance  | <p>insurance policy which pays a beneficiary on the death of the individual insured</p> <p>Refer to Section 1650, Budgeting Lump Sum Income, for information on treatment of the proceeds to the beneficiary.</p>   | E         |
| Life Interest   | <p>property that an individual has a right to use but not dispose of during his/her life</p>  | E         |
| Livestock   | <p>animals owned for any reason unless the animal is of unusual value</p>   | E         |
| Loans from Others   | <p>money received by the AU that the AU has an obligation to repay</p>  | E         |
| Loans to Others (Notes Receivable)                              | <p>monies loaned to persons outside the AU where a repayment agreement exists</p> <p>Count the cash value.</p>  | I         |
| Low Income Home Energy Assistance Act (LIHEAA)                  | <p>money retained from payments for home energy provided to, or indirectly on behalf of, an AU</p>  | E         |

| SOURCE / TYPE  | DESCRIPTION / VALUE TO CONSIDER   | TREATMENT |
|--|---|-----------|
| Lump Sum   | money retained from a lump sum payment that is still available following the conclusion of a lump sum period of ineligibility.<br><br>Refer to 1650, Budgeting Lump Sum Income.   | I         |
| Lump Sum/SSI Back Payment  | money retained from previous SSI benefits owed and paid to an individual who is currently receiving SSI.  | E         |
|  | money retained from payment for previous SSI benefits owed and paid to an individual who is no longer receiving SSI<br><br>*Exclude as a resource in the month of receipt and the month following the month of receipt.<br><br>*Count as a resource in the second month following the month of receipt. | *         |
| Nazi Victim Payment  | money retained from payment to an individual who was a victim of Nazi persecution<br><br>Per Public Law 103-286, such payment is disregarded in the determination of eligibility for needs-based assistance programs.   | E         |
| Non-Homeplace Property   | buildings and land which are not considered part of the home place<br><br>Refer to Section 1520, Real Property.   | I         |
| Pass Account (Plan to Achieve Self-Sufficiency)                      | money deposited in a bank account to be used for an SSI individual in a plan for self-sufficiency approved by the SSA   | E         |
| Pension Plan   | a retirement plan provided by an employer<br><br>Exclude if termination of employment or retirement is required for access to the funds and employment continues.   | E         |
| Personal Property (equipment, tools, machinery, stock and inventory) | property that produces income<br><br>The property retains its exclusion even during temporary periods of unemployment or inactivity.<br><br>The property retains its exclusion for one year from the date the owner terminates self-employment from farming.  | E         |
|  | Count the equity value of property that does not produce income.  | I         |
|  |   |           |
| Real Property  | Home Place Property-includes the dwelling in which the AU lives and surrounding land and outbuildings   | E         |
|  | Non-Home Place - includes all land and buildings that are not home place property<br><br>Refer to Home Place and Non-Home Property in this chart and <a href="#">1520 Real Property</a> .   | I         |
|  |   |           |
| Rental Property  | real property rented to others that annually produces income consistent with fair market value  | E         |
|  | real property that does not annually produce income consistent with fair market value<br><br>Count the equity value.<br><br>Refer to Section 1520, Real Property.   | I         |
|  |   |           |

| SOURCE / TYPE  | DESCRIPTION / VALUE TO CONSIDER  | TREATMENT |
|--|--|-----------|
| Resources of an SSI Recipient  | <p>All resources of any source or type retained by an individual who:</p> <ul style="list-style-type: none"> <li>• has been approved to receive benefits</li> <li>• receives benefits</li> <li>• is approved for/or receives benefits but the benefits are suspended, are being recouped because of an overpayment or are not being paid because the amount is less than the minimum issuance amount.</li> </ul> | E         |
| Restitution for World War II Internment of Japanese Americans and Aleuts; PL 100-383 | Money retained from payments made to U.S. citizens of Japanese ancestry or to lawful permanent resident Japanese aliens or their survivors, and to Aleutian Island residents, because of their evacuation, relocation, and internment during World War II  | E         |
| Safe Deposit Box   | <p>secure storage in a bank or other institution where money and other valuables may be deposited</p> <p>Obtain from the AU a list of items that are in the box.</p> <p>Count the cash value of all items unless an item is otherwise excluded.</p>  | I         |
| Savings Account  | <p>monies held in a financial institution in an interest-bearing account</p> <p>Refer to Section 1530, Treatment of Income by Income Type, for treatment of interest.</p>  | I         |
| Security Deposit on Rental Property or Utilities                                     | <p>monies held by the provider and not accessible to the AU</p> <p>monies returned to AU</p>   | E<br>I    |
| Spending Account   | <p>funds which are held in an account to pay certain expenses such as childcare or medical expenses</p> <p>Refer to Section 1530, Treatment of Income-by-Income Type, for treatment of reimbursements from spending accounts.</p>  | E         |
| Stimulus Payment<br>Coronavirus Aid, Relief and Economic Security (CARES) Act        | UNEARNED - The CARES Act provides fast and direct economic assistance for American workers and families, small businesses, and preserves jobs for American industries.   | E         |
| Stocks   | <p>a certificate representing ownership of shares in a company</p> <p>Count cash value.</p>  | I         |
| TANF Corrective  | money retained from TANF corrective benefits received by an AU in a previous month   | I         |

| SOURCE / TYPE  | DESCRIPTION / VALUE TO CONSIDER  | TREATMENT |
|--|--|-----------|
| Trusts   | funds in a trust or transferred to a trust, and the income produced by that trust  |           |
|  | Consider the value as follows: <ul style="list-style-type: none"> <li>trust arrangement can be revoked by an AU member</li> </ul>  | I         |
|  | <ul style="list-style-type: none"> <li>trustee administering the fund is a court, an institution, corporation or organization which is not under the direction or ownership of any AU member</li> </ul>  | E         |
|  | <ul style="list-style-type: none"> <li>trustee appointed by the court has court-imposed limitations placed on the funds</li> </ul>   | E         |
|  | <ul style="list-style-type: none"> <li>trust investments made on behalf of the trust do not directly involve or assist any business or corporation under the control, direction or influence of an AU member.</li> </ul> <p>Refer to Section 1530, Treatment of Income by Income Type, for treatment of income from a trust.</p> | E         |
| Uniform Relocation Assistance and Real Property Acquisition        | reimbursements retained under Public Law 91-646, Section 210   | E         |
| Vehicles   | car, truck, motorcycle, etc.<br><br>*Refer to Section 1515, Vehicles.  | *         |
| Women Infants and Children (WIC) special supplemental food program | vouchers that are redeemable for food items by women and children considered to be nutritionally at high risk  | E         |

## 1515 Vehicles

|  | Georgia Division of Family and Children Services<br>TANF Policy Manual |              |                            |       |
|---|--|--------------|----------------------------|-------|
|   | Policy Title:  | Vehicles     |                            |       |
|   | Effective Date:  | October 2022 |                            |       |
|   | Chapter:   | 1500         | Policy Number:             | 1515  |
|   | Previous Policy Number(s):   | MT 63        | Updated or Reviewed in MT: | MT-69 |

### Requirements

The value of certain vehicles is applied to the resource limit.

### Basic Considerations

The value of a vehicle owned by an assistance unit (AU) member or by a person whose resources are considered available to the AU is applied to the resource limit.

### Ownership

Ownership of a vehicle must be established before it can be considered a resource.

Refer to Section 1505, Resources, for policy regarding jointly owned resources.

A vehicle which the AU may use but which is titled to another individual is not considered a resource to the AU.

Leased vehicles are not considered a resource as the AU does not own the vehicle.

### **Exempt Vehicles**

Vehicles are totally exempt from consideration if used for any of the following reasons:

- primarily as a dwelling
- over 50% of the time for income-producing purposes.

Income producing vehicles continue to be exempt during temporary periods of unemployment or inactivity.

Refer to [Chart 1515.1, Treatment of Vehicles](#), to establish if a vehicle is totally exempt.

Exemptions apply to the value of a vehicle when the vehicle is used by or for any of the following individuals:

- AU member
- ineligible parent
- penalized individual
- disqualified individual.

### **Non-Exempt Vehicles**

All other vehicles must be considered when determining the countable resource value of the AU.

 All other vehicles include vehicles that are inoperable.

The equity value is used to determine the countable resource value of a vehicle. The equity value is the fair market value less any indebtedness or financial encumbrance.

The value of special equipment to adapt a vehicle for the handicapped is not considered in determining the value of a vehicle.

### **Exclusions**

An exclusion is given to the value of one vehicle based on who uses the vehicle and for what purpose.

The agency must determine the number of persons using vehicles and the purpose for which the vehicles are used.


Exclusions apply to the value of a vehicle when the vehicle is used by or for any of the following individuals:

- AU member
- ineligible parent
- penalized individual
- disqualified individual.

The AU can choose to which vehicle an exclusion is applied.

A \$4650 exclusion from the equity value of one vehicle is given if the vehicle is used for either of the following:

- to seek, accept or continue employment
- to attend training or school in preparation for employment.

 A \$4650.00 exclusion from the equity value may be given to two vehicles in a two parent AU if both vehicles are used for one of the above reasons.

The exclusion continues to apply during periods in which these activities are temporarily interrupted.

A \$1500 exclusion from the equity value of one licensed vehicle is given if the above exclusion does not apply.

 Only one of the above exclusions is allowed for each AU.

The equity value in excess of the excluded amount is applied to the resource limit.

## Verification

The AU's statement of ownership of a vehicle is accepted, unless questionable. If questionable, verify ownership by one of the following:

- tag receipt
- title
- statement from lien holder or lender.

The AU's statement of the use of the vehicle is accepted, unless questionable.

The fair market value and the legal encumbrance of all non-exempt vehicles must be verified.

The fair market value of a vehicle must be verified by one of the following:

- a tag receipt or assessed tax value obtained from the county tag office and multiplied by 2.5,
- the average trade-in value from the most current NADA book, or
- the average trade-in value from the internet.
- a dealer's statement of the value of a vehicle.

The source of verification that is used to determine the fair market value of a vehicle should be copied and scanned in the case record.



If e-mail communication or internet is used to verify the value of a vehicle, then a dated print out should also be scanned in the case record.

The amount of debt or legal encumbrance must be verified by the lien holder or the lender.

If the AU claims the assigned value does not apply to the vehicle, the AU must be given the opportunity to obtain other verification from a reliable source.

The value of classic or antique cars must be verified by a statement from a reliable source.


## Procedures


Follow the steps below to determine the countable resource value of vehicles:

- Step 1** Determine what vehicles are owned by the AU or by a person whose resources are considered available to the AU.
- Step 2** Determine the use of the vehicles.
- Step 3** Determine if any of the vehicles can be totally exempt based on their use.
- Step 4** Determine the make and model of any remaining vehicles.
- Step 5** Verify the fair market value of these vehicles.
- Step 6** Verify the financial encumbrances (debt or lien) on the vehicle.
- Step 7** Determine the equity value by subtracting the amount owed from the fair market value.
- Step 8** Apply exclusions, if applicable.
- Step 9** Apply the remainder in excess of the exclusion to the resource limit.


Use the following chart to determine the value of a vehicle to be applied to the resource limit:

*Chart 1515.1 - Treatment of Vehicles*

| USE OF VEHICLE   | TREATMENT  |
|--|--|
| to seek, accept or continue employment or to attend training or school | Exclude \$4650 from the equity value of one vehicle. Apply the remainder to the resource limit.<br><br> A \$4650 exclusion may be given to two vehicles in a two-parent AU. |
| as general transportation  | Exclude \$1500 from the EV of one licensed or unlicensed vehicle, if the above exclusion is not allowed.<br><br>Apply the remainder to the resource limit.   |
| as a home  | Do not count the value as a resource.  |
| to produce income  | Do not count the value as a resource.  |
| for recreation (boats, recreational vehicles)                          | Apply the equity value to the resource limit.  |

| USE OF VEHICLE   | TREATMENT                                     |
|--|---|
| all other uses<br><br> This includes vehicles that are inoperable | Apply the equity value to the resource limit. |

## 1520 Real Property

|  |               |                            |       |
|---|---------------|----------------------------|-------|
| Georgia Division of Family and Children Services<br>TANF Policy Manual            |               |                            |       |
| Policy Title:   | Real Property |                            |       |
| Effective Date:   | January 2020  |                            |       |
| Chapter:  | 1500          | Policy Number:             | 1520  |
| Previous Policy Number(s):  | MT 2          | Updated or Reviewed in MT: | MT-52 |

### Requirements

The value of property in the form of land and buildings is considered in determining financial eligibility.

### Basic Considerations

Real property includes the following:


- land
- lots
- trees on land
- buildings that would pass to a buyer if the land or lots were sold
- mobile homes.

Real property is generally categorized as one of the following:

- homeplace
- non-homeplace
- income producing.

### Homeplace

Homeplace property includes the dwelling in which the AU lives and surrounding land and out-buildings.

 Buildings on the property such as stores or other houses which are not clearly part of the home and its outbuildings must be counted as a resource.

The original homeplace may have been added to by the purchase of land contiguous to the homeplace and more than one deed may exist. The original homeplace and the contiguous land are con-

sidered the homeplace, provided all deeds are in the name of an AU member or a person whose resources are considered available to the AU and/or his/her spouse.

Public rights of way, such as roads that run through the property, do not affect the property's designation as homeplace. The description of the property as contained in the deed shall be considered the homeplace.

To be considered part of the homeplace, surrounding property cannot be separated by property owned by others.

If the contiguous property is owned jointly by an AU member or a person whose resources are considered and a non-AU member, the contiguous property is considered part of the homeplace.

Homeplace property is exempt from consideration as a resource.

The homeplace remains exempt when temporarily unoccupied for the following reasons, provided the AU intends to return:

- employment
- training
- illness
- vacation
- uninhabitability caused by casualty or natural disaster
- absence due to domestic violence.

Refer to [Chart 1520.1](#) for treatment of homeplace property that is temporarily unoccupied.

If the homeplace remains unoccupied for longer than 12 months, the absence must be reevaluated to determine if there is still an intent to return home and the absence continues to be temporary.

If an AU currently does not own a home, the value of a lot purchased to build a home is excluded for 12 months. The value of a partially built home is also excluded for 12 months if the AU currently does not own another home.

### **Sale of Homeplace Property**

The proceeds from the sale of homeplace property must be reinvested in another homeplace within six months. Any of the proceeds not used for this purpose and still available must be counted as a resource in the month following the month another home is purchased but no later than the second month.

If another home is not purchased within six months, any of the proceeds still available are counted as a resource in the seventh month.

### **Non-Homeplace Property**

Non-homeplace property includes all land and buildings that are not homeplace property.

The equity value of non-homeplace property is counted as a resource.

The equity value is the fair market value less any indebtedness or financial encumbrance.

The value of non-home place property must be verified. The following sources may be used as verification:

- county tax digest
- real estate professional.

Mortgage books or loan papers may be used to determine indebtedness.

### **Sale of Non-Homeplace Property**

The proceeds from the sale of non-home place property are excluded during the month of sale. Any remaining in the month following the month of sale is a resource.

The accrual rights policy is applied to determine the first month in which the proceeds are counted as a resource.

Non-home place property that the AU is making a good faith effort to sell at a reasonable price may be exempt from consideration as a resource.

### **Good Faith Effort to Sell**

A good faith effort to sell property is defined as follows:

- actual sale attempt at a price not more than current market value

AND

- listing of the property with a realtor

OR

- appropriate advertising of the property's availability for purchase in newspapers, on the radio, etc.

AND

- acceptance of any bona fide offer.

The property is exempt for six months if the AU agrees to use the net proceeds from the sale to repay the cash assistance received for the months in which the property was exempt.

A formal agreement to sell the property and repay the cash assistance must be obtained.

The AU's refusal to sign and provide a formal agreement or similar document results in the non-home place property being counted toward the resource limit.

The six-month exemption period begins as follows:

- at application, the first month of receipt of cash assistance,
- for active cases, the month following the month the property is acquired.

Chart 1520.2 provides procedures to follow at the end of the six-month exemption.

### Property Declared Unmarketable

Property declared unmarketable by a competent authority is excluded as a resource.

Verification of the reason the property is unmarketable must be obtained from a competent authority.

### Income-Producing Real Property

Income-producing property is a countable resource. The income derived from the property is countable as income.

Examples of income-producing property include rental homes, even when used by the AU as a vacation home, farmland, and installment contracts for the sale of land or buildings.

### Determining the Resource Value

Follow the steps below to determine the countable resource value of real property:


- Step 1** Determine what real property the AU owns or that is owned by persons whose resources are considered available to the AU.
- Step 2** Determine if any of the property can be exempted or excluded as a resource.
- Step 3** Determine the equity value of the property by subtracting indebtedness from the fair market value.
- Step 4** Apply the equity value to the resource limit.

Use the following chart to determine the treatment of specific types of real property:

*Chart 1520.1 - Real Property*

| TYPE OF REAL PROPERTY   | TREATMENT   |
|---|---|
| homeplace - home and its outbuildings, and all surrounding property.                  | Exempt the value of the property.   |
| homeplace when temporarily unoccupied and the AU intends to return.                   | Exempt the value of the property for 12 months from the date the property became unoccupied. Reevaluate absence in the 12 <sup>th</sup> month.        |
| land purchased on which to build a home and the AU does not currently own a home.     | Exempt the value of the property for 12 months from the date of purchase. Apply the equity value to the resource limit beginning with the 13th month. |
| land purchased on which to build a home and the AU currently owns a home              | Apply the equity value to the resource limit.   |
| property other than a homeplace, regardless of whether it is income producing or not. | Apply the equity value to the resource limit.   |
| property which the AU is making a good faith effort to sell.                          | Exempt the value of the property for six months if the AU meets the conditions for this exemption.  |

# 1525 Income

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Income                            |                       |
|   | <b>Effective Date:</b>                                  | May 2024                          |                       |
|   | <b>Chapter:</b>   | 1500                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 59   | <b>Updated or Reviewed in MT:</b> | MT-77                 |

## Requirements

Money received from any source by the assistance unit (AU) is income. All countable income must be considered in determining financial eligibility and the benefit amount.

## Basic Considerations

Types of Income:

- **Earned** – money received in exchange for services rendered. Earned income includes, but is not limited to, wages, salaries, bonuses, commissions, tips, vacation pay or income received by working for a person or an entity.
- **Unearned** – money received from any source other than employment or self-employment. Unearned income includes, but is not limited to, social security, SSI, pensions, contributions, interests, dividends, income from rental property, capital gains and income that is derived from investments.

Refer to [Types of Income, Chart 1530.1](#) in this section.

Eligibility based on income is determined by resolving the following questions:

- What is the income limit?
- Whose income is considered?
- What is the source of the income?
- Is the income available to the AU to meet its needs?
- Is the income included or excluded in the budgeting process?
- How often is the income received?

## Income Limits

Income limits are established by each state and are based on AU size.

**The Gross Income Ceiling (GIC)** is the maximum amount of countable income an AU can have and remain potentially eligible for the benefits.

**The Standard of Need (SON)** is the amount of income an AU must have to meet its basic needs, as

established by the state.

**The Family Maximum** is the maximum amount of cash assistance an AU may receive based on the AU size.

The countable income of the AU is first applied to the GIC and then to the SON for the AU size. If the AU's income is insufficient to meet its needs, the AU may be eligible for cash assistance, which cannot exceed the family maximum for the AU size.

Refer to Chapter 1600, Eligibility Budgeting.

### **Consideration of Income**

Income of the following individuals is considered when determining eligibility:

- AU members
- disqualified individuals
- non-AU members who have financial responsibility for an AU member
- ineligible parents
- Penalized individuals.

Refer to Chapter 1600, Budgeting.

### **Income Source**

The source of income must be identified to determine how the income must be treated.

Refer to [Types of Income, Chart 1530.1](#) in this section.

### **Jointly Received Income**

If an AU member receives income jointly with another person or a group of persons, the portion that belongs to the AU member is determined as follows:

- If there is an agreement between the parties that specifies how they will divide the income, this agreement is used to determine the amount that belongs to the AU member.
- If there is no agreement, a pro rata share of the income is calculated to determine the amount that belongs to the AU member.

### **Income Accessibility**

Income is considered in determining eligibility or the benefit amount of an AU only if it is currently accessible to the AU for daily use and the AU has the legal ability to use it.

### **Bankruptcy**

Bankruptcy is a condition in which a debtor, either voluntarily or invoked by a creditor, is judged legally insolvent, and the debtor's remaining property is administered and distributed to his/her creditors by a bankruptcy court.

Income directed to pay creditors is considered managed income. For information on income managed by the bankruptcy court, refer to [Managed Income, Chart 1530.1](#), in this chapter.

### **Excluded Income**

Income from some sources is excluded and is not considered in determining eligibility or the benefit amount. This income is not considered in the budgeting process and does not have to be verified.

Refer to [Types of Income, Chart 1530.1](#), in this chapter.

### **Frequency of Receipt of Income**

The frequency of the AU's receipt of income affects how the income is treated in the budgeting process and must be determined.

### **Financial Management**

In determining eligibility, the case manager must establish whether the AU has income that is sufficient to meet its current living expenses. The AU's expenses, particularly expenses that are being paid, must be compared to the AU's declared income.

### **Questionable Situations**

The agency may request verification of any questionable situation that may influence the AU's eligibility and/or benefit level.

The AU has the primary responsibility for providing verification for reported income and supporting its statements of declared expenses.

### **Sources of Verification**

All income must be verified. The following sources of verifications can be used to verify earned income in order of priority:

- The Work Number

Refer to [The Work Number: The Income and Employment Verification System](#) for directions about how to use The Work Number.

- Current (recent) pay stubs.
- Employer's issued, signed and dated documentation
- Form 809 - Wage Verification Form.

The following sources can be used to verify unearned income:

- Award letter that is not more than 12 months old.
- Written statement received from, but not limited to, Social Security Administration, Office of Child Support Services, Department of labor, etc.
- Copy of the most current check with the stub.



- Form 139 – Contribution Statement.
- Written, signed and dated statement of payer.
- Computer match.



A copy of check without stub is not acceptable verification of income. If the income cannot be verified through an interface or a third-party source, client statement may be accepted as a last resort. The client's statement of income may be accepted as verification if all other attempts to verify income are unsuccessful, the A/R has cooperated with previous attempts to obtain verification, and the case record documentation verifies that all efforts to obtain a written verification were unsuccessful.

### **The Work Number: The Income and Employment Verification System**

The Work Number is an automated service that provides access to the employment and wage information contained in the database of the Income and Employment Verification System. This service is provided by TALX Corporation. It is a nationally accessible database that is available to verify accurate and current information of individuals who are employed by the companies or individuals participating in the database.

The Work Number enables DHS/DFCS staff to obtain employment information that is needed in order to determine an AU's eligibility for certain public benefits, including TANF.

At this time the Work Number does not contain information of 100% employed population of the United States of America. Therefore, for those clients who are not found in The Work Number database, the case manager should utilize other existing procedures.

The Work Number provides current and accurate information that includes:

- Gross income by pay periods
- Dates of employment.
- Employer Information
- Easy access to Interstate database.

### **Terminated Income**

Terminated income from any source must be verified. The verification should include a statement that the income has terminated, the amount of final payment if received within the last 30 days, and the date on which the final payment was received.

### **Documentation**

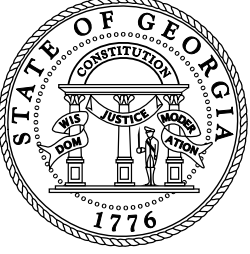
For each type of income received, the following information must be documented:

- source, including the payer's name, address, telephone number
- name of the individual(s) receiving income
- date on which new or increased income is first received
- frequency (monthly, weekly, bi-weekly, etc.) of payment

- day of week income is received
- gross amount
- ending date of employment
- date on which terminated income was last received
- source of verification

Basis of the decision that income is not counted because the receipt or amount cannot be anticipated.

## 1530 Treatment of Income-by-Income Type

|   |  |                                   |                                    |      |
|---|--|-----------------------------------|------------------------------------|------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                                   |                                    |      |
|   | <b>Policy Title:</b>   |                                   | Treatment of Income-by-Income Type |      |
|   | <b>Effective Date:</b>   |                                   | November 2023                      |      |
|   | <b>Chapter:</b>  | 1500                              | <b>Policy Number:</b>              | 1530 |
| <b>Previous Policy Number(s):</b>   | MT 74  | <b>Updated or Reviewed in MT:</b> | MT-75                              |      |

The chart below lists types of income alphabetically and provides the following information:

- the source/type of income
- whether the income is earned or unearned
- a description of the income
- whether the income is included (I) or excluded (E) in determining financial eligibility and benefit amount.

Refer to [Chart 1510.1, Treatment of Resources by Resource Type](#), for information concerning how to treat income that is still available to the AU after the month of receipt.

*Chart 1530.1 - Types of Income*

| SOURCE/TYPE   | DESCRIPTION   | TREATMENT |
|---|---|-----------|
| Adoption Assistance (Title IV-E and State)              | UNEARNED – payment received for the adoption of special needs children  | E         |
| Advance Payment   | UNEARNED – payment received for future expenses that does not represent a gain to the AU.   | E         |
|   | EARNED – prepayment of wages or salaries  | I         |
| Agent Orange Payment                                    | UNEARNED – payment made to a Vietnam veteran who was exposed to Agent Orange, and to the surviving spouse and/or children of a deceased Vietnam veteran who was exposed to Agent Orange | E         |
| Alaska Native Claims Settlement Act (ANCSA), PL 100-241 | UNEARNED – payment received from a native corporation, including cash dividends on stock received from the corporation, up to \$2000 annually.  | E         |
|   | Payment received that exceeds \$2000 annually.  | I         |


| SOURCE/TYPE                            | DESCRIPTION  | TREATMENT |
|--|--|-----------|
| Alimony                                | UNEARNED – court-ordered payment from an estranged or former spouse to the other spouse  | I         |
| AmeriCorps                             | EARNED/UNEARNED: income from the AmeriCorps Network of programs, which encompasses AmeriCorps USA, AmeriCorps VISTA, and AmeriCorps NCCC<br><br>AmeriCorps income includes the following: <ul style="list-style-type: none"> <li>• living allowance stipend (EARNED)</li> <li>• on-the-job training allowance (EARNED)</li> <li>• childcare allowance (UNEARNED)</li> <li>• auxiliary aid (UNEARNED)</li> <li>• educational money (UNEARNED).</li> </ul> | E         |
| Annuity (Supplemental Retirement Plan) | UNEARNED – recurring payment received from an investment plan  | I         |
| Black Lung Benefits                    | UNEARNED - Benefits paid to miners and their survivors under the provisions of the Federal Mine Safety and Health Act.   | I         |
| Blood (sale of)                        | EARNED – money received from the sale of blood   | I         |
| Boarder Income                         | EARNED – direct payment for food and shelter, less the cost of doing business.<br><br>Include as income the amount received more than \$70.00 per boarder per month.   | I         |
|  | Disregard as income the first \$70.00 received per boarder per month.<br><br>*Refer to Section 1540, Self-Employment.  | E         |
| Bonus                                  | EARNED - Wages paid more than usual or expected wages.<br><br>*Refer to <a href="#">Wages</a> in this chart.   | I         |
| Cafeteria Plan                         | EARNED – also known as a flexible benefit plan, it allows an employee to pay for certain employer benefits, e.g., insurance or spending accounts, with pre-tax dollars.  | E         |
|  | Income can be allotted by an employer with which an employee may purchase benefits. If selected benefits cost less than the amount allotted by an employer, an employee may be able to receive the difference in cash.   | I         |
| Capital Gains                          | EARNED or UNEARNED – profit gained from the sale of capital assets.<br><br>Capital assets include resources such as real estate, stocks, securities, and equipment that are typically held for long periods of time.<br><br>A capital gain is realized when the asset sold has appreciated in value from the original purchase price.<br><br>*Refer to Section 1650, Budgeting Lump Sum Income.  | I         |
| Census Bureau                          | Fieldwork updating addresses and interviewing residents.<br><br>Temporary, no medical benefits   | E         |

| SOURCE/TYPE   | DESCRIPTION   | TREATMENT |
|---|---|-----------|
| Charitable Donation from Private Non-Profit Organizations (not state or federally funded) | UNEARNED – donation given to the AU by a charitable, non-profit organization, e.g., a church etc.<br><br>Donations of \$300 or less received in a federal fiscal quarter.   | E         |
|   | Donations exceeding \$300 received in a federal fiscal quarter  | I         |
| Charitable Donation from Federally or State Funded Organizations                          | UNEARNED - Donations paid to an AU from organizations receiving state or federal funds  | I         |
| Child Care Attendant  | EARNED - income received for providing childcare services.<br><br>Consider the income as follows:   | I         |
|   | <ul style="list-style-type: none"> <li>as self-employment if attendant provides childcare services in his/her own home/place of residence</li> </ul>  | I         |
|   | <ul style="list-style-type: none"> <li>as wages if attendant provides services in the home of the child.</li> </ul>   | I         |
| Child Care Payments   | UNEARNED – payment made under Title IV of the Social Security Act to a childcare provider on behalf of the AU.<br><br>These payments include Transitional Child Care, At-Risk block grants, and childcare payments made under Section 5801 of the Social Security Act.  | E         |
| Child Nutrition Payments  | UNEARNED – value of meals provided to a child in day care through the Child Nutrition Amendment of 1978.  | I         |
|   | If the payment is for a child of the attendant, treat the entire amount as unearned income.   | I         |
|   | If the payment is for any other child, treat as self-employment income, using the following guidelines: <ul style="list-style-type: none"> <li>If more than one child is included in the payment, allow each child a pro-rata share of the total payment.</li> <li>When determining the cost of doing business, do not exceed the food stamp coupon allotment for one child.</li> </ul> <i>Refer to Section 1540, Self-Employment Income.</i> | I         |
| Child Support   | UNEARNED – income received from an absent parent for the support of his/her child.<br><br>Payments may be made to the AU in one of the following ways:  | I         |
|   | <ul style="list-style-type: none"> <li>from the probation office</li> </ul>   | I         |
|   | <ul style="list-style-type: none"> <li>directly from the absent parent</li> </ul>   | I         |
|   | <ul style="list-style-type: none"> <li>non-gap payments from CSE</li> </ul>   | I         |
|   | <ul style="list-style-type: none"> <li>gap payments from CSE.</li> </ul>  | E         |
| Commission  | EARNED – A payment, usually a set fee or percentage, made to an employee for his/her service in facilitating a transaction such as buying or selling goods. A commission may be paid in lieu of or in addition to a regular salary.<br><br>*Refer to <a href="#">Wages</a> in this chart.   | I         |

| SOURCE/TYPE  | DESCRIPTION   | TREATMENT |
|--|---|-----------|
| Contracted Employment Income                                     | EARNED – Wages earned over a period of more than one month are averaged over the number of months for which the wages are intended.   | I         |
| Contribution or Gift (cash)                                      | UNEARNED – money given to the AU as a gift from individuals or organizations.<br><br>*Refer to Charitable Donations in this chart.  | I         |
| Crime Victim Compensation Program                                | UNEARNED – money paid through federal or federally-funded state or local programs that covers the costs incurred by victims of crimes   | E         |
| Deemed Income  | UNEARNED – a portion of the income of a non-AU member that is considered available to the AU.<br><br>*Refer to Chapter 1600, Budgeting.   | I         |
| Deferred Compensation Plan                                       | UNEARNED – money paid from a deferred compensation fund, typically on a regular schedule.<br><br>Payments from the fund usually become available upon the fund owner’s retirement from employment or after the fund owner attains a certain age.  | I         |
| Disability Payment   | UNEARNED – money paid to an employee by an insurance company or a source other than the employer.<br><br>*Refer to <a href="#">Sick Pay</a> in this chart.  | I         |
| Disaster Relief Act of 1974 and Emergency Assistance Act of 1988 | UNEARNED – funds paid for disaster relief, to save lives, or to protect property, public health and safety because of a major disaster or natural catastrophe.  | E         |
|  | Federal Emergency Management Assistance (FEMA) payments for a major disaster or natural catastrophe.  | E         |
|  | FEMA payments for rent, mortgage, food, and utility assistance that are made to homeless people when there is no major disaster or natural catastrophe.   | I         |
| Disaster Unemployment Assistance                                 | UNEARNED - Public Law 100-707 authorizes the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act to pay unemployment assistance to any individual unemployed as a result of a major disaster for the weeks of unemployment for which the individual is not entitled to any other unemployment compensation. | I         |
| Dividend   | UNEARNED – share of company profits received by a policyholder or shareholder   | I         |
| Diverted Income  | UNEARNED: TANF grant that is diverted to an employer for giving TANF client an opportunity to be trained or gain an employment.<br><br>*Refer to <a href="#">Subsidized Employment</a> in this chart.   | E         |
| Earned Income Tax Credit (EITC)                                  | EARNED – tax credit that may be received as an advanced payment with a regular paycheck.<br><br>*Refer to Chart 1510.1 Types of Resources, for treatment of EITC received as an income tax refund.  | E         |

| SOURCE/TYPE   | DESCRIPTION   | TREATMENT |
|---|---|-----------|
| Educational Grant, Loan, Scholarship  | <p>UNEARNED – payment for educational assistance for an individual enrolled at a recognized institution of post-secondary education, school for the handicapped, vocational program or a program that provides for completion of a secondary school diploma or GED.</p> <p>Educational income includes the following:</p> <ul style="list-style-type: none"> <li>• Basic Educational Opportunity Grant (BEOG)</li> <li>• Bureau of Indian Affairs Adult Education, Higher Education, GED, Job Training and Technical School programs</li> <li>• Robert C. Byrd Honors Scholarship</li> <li>• College Assistance Migrant Program (CAMP)</li> <li>• Federal Airlines Loan Program</li> <li>• Federal Direct Student Loan Program (FDSLPL) (formerly GSL or FFELP, includes Federal Direct Stafford Loan, Unsubsidized Stafford Loan, Consolidated Loan, PLUS Program)</li> <li>• Federal Supplemental Educational Opportunity Grant (FSEOG)</li> <li>• Federal Work Study Program TRIO Grants such as Upward Bound, Robert E. McNair Post-Baccalaureate Achievement, Student Support Services</li> <li>• High School Equivalency Program (HEP)</li> <li>• Hope Scholarship</li> <li>• National Early Intervention Scholarship and Partnership Program</li> <li>• PELL grant</li> <li>• State Student Incentive Grant (SSIG).</li> </ul> | E         |
|   | EARNED – work-study program earnings from a program operated by a secondary or post-secondary school in which a student works and earns money during the school year  | E         |
| Employment Service Funds  | <p>UNEARNED – payment made to an AU member for reimbursement of costs that are related to participation in work activities.</p> <p>Reimbursable costs include, but are not limited to, dependent care, transportation, and incidental expenses.</p>   | E         |
| Energy Assistance other than Low Income Home Energy Assistance Act (LIHEAA) | <p>UNEARNED – payment or allowance made under federal, state, or local law for the purpose of assisting the AU with the cost of heating and/or cooling its home.</p> <p>Payments can be one of the following:</p> <ul style="list-style-type: none"> <li>• federal or state assistance paid only once for weatherization, emergency repair, or replacement of heating or cooling devices; or</li> <li>• energy assistance payments made under a state law.</li> </ul>   | E         |
| Enhanced Relative Rate (ERR):<br><br>UAS Code 542, 548                      | Provides an initial monthly financial payment to assist with the basic care of a child in Georgia DFCS custody placed with a caregiver who meets the TANF degree of relationship, while the caregiver completes the foster family home approval process.  | E         |


| SOURCE/TYPE  | DESCRIPTION   | TREATMENT |
|--|---|-----------|
| Farm Allotment   | UNEARNED – payment received from government-sponsored programs, such as Agricultural Stabilization and Conservation Services, which are a gain or a benefit to the AU   | I         |
| Farming  | EARNED – payment received from agricultural labor.<br><br><i>*Refer to Section 1540, Self-Employment.</i>   | I         |
| Federal Pandemic Unemployment Compensation (FPUC)  | UNEARNED - payment that provides an additional \$600.00 weekly to any individual eligible for any of the Unemployment Compensation programs - State and Federal. The Georgia Department of Labor is distributing this additional payment to those currently receiving State or Federal Unemployment Benefits.   | E         |
| Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Payment | UNEARNED – payment received under Public Law 91-646 as a reimbursement for having one’s real property acquired for a program or project undertaken by a Federal agency or with Federal financial assistance   | E         |
| Flexible Benefit Plan  | EARNED – refer to <a href="#">Cafeteria Plan</a> in this chart  | I         |
| Foster Care Payments (IV-B or Title XX)  | UNEARNED – per diem payments received on behalf of a foster child or foster family.   | E         |
| Foster Care Payments (IV-E)  | UNEARNED – per diem payments received to provide for the needs of the foster child. Exclude as income to the child.<br><br><i>*Refer to section 1205, Assistance Units, to determine TANF eligibility of the recipient of Foster Care Payments.</i>   | E         |
| Garnishment  | EARNED/UNEARNED – wages/monies withheld from a debtor by an employer/entity to pay the debt owed to a third party   | I         |
| General Assistance   | UNEARNED – payment received by the AU from county funds administered by a local DFCS office. Consider it as Assistance Based on Need. (ABON)  | E         |
| General Assistance Vendor Payment  | UNEARNED – payment made on behalf of the AU to a third party from county funds, as above  | E         |
| Guaranteed Basic Income (GBI)  | UNEARNED – A program in which every eligible individual or family would receive a set amount of money regularly based on need. Its purpose is to ensure all people have the means to purchase necessities and improve their quality of life. Program may be funded by private funds or a mixture of public (state or federal) and private funds.<br><br><i>*Refer also to <a href="#">Universal Basic Income</a> in this chart.</i> | I         |
| Housing and Urban Development (HUD) or Farmers Home Administration (FMHA) Utility Reimbursement  | UNEARNED – utility reimbursement paid by HUD or FMHA to an AU that receives housing assistance and is responsible for paying its utilities separately from its rent   | E         |
| Housing and Urban Development (HUD) Rental Refund  | UNEARNED – rental assistance paid to or on behalf of an AU.<br><br>Payments are sometimes distributed by the Georgia Residential Financial Authority (GRFA).  | E         |
| Income Tax Refund  | UNEARNED - money paid to taxpayers from the state or federal government.<br><br>If any portion of the refund includes Earned Income tax credit, refer to Earned Income Tax Credit (EITC) in this section.   | E         |


| SOURCE/TYPE                                       | DESCRIPTION   | TREATMENT |
|---|---|-----------|
| Indian Tribe Payment                              | UNEARNED – payment made to native Americans based on federal statutes, including the distribution of judgment and settlement funds and receipts from lands held in trust. Federal statutes that provide for payments to members of various Indian tribes include specific Public Laws.  |           |
|   |  While the income is in a trust, all income is excluded.   | E         |
|   | Once the individual begins receiving per capita payments, income from the following is excluded in its entirety per Public Law:<br><br>85-794 92-254<br>93-134 93-531<br>94-114 94-189<br>94-540 95-433<br>95-498 95-499<br>96-318 96-420<br>97-95 97-371<br>97-372 97-376<br>97-402 97-403<br>97-408 97-458<br>98-64 98-123<br>98-124 98-432<br>98-500 98-602<br>99-130 99-146<br>99-264 99-346<br>99-377 100-139<br>100-383 100-411<br>100-580 101-41<br>101-618 103-116<br>103-436 | E         |
|   | Once an individual begins receiving per capita payments, the following types of payments are countable <b>after the exclusion of up to \$2,000</b> in a calendar year, per Public Law:<br><br>97-436 100-581<br>101-277 103-66  | I         |
| Individual Development Account (IDA) and Interest | UNEARNED – funds withdrawn from an account established by or on behalf of an AU to pay for post-secondary educational expenses, a first home purchase, or to start a new business, if the funds are used to pay for a qualified expense   | E         |
| Inheritances                                      | UNEARNED – cash or a noncash item(s) received because of someone’s death (consider accessibility)   | I         |
| In-Kind Support and Maintenance                   | UNEARNED - any gain or benefit, such as food, clothing, or housing, that is not in the form of money, payable directly to the AU.   | E         |
| In-Kind Items Received In lieu of Wages           | EARNED - wages may include the value of food, clothing, shelter, or other items provided in lieu of wages   | E         |
| Insurance Benefits Due to Loss of Income          | UNEARNED - benefits paid from an insurance policy due to loss of income.  | I         |
|   | If payments are designated by the policy owner to cover medical expenses only, consider the payments to be a Third-Party Resource.  | E         |
| Interest  | UNEARNED – income received on investments.  | E         |
|   | UNEARNED – interest income accumulated in an IDA account  | E         |




| SOURCE/TYPE                                    | DESCRIPTION  | TREATMENT |
|--|--|-----------|
| Irregular Income                               | EARNED or UNEARNED - income that is received too infrequently or irregularly to be anticipated, regardless of the amount   | I         |
| Job Corps                                      | UNEARNED – payment received because of participation in a Job Corps program.<br><br>Job Corps are budgeted as follows:   | E         |
|  | <ul style="list-style-type: none"> <li>• living allowance</li> <li>• readjustment allowance – payments made to those participating in Job Corps for at least six months.</li> </ul>  | E         |
|  | <p>The money is placed into an account and paid to the participant upon leaving Job Corps.</p> <ul style="list-style-type: none"> <li>• allotments – money sent to a dependent child from the Job Corps participant.</li> </ul> <p>Do not consider the allotment as child support.</p>   | E         |
| Jury Duty                                      | EARNED – compensation received for serving on a jury   | I         |
| Loans (Personal or Business)                   | UNEARNED – money received that the borrower must repay to the lender.<br><br>A repayment agreement is required for money received to be considered a loan.   | E         |
| Lost Wages Assistance Payment (LWA)            | EARNED-payments made consistent with the Presidential Memorandum of August 8, 2020 (“Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019” [1]) are provided through the authority of section 408(e)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (“the Stafford Act”).<br><br>This is a Federal Program that adds \$300.00 for each week the program remains federally funded. If one receives unemployment benefits for the approved weeks and is unemployed or working fewer hours due to disruptions caused by COVID-19, he/she may be eligible for these benefits. | E         |
| Lottery Winnings                               | UNEARNED – money received because of purchasing a winning ticket in a game of chance.<br><br><i>*Refer to Section 1650, Budgeting Lump Sum Income.</i>   | I         |
| Low-Income Home Energy Assistance Act (LIHEAA) | UNEARNED – payment or allowance for home energy provided to or indirectly on behalf of an AU   | E         |
| Lump Sum Payment                               | UNEARNED or EARNED – money that is received at one time, is non-recurring and exceeds the federal poverty level.<br><br><i>*Refer to Section 1650, Budgeting Lump Sum Income.</i>  | I         |

| SOURCE/TYPE   | DESCRIPTION   | TREATMENT |
|---|---|-----------|
| Managed Income  | UNEARNED – money received and used for the care of a third party.   | E         |
|   | <ul style="list-style-type: none"> <li>• all or any portion of the money used for the care of the third party.</li> <li>• all or any portion of the money used by the AU.</li> </ul>  | I         |
|   | UNEARNED or EARNED – money that belongs to the AU, but which is under the control of a third party to ensure the payment of debts owed by an AU member  | I         |
| Medicare Premium Payment                                    | UNEARNED – payment made by DMA to pay for Medicare premiums on behalf of Medicaid recipients  | E         |
| Military Allotment  | UNEARNED – payment received by an AU member who is a spouse and/or dependent child of military personnel.   | I         |
|   | The income is child support if it is for a dependent child.   | I         |
| Military Pay  | EARNED – payment received by an AU member who is in the military.   | I         |
|   | UNEARNED – payment received from military personnel who are not included in the AU.   |           |
|   | Refer to Section 1535, Military Pay.  |           |
| Military Retirement   | UNEARNED - Benefits received by military retirees and survivors   | I         |
| Montgomery GI Bill Payments                                 | UNEARNED - VA payments for individuals enrolled in Active Duty or the Selected Reserve of the Army, Navy, Air Force, Marine Corps, Coast Guard, or Air National Guard for up to 36 months of education assistance.  | E         |
|   | EARNED- If any portion of the funds comes from the individual's earnings, then the funds are counted as income.   | I         |
| Nazi Victim Payment   | UNEARNED – payment received by a victim of Nazi persecution.  | E         |
|   | Per Public Law 103-286, such payment is disregarded in the determination of eligibility for needs-based assistance programs.  |           |
| Noise Abatement Payments                                    | UNEARNED – non-recurring payment designated for noise abatement work on a dwelling.   | E         |
| Non-Relative Subsidized Guardianship (NRSG): UAS Code 550   | UNEARNED - A monthly financial payment that follows a rate/age schedule. NRSG payments are initiated after non- reunification is granted, the child has been placed with the caregiver for at least 6 months under DFCS supervision, and permanent guardianship is transferred to the caregiver. Only children who achieved permanency via a permanent guardianship from Georgia DFCS custody are eligible for NRSG. Other eligibility criteria and restrictions apply. | E         |
| Overtime Pay  | EARNED – Overtime pay is extra income that is paid to employees who work more than 40 hours in a week.  | I         |
| Pandemic Emergency Unemployment Compensation Program (PEUC) | UNEARNED - payment that allows for up to an additional 13 weeks of benefits added to the end of the regular unemployment benefits. This means claimants may collect unemployment benefits for a longer period than under normal circumstances.  | I         |

| SOURCE/TYPE   | DESCRIPTION   | TREATMENT |
|---|---|-----------|
| Pandemic Unemployment Assistance (PUA)  | UNEARNED-payment program that will provide unemployment benefits to individuals who are self-employed, gig workers, 1099 independent contractors, employees of churches, employees of non-profits, or those with limited work history who do not qualify for state unemployment benefits. These individuals must be determined not to be eligible to receive state benefits before being evaluated for Federal PUA benefits.  | I         |
| Pension   | UNEARNED – payment received regularly as a retirement benefit   | I         |
| Railroad Retirement (RR also known as RSDI)                                     | UNEARNED - retirement, survivors or disability income paid to former railroad employees and/or their dependents.<br><br>Count gross amount of RR including the amount deducted for Medicare premium   | I         |
| Reimbursement   | UNEARNED – payment for past expenses that does not represent a gain or benefit to the AU  | E         |
| Relative Care Subsidy (RCS)/Enhanced Relative Care Subsidy (ERCS): UAS Code 553 | UNEARNED - Financial support for relatives providing a permanent placement for children in DFCS custody through a permanent custody.<br><br>Effective January 1, 2014, RCS/ERCS shall no longer be selected as a financial option for relatives as state law no longer recognizes “live with a fit and willing relative” as a permanent placement for children. Children receiving the subsidy prior to January 1, 2014 shall continue to be eligible to receive it as long as all other eligibility criteria are met and funding continues to be available.<br><br> an individual who is receiving Relative Care Subsidy cannot be included in the AU.<br><br>*Refer to section 1205, Assistance Units, to determine TANF eligibility of the Relative Care Subsidy recipient.<br><br>See also: Enhanced Relative Rate (ERR), Subsidized Guardianship (SG), and Non-Relative Subsidized Guardianship (NRSG). | E         |
| Rental Income   | EARNED/UNEARNED money received on property owned by an AU member and rented to others.<br><br>EARNED – If engaged in management of property for an average of 20 hours or more per week<br><br>UNEARNED – If engaged in management of property for an average of less than 20 hours per week<br><br>*Refer to Section 1540, Self-Employment.  | I         |

| SOURCE/TYPE  | DESCRIPTION   | TREATMENT |
|--|---|-----------|
| Repayment of Overpayment of Benefits   | UNEARNED – money withheld from an income source to repay a previous overpayment. For a non-means-tested program (e.g., RSDI, UCB), count the gross benefit amount minus the repayment amount.   | I         |
|  | Means-tested programs e.g., SSI, HUD and EA payments are disregarded when considering eligibility for TANF.<br><br><i>*Refer to Supplemental Security Income, LIHEAA and HUD in this section.</i><br><br> Document the reason for overpayment. If you are unable to verify the reason through a third party, use the net amount.   | E         |
| Restitution for World War II Internment of Japanese Americans and Aleuts; PL 100-383 | UNEARNED – payment of \$20,000 made to U.S. citizens of Japanese ancestry or to lawful permanent resident Japanese aliens or their survivors, and to Aleutian Island residents, because of their evacuation, relocation, and internment during World War II   | E         |
| Retirement   | UNEARNED – money paid regularly as a retirement benefit.  | I         |
| Roomer   | EARNED – payment received for a room only.<br><br>Include the amount more than \$30 per roomer per month unless the verification provided shows expenses exceed \$30 per roomer per month.<br><br><i>*Refer to Section 1540, Self-Employment.</i>   | I         |
| Salary   | EARNED - Fixed compensation for services paid to a person on a regular basis. Most salaries are considered overtime exempt.<br><br><i>*Refer to Wages in this chart.</i>  | I         |
| School Lunch Program   | UNEARNED – meals provided to children under the National School Lunch Program, Child Nutrition Act, Special Milk Program, School Breakfast Program  | E         |
| Self-Employment  | EARNED – income received from a self-employment enterprise, including rental property, and from roomers and boarders.<br><br><i>*Refer to Section 1540, Self-Employment.</i>  | I         |
| Senior Community Service Employment Program  | EARNED – payment made to individuals age 55 or older under Title V of the Older Americans Act for part-time employment.<br><br>Agencies that receive funds for this program include: <ul style="list-style-type: none"> <li>• Green Thumb</li> <li>• National Council on Aging</li> <li>• National Council of Senior Citizens</li> <li>• American Association of Retired Persons</li> <li>• U.S. Forest Service</li> <li>• National Association for Hispanic Elderly</li> <li>• National Urban League</li> <li>• National Council on Black Aging.</li> </ul> <i>*Refer to Volunteer Payments in this chart.</i> | E         |


| SOURCE/TYPE   | DESCRIPTION  | TREATMENT |
|---|--|-----------|
| Severance Pay   | EARNED – payment received from an employer upon termination of employment.<br><br><i>*Refer to Section 1650, Budgeting Lump Sum Income.</i>  | I         |
|   | UNEARNED – payment received from a former employer after termination of employment   | I         |
| Shared Household Expenses   | UNEARNED – payment made to an AU by a person who shares household expenses, and which does not represent a gain or benefit to the AU   | E         |
| Sick Pay  | Payment made to an individual who is out of work because of illness.<br><br>EARNED – if paid from the employer’s payroll   | I         |
|   | UNEARNED – if paid by another source (e.g., insurance)   | I         |
| Social Security Benefits (RSDI)   | UNEARNED – Retirement, Survivors, and Disability Insurance (RSDI) benefits received from the Social Security Administration (SSA)<br><br>The check should not be used as the sole source of verification of the entitlement amount. If deducted from the check, the amount paid for Part B Medicare premium must be included in the gross benefit.   | I         |
| Spending Account  | EARNED - Pre-taxed earnings that are deducted from an employee’s gross wages and placed in an account to pay AU expenses such as childcare and medical costs.<br><br><i>*Refer to Wages/Salary.</i>  | I         |
| State Extended Benefits   | UNEARNED - Payments received that are an extension of the State’s Unemployment Compensation from six (6) weeks to twelve (12) weeks.   | E         |
| Stimulus Payment<br><br>Coronavirus Aid, Relief and Economic Security (CARES) Act | UNEARNED - The CARES Act provides fast and direct economic assistance for American workers and families, small businesses, and preserves jobs for American industries.   | E         |
| Strike Benefits   | UNEARNED – payment received by individuals on strike.  | I         |
| Subsidized Employment (Grant Diversion)   | Full-time employment in the private for-profit, private non-profit, or public sectors in which the recipient’s wages are subsidized through TANF (grant diversion).<br><br> Exclude the TANF grant amount from the gross wages received.  | I         |
| Subsidized Guardianship (SG):<br>UAS Code 552                                     | UNEARNED - A monthly financial payment that follows a rate/age schedule. SG payments are initiated after non- reunification is granted, the child has been placed with the caregiver who meets the TANF degree of relationship, for at least six months under DFCS supervision, and permanent guardianship is transferred to the caregiver. Only children who achieved permanency via a permanent guardianship from Georgia DFCS custody are eligible for SG. Other eligibility criteria and restrictions apply. | E         |
| Supplemental Security Income (SSI)  | UNEARNED – benefits paid by the SSA to aged, blind, or disabled individuals.<br><br><i>*Refer to Lump Sums/SSI in Resource Chart 1206.1.</i>   | E         |
| TANF from another State   | UNEARNED – TANF benefits received from another state.  | I         |

| SOURCE/TYPE  | DESCRIPTION  | TREATMENT |
|--|--|-----------|
| TANF Regular Corrective  | UNEARNED – TANF benefits for a previous month owed to the AU because of agency error.  | E         |
| TANF Special Corrective  | UNEARNED – additional TANF benefits intended for a previous month that are owed to the AU because CSE collected child support from the AP  | E         |
| Tips   | EARNED – voluntary payments above the stated cost of a product or service given in appreciation for the service rendered.<br><br>*Refer to Wages in this chart.  | I         |
| Trade Readjustment Allowance   | UNEARNED – weekly payment available for up to 52 weeks after an individual’s UCB is exhausted and during a period in which the individual is participating in a full-time training program approved in accordance with the Trade Act   | I         |
| Training Allowance / Stipend   | EARNED – payment received from vocational/rehabilitation programs recognized by federal, state, or local governments, to the extent the payments are not a reimbursement or specifically excluded  | I         |
| Trust Fund   | UNEARNED – payment from a trust  | I         |
|  | • payment distributed to the AU.   | I         |
|  | • payment to which the AU has access but is reinvested.  | I         |
| Trust Fund   | • income earned by the trust to which the AU does not have access.   | I         |
|  |  |           |
| Unemployment Compensation Benefits (UCB)                                     | UNEARNED – payment received from the Department of Labor (DOL) by unemployed individuals.<br><br>*Refer to Trade Readjustment Allowance in this chart.   | I         |
| UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION OF 1970 PAYMENTS | UNEARNED - Reimbursements received under Public Law 91-646, Section 210.   | I         |
| Universal Basic Income (UBI)   | UNEARNED – A government funded program in which every eligible individual or family would receive a set amount of money regularly regardless of need. Its purpose is to ensure all people have the means to purchase necessities and improve their quality of life.<br><br>*Refer also to Guaranteed Basic Income in this chart. | I         |
| Vacation Pay   | EARNED – Any amount paid to employees for a regularly scheduled period spent away from work or regular duty. It includes amounts paid even if the employee chooses not to take a vacation.   | I         |

| SOURCE/TYPE   | DESCRIPTION   | TREATMENT |
|---|---|-----------|
| Vendor Payment other than General Assistance Vendor Payment | UNEARNED – money paid by an outside source to a third party on behalf of the AU.  | E         |
|   | Vendor payments are treated as follows:   |           |
|   | <ul style="list-style-type: none"> <li>• HUD vendor payments for rent or mortgages.</li> </ul>  | E         |
|   | <ul style="list-style-type: none"> <li>• reimbursements made in the form of vendor payments.</li> </ul>   | E         |
|   | <ul style="list-style-type: none"> <li>• vendor payments from monies that are legally obligated and otherwise payable to the AU.</li> </ul>   | I         |
|   | <ul style="list-style-type: none"> <li>• vendor payments from money that is not owed to the AU.</li> </ul>  | E         |
|   | <ul style="list-style-type: none"> <li>• monies deducted or diverted by court order or other legally binding agreement, such as child support and alimony, to go directly to a third party to pay an AU expense.</li> </ul>   | E         |
|   | <ul style="list-style-type: none"> <li>• monies deducted or diverted by the AU to go directly to a third party to pay AU expenses.</li> </ul> <p>*Refer to General Assistance Vendor Payments in this chart.<br/> *Refer to Garnishment in this chart.<br/> *Refer to Bankruptcy in this section.</p> | I         |
| Veterans Administration (VA) Benefits (Educational)         | UNEARNED – benefit payment received from the VA by a veteran for educational purposes.  | E         |
|   | *Refer to Educational Grant, Loan, Scholarship, in this chart.  |           |
| Veterans Administration Benefits (Non-Educational)          | UNEARNED – disability and/or survivor benefit payment received from the VA by a veteran or a spouse or dependent of a veteran.  | I         |
|   | Also included are stipends paid for participation in a study of Vietnam-era veterans' psychological problems.   |           |
| Victim Restitution  | UNEARNED – payment received by a victim of a crime from a crime victim restitution program.   | E         |
|   | <ul style="list-style-type: none"> <li>• The value of the payment does not exceed the value of the loss.</li> </ul>   |           |
|   | <ul style="list-style-type: none"> <li>• The value of the payment exceeds the value of the loss. Count the excess value.</li> </ul>   | I         |
|   | <ul style="list-style-type: none"> <li>• The payment is a set monthly amount based on a court ruling.</li> </ul>  | I         |
| VISTA Volunteer   | EARNED – payment received by a VISTA volunteer under Title I of the Domestic Volunteer Services Act   | E         |
|   | Included are payments from the Urban Crime Prevention Program.  |           |
| Volunteer Payment   | UNEARNED – payment received under Title II of the Domestic Volunteer Services Act of 1973, including the Retired Senior Volunteer Program, Foster Grandparents Program and Senior Companion Program   | E         |
| Wages   | EARNED - Payment given in return for labor, goods, and services rendered. Wages may be paid on monthly, bi-weekly, weekly hourly or daily basis.  | I         |
|   | Include commissions, tips, overtime, vacation pay, bonus pay, flex benefits, and the employee's share of FICA when paid by the employer.  |           |

| SOURCE/TYPE   | DESCRIPTION   | TREATMENT |
|---|---|-----------|
| Wages of a Child  | EARNED – wages earned by a dependent child under 19 years of age who is a full- or part-time student in school, as defined in Section 1347, School Attendance   | E         |
|   | EARNED – wages earned by a dependent child under 18 years of age who is not in school   | I         |
| Worker’s Compensation   | UNEARNED or EARNED – payment received by an employee injured on the job.  | I         |
|   | EARNED – if the AU member remains employed during recuperation and expects to return to the job.  | I         |
|   | UNEARNED – if the AU member does not remain employed during recuperation.   | E         |
|   | Any portion designated for medical, legal, or related expenses paid or deducted and not controlled by the A/R in connection with claim.   |           |
| Workforce Innovation and Opportunity Act (WIOA)<br><br><i>*Previously known as Workforce Investment Act (WIA)</i> | UNEARNED – payment, such as the training allowance or grant, that is not designated for services rendered.  | E         |
|   | EARNED – on-the-job training payment for: <ul style="list-style-type: none"> <li>• Children under age 19 who are enrolled Full Time in a school.</li> </ul>   | E         |
|   | <ul style="list-style-type: none"> <li>• Adults over age 18 receiving TANF for their children.</li> </ul>   | I         |
| Youth Build Program Payment   | EARNED – payment made through the Youth Build Program.<br><br><i>*Refer to Workforce Innovation and Opportunity Act (WIOA) in this chart.</i>   | E         |
| Youth Project Payment   | UNEARNED – payment made through projects developed to assist youth in acquiring work skills, including the following: <ul style="list-style-type: none"> <li>• youth incentive entitlement pilot project</li> <li>• youth community conservation and improvement projects</li> <li>• youth employment.</li> </ul> <i>*Refer to Workforce Innovation and Opportunity Act (WIOA) in this chart.</i> | E         |

## 1535 Military Pay

|  | Georgia Division of Family and Children Services<br>TANF Policy Manual |              |                            |       |
|---|--|--------------|----------------------------|-------|
|   | Policy Title:  | Military Pay |                            |       |
|   | Effective Date:  | January 2020 |                            |       |
|   | Chapter:   | 1500         | Policy Number:             | 1535  |
|   | Previous Policy Number(s):   | MT 1         | Updated or Reviewed in MT: | MT-52 |

### Requirements

Military pay, housing allowances, subsistence allowances and other entitlements are considered




when determining eligibility for cash assistance.

## Basic Considerations

Military pay is treated as earned income when the individual in the military is an AU member.

When a person in the military is not in the AU but gives money to the AU or authorizes money to be sent to the AU, that money is counted as unearned income contribution.

The Clothing Maintenance Allowance (CMA) is treated as a reimbursement. Military pay is counted in the month for which it is intended.

 Advance Pay/Casual Pay is counted in the month received.

## Treatment of Income and Verification Requirement

Verify all military pay. Use the Leave and Earnings Statement (LES) to verify the type and amount of military income.

[Chart 1535.1](#) provides information on the treatment of military pay.

Determine if there are any debt repayments listed on the LES and treat as follows:

- if a debt repayment is for Advance Pay then deduct the repayment from the gross income
- if a debt repayment, listed as FININ or Debt Repayment on LES, is for a personal loan, such as for a car, count the repayment as part of the gross income.


Do not allow the following as deductions or exclusions from income.

- an allotment withheld for a dependent, unless the allotment is for an ineligible child;
- federal tax, FICA, SGLI, Soldiers Home, or insurance.


Use the chart below to determine treatment of military pay:

*Chart 1535.1 - Treatment of Military Pay*

| BENEFIT                           | TREATMENT OF INCOME   |
|-----------------------------------|---|
| Amount Brought Forward            | Disregard amounts brought forward from a previous month.  |
| Advance Pay/Casual Pay            | Count the gross amount as earned income in the month received.  |
| Base Pay                          | Count the gross amount as earned income in the month received.  |
| Basic Allowance for Housing (BAH) | Count the gross amount as earned income in the month for which it is intended. The BAH is one monthly payment, replacing the Variable Housing Allowance (VHA) and Basic Allowance for Quarters (BAQ). |
| Basic Allowance for Subsistence   | Count the gross amount as earned income in the month for which it is intended.  |
| Career Sea Pay                    | Count the gross amount as earned income in the month for which it is intended.  |

| BENEFIT  | TREATMENT OF INCOME  |
|--|--|
| Clothing Maintenance Allowance (CMA)             | Do not count as income. Consider it as a reimbursement. Deduct the CMA from the total gross earned income.   |
| Cost-of-Living Allowance (COLA) or HOUSE         | Count the gross amount as earned income in the month for which it is intended.   |
| Family Subsistence Supplemental Allowance        | Count the gross amount as earned income in the month for which it is intended.   |
| Fly Pay/Fly Pay-non                              | Count the gross amount as earned income in the month for which it is intended.   |
| Family Subsistence Supplemental Allowance (FSSA) | Count the gross amount as earned in the month received   |
| Jump Pay   | Count the gross amount as earned income in the month for which it is intended.   |
| Leave or Separate Rations                        | Count the gross amount as earned income in the month for which it is intended.   |
| National Guard Pay                               | Count the gross amount as earned income in the month for which it is intended.   |
| Pro-Di   | Count the gross amount as earned income in the month for which it is intended.   |
| Reenlistment Bonus                               | Treat the gross amount as a non-recurring lump sum payment.<br><br> If paid in installments, count as unearned income in the month received. |
| Regular Sea Pay                                  | Count the gross amount as earned income in the month for which it is intended.   |

## 1540 Self-Employment

|  | Georgia Division of Family and Children Services<br>TANF Policy Manual |                 |                                   |       |
|---|--|-----------------|-----------------------------------|-------|
|   | <b>Policy Title:</b>   | Self-Employment |                                   |       |
|   | <b>Effective Date:</b>   | January 2020    |                                   |       |
|   | <b>Chapter:</b>  | 1500            | <b>Policy Number:</b>             | 1540  |
|   | <b>Previous Policy Number(s):</b>                                      | MT 1            | <b>Updated or Reviewed in MT:</b> | MT-52 |

### Requirements

Income earned directly from one's own business or profession, rather than as specified salary or wages from an employer, is budgeted as self-employment income.

### Basic Considerations

The amount of income budgeted is determined by using the total gross receipts plus capital gains, if any, less business expenses (the cost of doing business).

Appreciation is an increase in the value of a resource because of any of the following:

- improvements to the property
- normal market increases
- interest accrued.

Determine appreciation by obtaining verification of the value of the resource from a reliable source.

Depreciation occurs when a resource loses value because of any of the following:

- destruction of property in a storm, fire, or other reason
- long term use of resource reduces value, (e.g. vehicles).

Determine depreciation by obtaining verification from a reliable source.

### **Rental Property**

Use this policy in Chart 1540.1 to determine how to treat income from rental property:

*Chart 1540.1 - Rental Property Income*

| <b>IF</b>   | <b>THEN</b>  |
|---|--|
| an AU member is actively involved in property management for at least 20 hours per week     | count the gross income less cost of doing business as earned income.   |
| an AU member is not actively involved in property management for at least 20 hours per week | count the gross income less cost of doing business as unearned income. |

### **Capital Gains**

Consider the total proceeds from the sale of capital goods or equipment, less depreciation, as capital gains income.

Add capital gains income to the AU's gross self-employment income.

### **Cost of Doing Business**

Deduct from the gross self-employment income the expenditures listed in Chart 1540.2 related to the operation of a self-employment enterprise. Refer to [Chart 1540.2 - Costs of Doing Business](#).

### **Boarder Income**

Disregard as income the first \$70 received per boarder per month. Count as income any amount received in excess of \$70 per boarder per month. If the AU's actual expenses exceed \$70 per boarder per month, those expenses must be verified before they can be deducted from the AU's countable income.

Use the policy in Chart 1540.2 to determine allowable cost of doing business expenses:

*Chart 1540.2 - Costs of Doing Business*

| ALLOWABLE EXPENSES (Not All-Inclusive)  | UNALLOWABLE EXPENSES (All-Inclusive)   |
|---|--|
| labor costs   | payment on the principal of the purchase price of income-producing real estate, equipment, machinery, etc. |
| stock, raw material, seeds, fertilizer  | local, state and federal income taxes income set aside for retirement                                      |
| interest on payments on loans for equipment, real estate, or other loans used in producing income | personal expenses (transportation to and from work, living expenses)                                       |
| insurance premiums on real estate or equipment  | depreciation on equipment, real estate, etc.   |
| property taxes on income-producing property   |  |
| job-related transportation costs  |  |

## Treatment of Income

Convert self-employment income to an annual amount if either of the following occurs:

- the self-employment income represents a year's support, even if the income is received in a short time period; or
- the self-employment income accurately reflects the AU's current circumstances.



Convert self-employment income to an annual amount even if the AU receives additional income from other sources.

Do not convert self-employment income to an annual amount if any of the following occur:

- the self-employment income is not an accurate picture of the AU's current circumstances because income has recently increased or decreased
- the self-employment income represents income for only a part of the year; or
- the self-employment income is from a new business in operation less than one year.

Use the policy in the following Chart 1540.3 to convert self-employment income to an annual amount:

*Chart 1540.3 - How to Convert Self-Employment Income to an Annual Amount*

| IF THE INCOME IS RECEIVED                      | THEN  |
|--|---|
| annually                                       | total gross receipts, less the cost of doing business, and divide by 12 to determine the monthly amount to budget.                      |
| periodically but represents one year's support | total gross receipts of the annual income, less the cost of doing business, and divide by 12 to determine the monthly amount to budget. |
| monthly, or more frequently                    | total gross receipts, less the cost of doing business, and divide by 12 to determine monthly amount to budget.                          |

Use the policy in the following Chart 1540.4 to determine treatment of income which is not annualized:

*Chart 1540.4 - How to Compute Income Which Is Not Converted to an Annual Amount*

| IF THE INCOME  | THEN   |
|--|--|
| does not reflect current circumstances (recent increase or decrease in income) | Determine the best estimate of current gross income, less the cost of doing business, to use as the monthly amount budgeted.                       |
| Is from a new business, i.e., in operation less than one year                  | Divide the gross income, less the cost of doing business, by the number of months in the period of operation to determine projected monthly income |
| represents income for only part of the year                                    | Divide the gross income, less the cost of doing business, by the number of months the income is intended to cover.                                 |
| Is received monthly  | Count the total gross monthly income, less the cost of doing business.   |

## Procedures

### Budgeting Procedures

Follow the steps below to determine income for inclusion in the budget:

- Step 1** Add all gross self-employment income.
- Step 2** Add any capital gains, less depreciation.
- Step 3** Subtract the cost of doing business. The result is the adjusted gross self-employment income.
- Step 4** Calculate deductions and benefit level as for any other AU. Refer to Chapter 1600, Eligibility Budgeting.


### Verification

Verify income by using tax files, business records, receipts, bills, or statements from customers for an established business.

For a new business, verify income by using information provided by the AU to determine a best estimate.

# 1600 Budgeting

## 1605 Basic Budgeting

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Basic Budgeting                   |                       |
|   | <b>Effective Date:</b>                                  | May 2023                          |                       |
|   | <b>Chapter:</b>   | 1600                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 70   | <b>Updated or Reviewed in MT:</b> | MT-72                 |

### Requirements

A budget is completed to determine the assistance unit's (AU) financial eligibility and benefit amount.

### Basic Considerations

#### Gross Income Ceiling

Budgets are computed by comparing the AU's income to the gross income ceiling (GIC) and the standard of need (SON).

The GIC is used to determine the AU's financial eligibility based on the AU's gross countable income.

Gross countable income is the AU's included income plus income deemed from a non-AU member, or less income allocated to a non-AU member.

Refer to [1530 Treatment of Income-by-Income Type](#) for information on what types of income are included and what types are excluded in the budgeting process.

The AU's gross countable income must be equal to or less than the GIC for the AU size.

#### Standard of Need

The SON is used to determine the AU's financial eligibility based on the AU's net countable income.

Net countable income is the AU's gross countable income minus allowable earned income deductions. The AU's net countable income must be less than the SON for the AU size.

The SON is also used in the SON trial budget to determine if an employed individual qualifies for the \$250 standard work deduction at application.

Refer to [1615 Deductions](#).

## **Family Maximum**

The family maximum is used to determine the maximum benefit amount an AU may receive.

## **Whose Income to Include**

The benefit amount is the difference between the SON and net countable income or the family maximum, whichever is less.

The income of AU members and certain non-AU members is considered in determining financial eligibility and benefit amount. The income of the following non-AU members is included in the budget when determining financial eligibility and benefit amount:

- penalized standard filing unit (SFU) member
- disqualified individual.

Refer to Sections 1665 and 1670 for detailed information on budgeting the income of a disqualified individual and of a penalized SFU member.

## **Allocation**

The income of an AU member may be allocated to meet the needs of a non-AU member for whom s/he has financial responsibility. Income may be allocated from an eligible AU member to the following non-AU members:

- ineligible spouse of an eligible adult or child
- ineligible parent of a minor parent who is the head of household (HOH)
- ineligible spouse of the non-parent specified caretaker relative who is receiving TANF cash assistance for themselves.

Refer to Section 1635, Allocation to an Ineligible Spouse and/or Child.

## **Deeming**

The income of a non-AU member may be deemed to the AU to meet the needs of an AU member for whom s/he has financial responsibility. Income may be deemed from the following non-AU members:

- ineligible parent
- ineligible spouse of an eligible adult or child
- ineligible parent of a pregnant minor who is head of household or minor parent who is the head of household (HOH)
- ineligible spouse of the non-parent specified caretaker relative who is receiving TANF cash assistance for themselves.

## **Responsibility Budgeting**

Responsibility budgeting is the method used to determine the following:

- whether a non-AU member has income to deem to meet the needs of an AU member,
- whether an AU member has income to allocate to meet the needs of a non-AU member.

### **When to Complete a Budget**

Budgets are completed at the following times:

- at application,
- at review,
- when the AU composition changes,
- when there is a change in the income of an AU member,
- where there is a change in the income of a non-AU member whose income is included in the budget,
- when there is a change in the income of a non-AU member whose income is deemed to the AU, or to whom income is allocated from an AU member,
- when a non-AU member whose income is considered in the budgeting process moves into or out of the home.

### **Representative Income and Expenses**

Representative income and expenses are used to determine the monthly income and deductions to use in the budget.

Representative income and expenses are the amounts that best represent what the AU or non-AU members have received or will receive.

After representative income and expenses are determined, they are converted to monthly amounts.

Refer to Section 1610, Determining Representative Income and Expenses.

### **Rounding**

The following rounding procedures for income and expenses are used in the budgeting process:

- fractions of a cent that result from determining representative income and expenses or completing the conversion process are dropped.
- fractions of a cent that result from the \$250 work deduction are dropped.
- fractions of dollars that result from the process of determining net countable income are rounded to the nearest dollar. Fractions of 50 cents or more are rounded up, while fractions of less than 50 cents are rounded down.

### **Deductions**

Certain deductions to earned income are allowed in the budgeting process. The earned income deductions include the following:

- \$250 standard work deduction



- dependent care deduction

Earned income deductions are applied to the earnings of AU members, penalized SFU members and disqualified individuals.

Deductions are not allowed to unearned income. Refer to Section 1615, Deductions.

## Procedures

### Determining Financial Eligibility

Follow the steps below to establish the AU's financial eligibility and benefit amount:

- Step 1** Determine the members of the AU. Refer to Section 1205, Assistance Units (include unborn children in the AU).
- Step 2** Identify non-AU members whose income is considered in determining financial eligibility and benefit amount.
- Step 3** Identify non-AU members to whom income can be allocated or from whom income can be deemed.
- Step 4** Determine the gross countable monthly income and expenses of the AU members and those identified in Step 2 and Step 3.
- Step 5** Verify income and expenses as required.
- Step 6** Complete the GIC test by comparing the gross countable income of the AU to the GIC for the AU size.
- If the gross countable income is greater than the GIC, deny or terminate cash assistance.
- If the gross countable income is equal to or less than the GIC, proceed to Step 7.
- Step 7** Complete a SON trial budget to determine eligibility for the \$250 standard work deduction then compare the AU's gross countable income, less dependent care deductions, to the SON for the AU size.
- Proceed to Step 8 if the SON trial budget is not necessary.
- If ineligible in the SON trial budget, deny or terminate cash assistance.
- If eligible in the SON trial budget, proceed to Step 8.
- Step 8** Allow all applicable earned income deductions to the gross countable earned income of each employed individual to determine the net earned income.
- Step 9** Add the unearned income of all individuals whose income is considered, including any deemed income, to the net earned income to determine the net countable income.

**Step 10** Subtract any allocated income.

**Step 11** Subtract the net countable income determined in Step 10 from the SON.


If the net countable income is greater than or equal to the SON, deny or terminate cash assistance.

If the net countable income is less than the SON, proceed to Step 12.

**Step 12** Compare the deficit from Step 11 to the family maximum.

**Step 13** Authorize as the TANF benefit the amount of the deficit or the amount of the family maximum, whichever is less.

## 1610 Determining Representative Income and Expenses

|  |   |  |                       |
|--|---|--|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |  |                       |
|  | <b>TANF Policy Manual</b>                               |  |                       |
|  | <b>Policy Title:</b>                                    | Determining Representative Income and Expenses |                       |
|  | <b>Effective Date:</b>                                  | January 2020                                   |                       |
|  | <b>Chapter:</b>   | 1600   | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>  | MT 37   | <b>Updated or Reviewed in MT:</b>              | MT-52                 |

### Requirements

TANF budgeting uses a representative amount of income received and expenses incurred to determine the assistance unit's (AU's) eligibility and benefit amount.

### Basic Considerations

Representative income and expenses are used to determine the monthly income and deductions for use in the budget.

Representative income is the amount that best represents what the AU has received or will receive on an ongoing basis.

Representative expenses are the amounts that best represent what the AU has incurred or will incur on an ongoing basis.

### Representative Income and Expenses

Representative income is an average of income or expenses for a specific period.

When the amount of the income or expense is stable (i.e., does not change from one period to the next), then the amount of the countable income or the amount of allowable expenses for one full month preceding the application or review month are used to determine the representative

amount.

When income or expenses vary for each period, then the representative income and expenses are calculated as follows:

- The representative income or expense is based on available verification and information from the AU and from the source.
- The representative income or expense may be an average of the last month's income or expense, or it may be for a specific period considered to be most appropriate for determination of the representative income/expenses by the case manager. In some instances, more or less than one month's income or expense is used if one month's income or expense is either not available or is fluctuating.
- Periods with little or no income received or little or no expenses incurred, or with temporary increases in income received or expenses incurred, are not used unless they are determined to be representative.

Representative income and expenses are calculated at the following times:

- at the initial application
- at a review
- When there is a change in the AU's income/expenses.

## Conversion

Monthly income and expenses are determined by multiplying the representative amounts by the following conversion factors:

- 4.3333 (weekly)
- 2.1666 (bi-weekly)
- 2 (semi-monthly)
- 1 (monthly)



To calculate fluctuating semi-monthly income/expenses from a new source, determine the representative weekly amount based on the rate of pay and anticipate the number of hours weekly. Multiply the representative amount by 4.3333 to get the monthly income or expense. Divide the monthly income/expense by 2 to obtain the representative amount of pay/expense.

Document the case record.

## Verification

The best estimate of income or expenses used in determining an AU's benefit amount is based on verification of at least one full month's stable income.


In some instances, one month's income or expenses are not representative of the AU's ongoing situation.

Refer to [Chart 1610.1 - Minimum Verification Requirements](#) to determine the estimate for the calcu-

lation of representative income/expenses for on-going case management.

If the AU does not have the minimum number of pay stubs for income verification because some are missing, the year-to-date figures are used if these are displayed on the other pay stubs. In order to use year-to-date figures, the AU must provide the paycheck stubs for the pay periods immediately prior to and immediately after the missing paycheck stub.

If, because of a new source of income, the AU cannot comply with the minimum verification requirements specified above, verification of all income received from the first receipt of the new income to the present must be obtained.

 Refer to 1525-4, Income Sources of Verifications, for policy pertaining to acceptable verification sources.

## Procedures

Follow the steps below to determine the AU's monthly income and expenses:

- Step 1** Determine the following:
- the type of income or expense
  - the frequency with which the income is received, or the expense is incurred (weekly, bi-weekly, etc.)
- Step 2** Verify income and/or expenses. Refer to [Chart 1610.1](#) for verification requirements.
- Step 3** Compute the representative income and/or expenses based on the information provided, the AU's situation, and the worker's judgment.
- Step 4** Convert the representative amounts from Step 3 to determine the AU's monthly gross income and/or expense.
- Step 5** Document the following:
- the type and frequency of the income received and/or expenses incurred,
  - the verification source,
  - the amount of income and/or expenses used in determining the representative amounts,
  - the reason for determining that the income received and/or the expenses incurred during a period are not representative, and
  - the calculation of the representative amount.

*Chart 1610.1 - Minimum Verification Requirements*

| FREQUENCY OF PAY OR EXPENSE   | MINIMUM VERIFICATION REQUIRED                                       |
|---|---|
| weekly, bi-weekly, or semi-monthly (stable income or expenses)      | One month or 4 most current consecutive weeks of income or expenses |
| weekly, bi-weekly, or semi-monthly (fluctuating income or expenses) | One month or 4 most current consecutive weeks of income or expenses |

| FREQUENCY OF PAY OR EXPENSE | MINIMUM VERIFICATION REQUIRED                |
|-----------------------------|--|
| Monthly                     | 2 most current, consecutive months of income |

Use the following methodologies to calculate monthly income:

*Chart 1610.2 - How to Determine Monthly Income/Expenses*

| IF  | THEN   |
|---|--|
| <p>the income is either stable or fluctuating and is received more often than monthly, i.e., weekly, bi-weekly or semi-monthly,</p> <p>OR</p> <p>the expenses are either stable or fluctuating and incurred more often than monthly</p> | <p>determine a representative amount of income received and/or expenses incurred for each date received/incurred in a calendar month. Compute past, present and anticipated income and/or expense that represent regular payments received and/or expenses incurred.</p> <p>Convert to a monthly amount by using the appropriate conversion factor.</p> <p>Document case notes. Explain what income and expenses were used, and why.</p>   |
| <p>the income is received monthly or less often than monthly</p> <p>OR</p> <p>the expenses are incurred monthly or less often than monthly</p>  | <p>do not automatically convert the income or expense.</p> <p>Determine the best estimate based on the following criteria:</p> <ul style="list-style-type: none"> <li>• If stable, budget the actual income received or expense incurred in the month preceding the application or review month.</li> <li>• If fluctuating, average the verified income received or expense incurred in the three months immediately preceding the application or review month.</li> <li>• In some instances, use more or less than three months of income and/or expense if the income received or expense incurred in the three months immediately preceding the application or review month is not representative of the ongoing situation.</li> <li>• Convert to a monthly amount when the income received, or the expense incurred by an AU is intended to cover a specified period of time. To obtain a monthly amount, divide the total income to be received or the total expense to be incurred during the life of the contract or agreement by the number of months specified in the contract or agreement.</li> </ul> <p>Document case notes. Explain what income and/or expenses were used, and why.</p> |
| <p>There is <b>no change in the rate</b> at which the AU has received income or incurred expenses</p> <p>AND</p> <p>the income will be received or expenses will be incurred during the month,</p>                                      | <p>determine the representative income. Convert to a monthly amount using the appropriate conversion factors.</p> <p>Document case notes.</p>  |

| IF   | THEN   |
|--|--|
| <p>There has been a <b>change in the rate</b> at which the AU has received income or incurred expenses,</p> <p>AND</p> <p>The income will be received or expenses will be incurred during the month,</p> | <p>do not convert.</p> <p>Use the actual and/or representative income/expense. Use the actual income received and actual expenses incurred for the dates that have already occurred, AND the representative income/expense for future dates in the month.</p> <p>Document case notes.</p>  |
| <p>There is new, interrupted, or terminated income</p> <p>AND</p> <p>the AU has/will receive less than a full month's income, or incur less than full month's expenses</p>                               | <p>do not convert.</p> <p>Use the actual and/or representative income/expense. Use the actual income received and actual expenses incurred for the dates that have already occurred, AND the representative income/expense for future dates in that month.</p> <p>Document case notes.</p> |


If an AU is receiving income or incurring expenses from more than one source, each source is treated separately in determining if the income/expense is converted to a monthly amount.

A full month's income, if earned, is defined as receipt of or expected receipt of income at each regular pay date during a calendar month.


A full month's income, if unearned, is defined as receipt of or expected receipt of income intended to cover an entire calendar month.

A full month's expense is defined as an expense intended to cover an entire calendar month.

*Chart 1610.3 - How to Determine Monthly Income Received from Specified Sources*

| IF   | THEN   |
|--|--|
| <p>child support income is received through the Office of Child Support Services (OCSS),</p> | <p>Determine the monthly amount of income using the last <b>three</b> months of child support income received, if representative.</p> <p>Document case notes.</p>  |
| <p>the AU reports a change after representative income has been determined,</p>              | <p>use anticipated income to determine the best estimate for future month(s).</p> <p>Refer to <a href="#">Chart 1610.2</a> in this section. Document case notes.</p> <p> Payments posted on the last two days of the month in STARS system as being received in the next month.</p> |

## 1615 Deductions

|   |  |               |                                   |       |
|---|--|---------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |               |                                   |       |
|   | <b>Policy Title:</b>   | Deductions    |                                   |       |
|   | <b>Effective Date:</b>   | December 2022 |                                   |       |
|   | <b>Chapter:</b>  | 1600          | <b>Policy Number:</b>             | 1615  |
|   | <b>Previous Policy Number(s):</b>  | MT 52         | <b>Updated or Reviewed in MT:</b> | MT-70 |

## Requirements

Deductions are applied to earned income to determine financial eligibility and benefit amount.

## Basic Considerations

Deductions are applied to the earned income of the following individuals:

- AU members
- Penalized individuals
- Disqualified individuals

## Earned Income Deductions

Earned income deductions include the following:

- \$250 standard work expense
- Dependent care deductions

These deductions are applied in the order listed above.

The deductions listed above are also applied to the income of individuals whose income is deemed or allocated through the responsibility budgeting process. The deductions allowed are unique. Refer to [1620 Responsibility Budgeting](#).

Deductions are not applied in certain situations. Refer to [Earned Income Deductions Penalty](#) in this section.

## Standard Work Deductions

The standard work deduction of \$250 is subtracted from the earned income of each employed individual. An employed individual is eligible for the standard work deduction at application, renewal and change.



If the applicant has more than one job, combine the income of both and then deduct the \$250 from the total income.

## Dependent Care Deductions

Expenses incurred for childcare or for the care of an incapacitated individual in the home are

deducted when the care is necessary because of employment of the AU member.

Dependent care deductions may not exceed the following amounts:

- \$200 monthly for each child under the age of two
- \$175 monthly for each individual age two or above

A child is age two beginning with the month following the month of the child's second birthday.

The need for an incapacitated individual to receive care in the home must be verified by a physician's statement.

Verify dependent care deductions at initial application, at review or at interim changes, if the amount is more than \$200.00 monthly.

Discuss the following:

- circumstances that entitle the AU to a dependent care deduction
- name of the individual for whom dependent care is paid
- name of individual who provides care
- amount of the expense
- day of the week on which the childcare provider is paid
- how often the childcare provider is paid and
- the dates the childcare provider is paid

### **Verification and Documentation**

Dependent care expenses must be verified at the following times:

- when the amount of the expense changes or the amount is more than \$200 monthly
- when the provider changes and
- if the situation is questionable

Dependent care expenses must be verified by the provider.

### **Earned Income Deductions Penalty**

The earned income deductions are not applied to an individual's earnings if the AU fails to report new or increased earnings within 10 days of receipt of the first paycheck from new or increased earnings.

If an employed individual has more than one source of earned income, the penalty is applied to all earned income of that individual even though only one source was reported untimely.

The earnings penalty is applied for the month in which the earnings are budgeted. Refer to [Chart 1615.3 – Applying the Earned Income Deduction Penalty](#) in this section.

Appropriate deductions are allowed when computing a responsibility budget for an individual



whose income is deemed to the AU.


Use the following chart to determine how to apply the earned income deductions penalty when the earnings are reported untimely:

*Chart 1615.3 – Applying the Earned Income Deduction Penalty*

| IF AN INDIVIDUAL   | THEN  |
|--|---|
| Fails to report new earnings within 10 days of the date of receipt of the first paycheck   | Do not apply any earned income deductions to the earnings of the individual who failed to report timely, beginning with the month in which the new earnings are reported. The individual will be eligible for the standard work deduction ongoing.              |
| Fails to report an increase in earnings within 10 days of the date of receipt of the first paycheck that includes the increased earnings | Do not apply any of the earned income deductions to the earnings of the individual who failed to report timely, beginning with the month in which the increased earnings are reported. The individual will be eligible for the standard work deduction ongoing. |

**i** An increase in earnings includes an increase in the rate of pay, an increase in hours worked or a new second job

## 1620 Responsibility Budgeting

|  | Georgia Division of Family and Children Services<br>TANF Policy Manual |                          |                                   |       |
|---|--|--------------------------|-----------------------------------|-------|
|   | <b>Policy Title:</b>   | Responsibility Budgeting |                                   |       |
|   | <b>Effective Date:</b>   | December 2022            |                                   |       |
|   | <b>Chapter:</b>  | 1600                     | <b>Policy Number:</b>             | 1620  |
|   | <b>Previous Policy Number(s):</b>                                      | MT 52                    | <b>Updated or Reviewed in MT:</b> | MT-70 |

### Requirements

A responsibility budget is completed to determine the amount of income to deem from a non-AU member to an AU member or the amount of income to allocate from an AU member to a non-AU member.

### Basic Considerations

Deemed income is the income of a non-AU member that is considered available to the AU because of the non-AU member’s financial responsibility for an AU member.

Deemed income is added to the other income of the AU to determine financial eligibility and benefit amount.

Allocated income is the income of an AU member that is considered available to a non-AU member because of the AU member’s financial responsibility for a non-AU member.

Allocated income is deducted from the AUs income prior to determining financial eligibility and benefit amount.

A responsibility budget is completed to determine the amount of income of the following individuals to deem to the AU:

- an ineligible parent
- an ineligible spouse of an eligible adult or child
- an ineligible parent of a minor parent who is the head of household (HOH)
- an ineligible spouse of the non-parent specified caretaker relative who is receiving TANF cash assistance for themselves.

A responsibility budget is also completed to determine the amount of income an AU member can allocate to the following individuals:

- an ineligible spouse of an eligible adult or child
- an ineligible parent of a minor parent who is the head of household (HOH)
- an ineligible spouse of the non-parent specified caretaker relative who is receiving TANF cash assistance for themselves.


Refer to the appropriate sections in this chapter for specific budgeting procedures.

### Allowable Deductions

Allowable deductions are unique to responsibility budgeting and include the following:

- \$250.00 standard work deduction
- the standard of need for the number of dependents living in the home who are or could be claimed as federal tax dependents
- actual verified amounts of alimony and/or child support paid to individuals living outside the home
- actual verified amounts contributed to individuals outside the home who are or can be claimed as federal tax dependents

## 1622 Budgeting the Income of a Stepparent

|   |  |  |                                      |                                   |       |
|---|--|--|--------------------------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |  |                                      |                                   |       |
|   | <b>Policy Title:</b>   |  | Budgeting the Income of a Stepparent |                                   |       |
|   | <b>Effective Date:</b>   |  | May 2023                             |                                   |       |
|   | <b>Chapter:</b>  |  | 1600                                 | <b>Policy Number:</b>             | 1622  |
|   | <b>Previous Policy Number(s):</b>  |  | MT 52                                | <b>Updated or Reviewed in MT:</b> | MT-72 |

## Requirements

A responsibility budget is completed to determine the amount of income to deem from a stepparent to the assistance unit (AU).

## Basic Considerations

The income of a stepparent is considered in determining the financial eligibility and benefit amount of the AU.

If the child lives with the stepparent and the biological parent is not in the home or if the biological parent in the home receives SSI, the stepparent may choose one of the following options:

- elect to be excluded from the AU and have his/her income deemed through the budgeting process

OR

- elect to be included as the caretaker relative and have his/her income budgeted in its entirety.

If the stepparent does not have sufficient income to meet his/her own needs, income may be allocated from a spouse in the AU.

Refer to Section 1635, Allocation to an Ineligible Spouse and/or Child.

When the stepparent and the biological parent have a mutual child, deprivation of the mutual child must be determined. If the mutual child is deprived, the stepparent and mutual child must be included in the AU. Stepparent budgeting does not apply. Refer to Section 1315, Deprivation.

## Procedures


Follow the steps below to determine the amount of income of the stepparent to deem to the AU:

- Step 1** Determine the gross countable earned income of the stepparent.
- Step 2** Subtract the \$250 standard work deduction from the gross countable earned income of the stepparent.
- Step 3** Determine the gross countable unearned income of the stepparent.
- Step 4** Add the income determined in Step 3 to the income remaining after Step 2.
- Step 5** Determine the number of individuals living in the home with the stepparent who are or could be claimed as tax dependents. (Include the unborn child of a pregnant individual)
  - Include in this number an SSI child or adult who is or could be claimed as a tax dependent. Do not include the income of these individuals.
  - Do not include in this number penalized or disqualified individuals, or individuals included in a TANF AU.

- Step 6** Add the stepparent to the number determined in Step 5.
- Step 7** Subtract the appropriate standard of need (SON) for the number of individuals determined in Step 6 from the income determined in Step 4.
- Step 8** Determine the amount of child support and/or alimony paid by the stepparent to individuals not living in the home and subtract this amount from the income remaining after Step 7.
- Step 9** Determine the amount contributed by the stepparent to individuals not living in the home who are or could be claimed as federal tax dependents and subtract this amount from the income remaining in Step 8. Verify the amount of the contribution. Do not include child support or alimony already subtracted in Step 8.
- Step 10** If a surplus exists in Step 9, deem the surplus as unearned income to the AU. If a deficit exists in Step 9, consider allocation to the stepparent if a parent in the AU has income.

Refer to Section 1635, Allocation to an Ineligible Spouse and/or Child.

## 1624 Budgeting the Income of the Parent(s) of a Minor Head of Household

|   |   |  |                       |
|---|---|--|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |  |                       |
|   | <b>TANF Policy Manual</b>                               |  |                       |
|   | <b>Policy Title:</b>                                    | Budgeting the Income of the Parent(s) of a Minor Head of Household |                       |
|   | <b>Effective Date:</b>                                  | May 2023   |                       |
|   | <b>Chapter:</b>   | 1600   | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 52   | <b>Updated or Reviewed in MT:</b>                                  | MT-72                 |

### Requirements

A responsibility budget is completed to determine the amount of income to deem from the parent(s) of a minor head of household to the assistance unit (AU).

### Basic Considerations

A minor head of household (minor parent or pregnant minor), even if married, divorced, or widowed, who lives with his or her parent remains the financial responsibility of his or her parent.

The income of a parent of a minor head of household is considered in determining the financial eligibility and benefit amount of the AU.

The income of a stepparent of a minor head of household is not considered in the budgeting process.

When a minor is not included in the AU with his or her child for any reason, the income of the

minor's parent is not considered in determining eligibility for the minor's child.

Refer to Section 1365, Living Arrangements of a Minor Head of Household, for more information on the eligibility of minor head of households.

## Procedures

### Budgeting Procedures

Follow the steps below to determine the amount of income of the minor head of household's parent to deem to the AU:

- Step 1** Determine the gross countable earned income of the parent of the minor head of household.
- Step 2** Subtract the \$250 standard work deduction from the gross countable earned income of the parent of the minor head of household.
- Step 3** Determine the gross countable unearned income of the parent of the minor head of household.
- Step 4** Add the income determined in Step 3 to the income remaining in Step 2.
- Step 5** Determine the number of individuals living in the home with the parent of the minor head of household who are or could be claimed as tax dependents. (Include an unborn child of a pregnant individual).
- Include in this number an SSI child or adult who is or could be claimed as a tax dependent.
  - Do not include the income of these individuals.
  - Do not include in this number penalized or disqualified individuals, or individuals included in a TANF AU.
- Step 6** Add the parent of the minor head of household to the number determined in Step 5.
- Step 7** Subtract the appropriate standard of need (SON) for the number of individuals determined in Step 6 from the income determined in Step 4.
- Step 8** Determine the amount of child support and/or alimony contributed by the parent of the minor head of household to individuals not living in the home and subtract this amount from the income remaining after Step 7.



The child support and/or alimony does not have to be court-ordered but must be verified.


**Step 9** Determine the amount contributed by the parent of the minor head of household to individuals not living in the home who are or could be claimed as tax dependents and subtract this amount from the income remaining after Step 8.

- Verify the amount of the contribution.
- Do not include child support or alimony already subtracted in Step 8.

**Step 10** If a surplus exists in Step 9, deem the surplus as unearned income to the AU.

If a deficit exists in Step 9, do not deem any income to the AU.

## 1626 Budgeting the Income of an Ineligible Parent

|   |   |  |                       |
|---|---|--|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |  |                       |
|   | <b>TANF Policy Manual</b>                               |  |                       |
|   | <b>Policy Title:</b>                                    | Budgeting the Income of an Ineligible Parent |                       |
|   | <b>Effective Date:</b>                                  | May 2023                                     |                       |
|   | <b>Chapter:</b>   | 1600   | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 52   | <b>Updated or Reviewed in MT:</b>            | MT-72                 |

### Requirements

A responsibility budget is completed to determine the amount of income to deem from an ineligible parent(s) of an AU member to the assistance unit (AU).

### Basic Considerations

An ineligible parent is financially responsible for his/her child included in the AU.

The income of an ineligible parent is considered in determining the financial eligibility and benefit amount of the AU.

If the ineligible parent does not have sufficient income to meet his/her needs, income may be allocated from a spouse in the AU.


Refer to Section 1635, Allocation to an Ineligible Spouse and/or Child.

### Procedures

#### Budgeting Procedures


Follow the steps below to determine the amount of income of the ineligible parent to deem to the AU:

**Step 1** Determine the gross countable earned income of the ineligible parent.

- Step 2** Subtract the \$250 standard work deduction from the gross income countable earned of the ineligible parent.
- Step 3** Determine the gross countable unearned income of the ineligible parent.
- Step 4** Add the income determined in Step 3 to the income remaining after Step 2.
- Step 5** Determine the number of individuals living in the home with the ineligible parent who are or could be claimed as tax dependents. (Include the unborn child of a pregnant individual).
- Include in this number an SSI child or adult who is or could be claimed as a tax dependent.
  - Do not include the income of these individuals.
  - Do not include in this number penalized or disqualified individuals or individuals included in a TANF AU.
- Step 6** Add the ineligible parent to the number determined in Step 5.
- Step 7** Subtract the appropriate standard of need ( SON) for the number of individuals determined in Step 6 from the income determined in Step 4.
- Step 8** Determine the amount of child support and/or alimony contributed by the ineligible parent to individuals not living in the home and subtract this amount from the income remaining after Step 7.
-  The child support and/or alimony does not have to be court-ordered but must be verified.
- Step 9** Determine the amount contributed by the ineligible parent to individuals outside the home who are or could be claimed as tax dependents and subtract this amount from the income remaining after Step 8. Verify the amount of the contribution.
- Step 10** If a surplus exists in Step 9, deem the surplus as unearned income to the AU.
- If a deficit exists in Step 9, consider allocation to the ineligible parent if a parent in the AU has income.

Refer to Section 1635, Allocation to an Ineligible Spouse and/or Child.

## 1628 Budgeting the Income of the Spouse of a Nonparent Caretaker

|   |   |   |                       |
|---|---|---|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |   |                       |
|   | <b>TANF Policy Manual</b>                               |   |                       |
|   | <b>Policy Title:</b>                                    | Budgeting the Income of the Spouse of a Nonparent Caretaker |                       |
|   | <b>Effective Date:</b>                                  | May 2023  |                       |
|   | <b>Chapter:</b>   | 1600  | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 52   | <b>Updated or Reviewed in MT:</b>                           | MT-72                 |

## Requirements

A responsibility budget is completed to determine the amount of income to deem from the spouse of a nonparent caretaker to the assistance unit (AU).

## Basic Considerations

When a nonparent caretaker relative is included in the AU, the income of his/her spouse is considered in determining the financial eligibility and benefit amount of the AU.

If the spouse of the nonparent caretaker does not have sufficient income to meet his/her own needs, income may be allocated from the nonparent caretaker to his/her spouse.

Refer to Section 1635, Allocation to an Ineligible Spouse and/or Child.

If the income deemed from the spouse, alone or in combination with the AU's other income, results in ineligibility, the nonparent caretaker is excluded from the AU.


If the income deemed from the spouse, alone or in combination with the AU's other income, results in a benefit amount less than the amount without the nonparent caretaker, the nonparent caretaker must be given the option of being included in or excluded from the AU.

## Procedures


Follow the steps below to determine the amount of income to deem from the spouse of a nonparent caretaker to the AU:

- Step 1** Determine the gross countable earned income of the spouse of the nonparent caretaker.
- Step 2** Subtract the \$250 standard work deduction from the gross countable earned income of the spouse of the nonparent caretaker.
- Step 3** Determine the gross countable unearned income of the spouse of the nonparent caretaker.
- Step 4** Add the income determined in Step 3 to the income remaining after Step 2.



- Step 5** Determine the number of individuals living in the home with the spouse of the nonparent caretaker who are or could be claimed as tax dependents. (Include the unborn child of a pregnant individual).
- Include in this number an SSI child or adult who is or could be claimed as a tax dependent.
  - Do not include the income of these individuals.
  - Do not include in this number penalized or disqualified individuals, or individuals included in a TANF AU.
- Step 6** Add the spouse of the nonparent caretaker to the number determined in Step 5.
- Step 7** Subtract the appropriate standard of need (SON) for the number of individuals determined in Step 6 from the income determined in Step 4.
- Step 8** Determine the amount of child support and/or alimony contributed by the spouse of the nonparent caretaker to individuals not living in the home and subtract this amount from the income remaining after Step 7.
-  The child support and/or alimony does not have to be court-ordered but must be verified.
- Step 9** Determine the amount contributed by the spouse of the nonparent caretaker to individuals outside the home who are or could be claimed as tax dependents and subtract this amount from the income remaining in Step 8.
- Verify the amount of the contribution.
- Do not include child support or alimony already subtracted in Step 8.
- Step 10** If a surplus exists in Step 9, deem the surplus as unearned income to the AU if the nonparent caretaker chooses to be included in the AU.
- If a deficit exists in Step 9, consider allocation to the spouse if the nonparent caretaker has income.
- Refer to Section 1635, Allocation to an Ineligible Spouse and/or Child.

## 1630 Budgeting the Income of an Ineligible Spouse of a Married Dependent Child

|   |  |   |                                   |       |
|---|--|---|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |   |                                   |       |
|   | <b>Policy Title:</b>   | Budgeting the Income of an Ineligible Spouse of a Married Dependent Child |                                   |       |
|   | <b>Effective Date:</b>   | May 2023  |                                   |       |
|   | <b>Chapter:</b>  | 1600  | <b>Policy Number:</b>             | 1630  |
|   | <b>Previous Policy Number(s):</b>  | MT 52   | <b>Updated or Reviewed in MT:</b> | MT-72 |

## Requirements

A responsibility budget is completed to determine the amount of income to deem from an ineligible spouse of a married dependent child to the assistance unit (AU).

## Basic Considerations

An ineligible spouse of a married dependent child is financially responsible for him/her.

The income of an ineligible spouse of a married dependent child is considered in determining the financial eligibility and benefit amount of the AU.

If the ineligible spouse does not have sufficient income to meet his/her needs, income may be allocated from the married dependent child in the AU.


## Procedures

Follow the steps below to determine the amount of income of the dependent child's ineligible spouse to deem to the AU:

- Step 1** Determine the gross countable earned income of the dependent child's spouse.
- Step 2** Subtract the \$250 standard work deduction from the gross countable earned income of the dependent child's spouse.
- Step 3** Determine the gross countable unearned income of the dependent child's spouse.
- Step 4** Add the income determined in Step 3 to the income remaining after Step 2.
- Step 5** Determine the number of individuals living in the home with the dependent child's spouse who are or could be claimed as tax dependents. (Include the unborn child of a pregnant individual).
  - Include in this number an SSI child or adult who is or could be claimed as a tax dependent. Do not include the income of these individuals.
  - Do not include in this number penalized or disqualified individuals, or individuals included in a TANF AU.
- Step 6** Add the dependent child's ineligible spouse to the number determined in Step 5.

**Step 7** Subtract from the income determined in Step 4 the appropriate standard of need (SON) for the number of individuals determined in Step 6.

**Step 8** Determine the amount of child support and/or alimony contributed by the dependent child's ineligible spouse to individuals not living in the home and subtract this amount from the income remaining after Step 7.

 The child support and/or alimony does not have to be court-ordered but must be verified.

**Step 9** Determine the amount contributed by the dependent child's ineligible spouse to individuals outside the home who are or could be deemed as tax dependents and subtract this amount from the income remaining after Step 8. Verify the amount of the contribution.


Do not include child support or alimony already subtracted in Step 8.

**Step 10** If a surplus exists in Step 9, deem the surplus as unearned income to the AU.

If a deficit exists in Step 9, consider allocation to the ineligible spouse if the married dependent child has income.

Refer to Section 1635, Allocation to an Ineligible Spouse and/or Child.

## 1632 Budgeting the Income and Resources of a Sponsored Alien

|  Georgia Division of Family and Children Services<br>TANF Policy Manual |   |                                   |       |
|--|---|-----------------------------------|-------|
| <b>Policy Title:</b>   | Budgeting the Income and Resources of a Sponsored Alien |                                   |       |
| <b>Effective Date:</b>   | January 2020  |                                   |       |
| <b>Chapter:</b>  | 1600  | <b>Policy Number:</b>             | 1632  |
| <b>Previous Policy Number(s):</b>  | MT 20   | <b>Updated or Reviewed in MT:</b> | MT-52 |

### Requirements

An alien lawfully admitted in the US for permanent residence under an agreement with a sponsor must have the income and resources of the sponsor considered in determining eligibility for TANF benefits.

### Basic Considerations

A sponsor is a person or an organization that executes an affidavit of support on behalf of the alien as a condition of the alien's entry into the US.

The income of a sponsor or the spouse of a sponsor is considered in determining the financial eligibility and benefit amount of the AU.

Refer to 1310-12, 1310-13 for eligibility requirements of an alien.

The law requires deeming the income of the immigrant alien's sponsor or the sponsor's spouse as available to the immigrant/alien. 1996 welfare and immigration laws require deeming the sponsor's income for 10 years, that is, until the alien has credit for 40 quarters.

### **Aliens Exempt from the Deeming Process**

Exempt the following aliens from the deeming process:

- aliens granted temporary parole by the Attorney General
- aliens granted political asylum
- aliens granted status as conditional entrant
- aliens admitted as refugees
- Cuban or Haitian entrants
- aliens admitted as Amerasians and those authorized to accompany them.
- aliens whose sponsors receive Food Stamps, TANF or SSI

### **TANF AU Composition**

Include the following individuals in the AU:

- dependent child(ren) for whom assistance is requested, including any minor siblings, half siblings and married minor siblings who meet legal alien requirements
- the caretaker who meets legal alien requirements
- any other eligible adult who meets legal alien requirements.

### **Verifications**

Request and verify the following information from a sponsored alien:

- the alien's date and place of birth and the alien registration number
- the date of alien's entry or admission as a lawful permanent resident in the US name, address and phone number of the sponsor.
- the number of dependents (for federal income tax purposes) of the sponsor
- income and resources of the alien's sponsor
- income and resources of the sponsor's spouse (if living together)
- names or other identifying information of all aliens for whom the sponsor has signed an affidavit of support.

## **Procedures**

### **Budgeting Income of the Sponsor**

Complete a budget to determine the amount of income to deem to the alien's AU. Follow the steps

below:

- Step 1** Determine the gross earned income of the sponsor and the sponsor's spouse. The spouse's income is considered even if the marriage occurs after the affidavit of support is executed.
- Step 2** Deduct from the gross earned income (wages, salaries or net earnings from self-employment) 20% of the total of such amounts.
- Step 3** Add any countable unearned income to the income in step 2.
- Step 4** Determine the number of individuals living in the home with the sponsor, who are, or can be claimed as federal tax dependents. Exclude TANF recipients or sanctioned individuals in this count.
- Step 5** Subtract the Standard of Need (SON) for the number of individuals in step 4 from the income in step 3.
- Step 6** Determine the amount paid by the sponsor to the individual living outside the home, which are or can be claimed as federal tax dependents.
- Step 7** Subtract this amount from the income in step 4.
- Step 8** Deduct any amount paid by the sponsor and/or spouse of the sponsor for child support or alimony to individuals living outside the home. (This does not have to be court ordered but must be verified.)
- Step 9** If a surplus exists, deem this amount to the TANF AU as unearned income. If a deficit exists, do not deem any income from the sponsor to the alien's AU.

### **Budgeting Resources of the Sponsor**

Follow the steps below to determine the amount of resources to apply to the alien's AU:


- Step 1** Determine the amount of countable resources of the sponsor and the sponsor's spouse using TANF rules and policy regarding resources.
- Step 2** Deduct \$1500.00 from the sponsor's total countable resources.
- Step 3** Add the balance from step 2 of the sponsor's resources to the alien's countable resources.
- Step 4** Compare to the resource limit.

The following IF-THEN chart describes situations of sponsored aliens and the appropriate applicable policy of the TANF program:

*Chart 1632.1 - Sponsored Aliens*

| IF  | THEN   |
|---|--|
| The alien is sponsored by a public or private organization                                | <p>The alien is ineligible for five years from the date of entry into the US unless the agency or organization is one of the following:</p> <ul style="list-style-type: none"> <li>• no longer in existence</li> <li>• lacking the financial resources to meet the alien's needs.</li> </ul> <p>Verify by one of these:</p> <ul style="list-style-type: none"> <li>• public records</li> <li>• financial statement of the organization</li> <li>• affidavit of a person in a position to know the agency affairs (board chairman, financial officer etc.)</li> </ul> <p>Refer to <a href="#">Chart 1310.1</a> in the policy manual to determine the alien's status category.</p> |
| The sponsor also sponsors other aliens,   | <p>divide the total income and resources to be deemed from the sponsor by the number of alien AU members applying for or receiving TANF.</p> <p><i>Refer to TANF budgeting procedures in this section.</i></p>   |
| The alien changes sponsors,   | recalculate the income and resources based on the new sponsor's income and resources.  |
| The alien fails to obtain the sponsor's cooperation or to provide the needed information, | deny TANF application. No one in the alien's AU is eligible to receive TANF.   |
| The sponsor dies,   | delete the sponsor's income and resources from the budget.   |
| The alien loses his/her sponsor; the sponsor revokes the sponsorship agreement,           | continue to budget the previous amount of deemed income until the alien obtains a new sponsor or qualifies based on 40 Qualifying Quarters.  |
| The alien receives an overpayment,  | The alien and sponsor are jointly liable for the overpayment unless the sponsor has good cause or was not at fault.  |

## 1635 Allocation to an Ineligible Spouse and/or Child

|  <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |   |                                   |       |
|--|---|-----------------------------------|-------|
| <b>Policy Title:</b>   | Allocation to an Ineligible Spouse and/or Child |                                   |       |
| <b>Effective Date:</b>   | May 2023  |                                   |       |
| <b>Chapter:</b>  | 1600  | <b>Policy Number:</b>             | 1635  |
| <b>Previous Policy Number(s):</b>  | MT 70   | <b>Updated or Reviewed in MT:</b> | MT-72 |

### Requirements

A budget is completed to determine the amount of an assistance unit (AU) member's income that can be allocated to meet the needs of his/her ineligible child and/or ineligible spouse.

## Basic Considerations

The amount of income allocated to meet the needs of an ineligible child and/or spouse is subtracted from the AU member's income to determine financial eligibility and benefit amount.

The allocated income is subtracted from the AU member's income as follows:

- prior to including the AU member's income in the gross income ceiling (GIC) test,
- prior to including the AU member's income in the standard of need (SON) trial budget,
- after applying the earned income deductions to the AU member's income in the budget which determines the benefit amount.

The allocated income may be a different amount in each step of the budgeting process.

Income may be allocated to the spouse or child of an AU member or to the spouse or child of a penalized or disqualified individual when the spouse or child is not eligible to be included in the AU.

Income is allocated as follows:

- using only the income of the spouse for the support of his/her ineligible spouse,
- using only the income of the parent for the support of his/her ineligible child.

Income may be allocated to the following individuals:

- Ineligible spouse of an eligible adult or child
- Ineligible parent of a pregnant minor head of household or minor parent who is the head of household
- Ineligible spouse of the non-parent specified caretaker who is receiving TANF cash assistance for themselves.

Income is not allocated to a spouse or child who is not included in the AU for one of the following reasons:

- voluntarily excluded
- penalized – count all income in budget
- receiving SSI
- disqualified – count all income in budget
- a child ineligible because of age

## Procedures


Follow the steps below to determine the amount of an individual's income that is allocated to an ineligible spouse and/or child in each step of the budgeting process:

- Step 1** Determine the number of individuals to whom income can be allocated. (This includes an unborn child)
- Step 2** Determine the gross countable earned and unearned income of the individual from whom income can be allocated.
- Step 3** Allocate by subtracting the SON for the number of individuals determined in Step 1 from the gross countable income determined in Step 2.
- If a deficit exists, do not include any of the income of the individual from whom income is allocated in the AU's GIC test.
- If a surplus exists, include the surplus in the GIC test.
- Step 4** Determine the gross countable earned and unearned income of other AU members and add this amount to the surplus, if any, determined in Step 3.
- Step 5** Complete the GIC test by comparing the AU's income determined in Step 4 to the GIC for the AU size.
- If the AU's income is greater than the GIC, deny or terminate cash assistance.
- If the AU's income is equal to or less than the GIC, there is earned income in the budget, and this is an application, proceed to Step 6.
- If the AU's income is equal to or less than the GIC and there is no earned income or this is not an application, a SON trial budget is not required. Proceed to Step 11.
- Step 6** Begin the SON trial budget by subtracting the \$250 standard work deduction and dependent care expenses from the gross countable earned income of the individual from whom income can be allocated to determine his/her adjusted gross countable earned income.
- Step 7** Add the unearned income of the individual to the adjusted gross countable earned income determined in Step 6 to determine the individual's adjusted gross countable income.
- Step 8** Subtract the SON for the number of individuals to whom income can be allocated from the adjusted gross countable income determined in Step 7.
- If a deficit exists, do not include any of the income of the individual from whom income is allocated in the AU's SON trial budget.
- If a surplus exists, include the surplus in the AU's SON trial budget.
- Step 9** Add the adjusted gross countable income of other AU members to the surplus, if any, from Step 8.



- Step 10** Complete the SON trial budget by comparing the income from Step 9 to the SON for the AU size.
- If this income is greater than or equal to the SON for the AU size, deny or terminate cash assistance.
- If this income is less than the SON for the AU size, the AU passes the SON trial budget. Proceed to Step 11 to determine the benefit amount.
- Step 11** Subtract the appropriate earned income deductions from the gross countable earned income of the individual from whom income can be allocated as determined in Step 1 to determine his/her net countable earned income.
- Step 12** Add the countable unearned income from Step 1 to the income from Step 11. The result is the amount of income available for allocation in the budget that determines the benefit amount.
- Step 13** Allocate to the ineligible spouse and/or child the appropriate SON or the amount from Step 12, whichever is less.
- Step 14** Add the amount remaining from Step 13 to the net countable income of other AU members.
- Step 15** Subtract the net countable income of the AU from the SON for the AU size.
- Step 16** Authorize cash assistance in the amount of the deficit or the family maximum for the AU size, whichever is less.

## 1645 Budgeting Child Support Income

|   |  |  |                                |   |
|---|--|--|--------------------------------|---|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |  |                                |   |
|   | <b>Policy Title:</b>   |  | Budgeting Child Support Income |   |
|   | <b>Effective Date:</b>   |  | May 2023                       |   |
|   | <b>Chapter:</b>  |  | 1600                           | <b>Policy Number:</b> 1645              |
|   | <b>Previous Policy Number(s):</b>  |  | MT 52                          | <b>Updated or Reviewed in MT:</b> MT-72 |

### Requirements

Child support received by an assistance unit (AU) directly from an absent parent (AP) is included in the budget. Child support received by an AU from the Division of Child Support Services (DCSS) may be included in or excluded from the budget, depending on how the income is received.

### Basic Considerations

#### Budgeting at Application

At application, any child support payment paid directly to the AU by an AP is budgeted to determine

eligibility and benefit level of the AU

Child support is deleted from the budget when DCSS begins collecting the child support from the AP.

Payments forwarded by DCSS to the AU are limited to a predetermined, maximum amount, called the “Gap”.

*Refer to Gap Budgeting in this section.*

At application, any child support payment paid through DCSS, along with other countable income, is included to complete the Gross Income Ceiling (GIC) and/or Standard of Need (SON) test. Child support payment through DCSS is not included to determine the benefit level of the AU.

 Countable income is the amount left over after applying all appropriate exclusions/deductions to the income.

### **Gap Budgeting of Child Support**

The maximum monthly amount of child support that DCSS forwards to the AU is based on what is called the Gap. The Gap is the difference between the SON and the maximum grant amount for the AU size, minus the AU’s net income. Gap payments do not affect the amount of an AU’s cash assistance.

The actual Gap payment sent to an AU by DCSS may be less than the hypothetical maximum monthly Gap amount if what the AP pays in child support is less than the maximum Gap amount. All child support paid by the AP in excess of the Gap amount is retained by DCSS.

For a sanctioned AU, the Gap amount is the difference between the AU’s SON and what the maximum grant would be without a sanction.

 If the AU contains an unborn child, the Gap would be the difference between the SON and maximum grant amount for the AU size excluding the unborn child.

### **Other Child Support Payments**

Child support paid by an AP in excess of the AP’s obligated monthly amount may sometimes be sent to an AU in the following month. A payment of this type is not a Gap payment but is sent to the AU in addition to its regular Gap payment.

Income is budgeted based on the best estimate of income that an AU can expect to receive in the future. Receipt of a child support payment in excess of the Gap amount should not be budgeted if the payment is not ongoing and cannot be anticipated.

The receipt of a child support payment that exceeds the Gap amount may indicate an ongoing change in an AU’s circumstances that could impact its continuing eligibility.

### **Changes to an Active Case**

When cash assistance is approved for an AU that receives child support from an AP who is not known to DCSS, a system-generated referral of the AP is sent to DCSS. When paternity is either established or excluded by DCSS for the AP in question, DFCS is notified by DCSS.

## Child Support Received Directly from AP

Follow the steps below at application to determine the financial eligibility of an AU receiving child support payments directly from an AP:

- Step 1** Count all child support received from the AP when completing the Gross Income Ceiling (GIC) test. If the child support income, in addition to all the AU's other countable income, is greater than or equal to the GIC, deny cash assistance.
- Step 2** Count all child support received from the AP when completing the SON trial budget. If the child support income, in addition to all the AU's other countable income, is greater than or equal to the SON, deny cash assistance.
- Step 3** If the child support income, in addition to all the AU's other countable income, is less than the SON, include the child support as income in the budget when determining the AU's grant amount.
- Step 4** Process the approval of the application, including all child support income in the budget.

## Child Support Received from DCSS

Follow the steps below at application to determine financial eligibility of an AU receiving child support payments from DCSS:

- Step 1** Count all child support received from DCSS when completing the GIC test. If the child support income, in addition to all the AU's other countable income, is greater than the GIC, deny cash assistance.
- Step 2** Count all child support received from DCSS when completing the SON trial budget. If the child support income, in addition to all the AU's other countable income, is greater than the SON, deny cash assistance.
- Step 3** If the child support income, in addition to all the AU's other countable income, is less than the SON, do not include the child support as income in the budget when determining the AU's cash assistance for the ongoing month. Include child support income in the budget for any intervening months.
- Step 4** Determine the Gap amount and based on the AP's payment history, add up to the maximum Gap amount to the system for the ongoing month.
- Step 5** Process the approval of the application and do not include child support income in the budget for the ongoing month.

## Determining the Gap Amount

The Gap amount for an AU that **does not** include a pregnant woman will be based on the parent or grantee relative and the children for whom assistance is being requested.

- Step 1** Determine the SON based on the size of the AU.

**Step 2** Subtract the family maximum for the AU's size from the SON.

**Step 3** Subtract the AU's net countable income from the amount determined in Step 2. The remainder is the Gap amount.

### Determining the Gap Amount for an AU That Includes a Pregnant Woman

The Gap amount for an AU that includes a pregnant woman will be based on herself and her dependent children. The unborn child will be excluded from the SON, the family maximum, and the AU size.

**Step 1** Determine the SON based on the size of the AU.

**Step 2** Subtract the family maximum for the AU's size from the SON.

**Step 3** Subtract the AU's net countable income from the amount determined in Step 2. The remainder is the Gap amount.

**Example:**

Household consists of pregnant mom and 2 children. This would be an AU of 4 with an SON = 500. TANF benefit = \$330. The GAP would be determined using AU of 3 and family maximum for 3 (mom and 2 children).


SON = 424 and TANF benefit amount = \$280.

### Ongoing Changes

Follow the steps below for an active case that was initially approved with direct child support, once the AP's referral to DCSS has processed and paternity is established:

**Step 1** Delete the budgeted child support from the system. Based on the AP's history, add up to the maximum Gap amount to the system.

## 1650 Budgeting Lump Sum Income


|   |   |                                   |                       |      |
|---|---|-----------------------------------|-----------------------|------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |      |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |      |
|   | <b>Policy Title:</b>                                    | Budgeting Lump Sum Income         |                       |      |
|   | <b>Effective Date:</b>                                  | May 2023                          |                       |      |
|   | <b>Chapter:</b>   | 1600                              | <b>Policy Number:</b> | 1650 |
| <b>Previous Policy Number(s):</b>   | MT 52   | <b>Updated or Reviewed in MT:</b> | MT-72                 |      |

### Requirements

Lump sum income received by a lump sum budget unit member is used to determine a period of ineligibility.

## Basic Considerations

Lump sum income is nonrecurring income that equals or exceeds 100% of the federal poverty level (FPL).


-  Nonrecurring income that is less than 100% of the FPL is not subject to lump sum budgeting. This income is budgeted as any other income. Accrual rights policy applies.

Nonrecurring income is income that is received less frequently than monthly. If income is received from the same source for the same individual in the month immediately preceding the month in which the lump sum income is received, the income is recurring, and lump sum budgeting is not applied.

Lump sum budgeting applies regardless of whether the assistance unit (AU) continues to have the money on hand. Refer to Shortening the Period of Ineligibility in this section for exceptions.

Lump sum budgeting is used to determine a period of ineligibility when lump sum income is received by any of the following individuals:

- an eligible AU member
- an ineligible parent
- a disqualified individual
- a penalized individual.

-  Only individuals who are subject to standard filing unit (SFU) requirements are penalized. Individuals who are not members of a SFU and who fail to meet an eligibility requirement are removed from the AU. Lump sum income received by the non-SFU individual does not affect the remaining members of the AU.

### Lump Sum Budget Unit

The lump sum period of ineligibility affects only those individuals who are members of the lump sum budget unit.

The lump sum budget unit includes the following:

- an individual who is a member of the lump sum recipient's SFU in the month in which the lump sum income is received,
- an individual who would be a member of the lump sum recipient's SFU in the month in which the lump sum income is received except that the individual is an ineligible parent or is penalized or disqualified.

Lump sum income received by an individual who is a member of the lump sum budget unit but who could be excluded from the AU does not affect the other members of the lump sum budget unit.

For example, a mother receives cash assistance for herself, her daughter and her daughter's baby. The baby receives lump sum income. Because the baby is not required by standard filing unit policy to be included in the AU with his/her mother and/or grandmother and the baby is not financially

responsible for either, the baby's lump sum income is used only to determine his/her own period of eligibility.

Individuals who are included in the AU when the lump sum income is received but who are not members of the lump sum budget unit are not affected by lump sum budgeting.

A nonparent grantee relative who is included as a caretaker and who receives lump sum income will have his or her own period of lump sum ineligibility. The eligibility of the children for whom s/he receives cash assistance is not affected by the lump sum.

The AU member who receives the lump sum income must be correctly receiving cash assistance in the month of receipt of the lump sum income for lump sum budgeting to apply.

In order for lump sum budgeting to apply to the lump sum income of an ineligible, penalized or disqualified individual, a member of the lump sum budget unit must be correctly receiving cash assistance in the month of receipt of lump sum income.

Refer to Section 1205, Assistance Units, for information on SFU policy.

### **Period of Ineligibility**

The period of ineligibility is calculated using the lump sum income and 100% of the FPL for the number of people included in the lump sum budget unit.

The period of ineligibility is determined by dividing the lump sum income by 100% of the FPL. The result is the number of months the lump sum budget unit is expected to meet its needs with the lump sum income.

### **Effective Month of the Period of Eligibility**

Accrual rights policy is not applicable when determining the first month of the lump sum period of ineligibility. The period of ineligibility begins with the month in which the lump sum income is received. Therefore, an overpayment may exist for the month of receipt of the lump sum income and must be recovered.

### **Types of Lump Sum Income**

Lump sum income may be unearned or earned. Unearned lump sum income includes the following:

- accumulated or retroactive payments, such as RSDI benefits, unemployment
- compensation, child support, or worker's compensation,
- funds from a court settlement
- capital gains
- inheritance
- insurance payment for death, accident and/or injury
- lottery winnings
- windfall

This list is not all-inclusive.



CSE payments resulting from an administrative procedure, delay or error are not budgeted as lump sum income.

Earned lump sum income includes the following:

- severance pay
- bonus

This list is not all-inclusive.

Earned income deductions are allowed if the individual receiving the lump sum income is entitled to the deductions.

### **Informing the AU of Lump Sum Policy**

Every AU must be provided with the following information about lump sum income:

- the responsibility to report and verify the receipt of lump sum income before spending it,
- the effect that the receipt of lump sum income will have on the AU's eligibility for cash assistance,
- the possibility of an extended period of ineligibility during which the lump sum budget unit must use the lump sum income to meet living expenses.

The AU must be provided with this information at the following times:

- application
- review
- when lump sum income is anticipated or received.

### **Determination of the Net Amount of Lump Sum Income**

Legal restrictions placed on the use of the lump sum income affect the amount used in calculating the period of ineligibility. The restricted amount is verified and deducted from the lump sum income. The following are examples of legal restrictions:

- amounts restricted for use when the individual reaches a specified age,
- amounts restricted for specific expenditures other than daily living expenses.

This list is not all-inclusive.



Voluntary restrictions placed on the use of the lump sum income cannot be considered in determining the net countable lump sum income.

The following expenses are also deducted from the lump sum income:

- legal fees incurred in obtaining the lump sum income. These fees are often deducted before the lump sum income is paid.

- expenses for the purpose for which the lump sum income was intended, such as the following:
  - medical expenses resulting from an accident
  - funeral or burial expenses
  - replacement or repair of a resource.

This list is not all-inclusive.

The net countable lump sum income is the amount remaining after deducting restricted amounts and allowable expenses.

The lump sum period of ineligibility is calculated by dividing the net countable lump sum income by 100% of the FPL for the lump sum budget unit. The result will be rounded up and is the number of months the lump sum budget unit is expected to meet its needs with the lump sum income.

### **Calculation of the Lump Sum Period of Ineligibility**

 No other income is counted in determining the period of ineligibility.

If verification is not immediately available, the AU's statement of the required information is used to calculate an initial period of ineligibility. Refer to Verification of Lump Sum Income in this section.

When verification is received, the period of ineligibility is recalculated if there are any changes in the verified information.

### **Informing the AU When the Receipt of Lump Sum Income is Reported**

The AU must be provided with the following information when receipt of lump sum income is reported:

- the individual's ineligible based on receipt of lump sum income,
- the effective date of closure, or the effective date of removal from the AU of the lump sum budget unit members,
- the period of ineligibility,
- how the period of ineligibility was calculated,
- how the period of ineligibility may be shortened,
- the amount of any overpayment for which the AU is responsible, unless a fraud referral is pending,
- the effect of the lump sum income on potential eligibility for other individuals, and
- the month in which the AU or the lump sum budget unit members may reapply.

For the purpose of initially informing the AU of the period of ineligibility, the AU's statement of the required information about the lump sum income is used if verification is not immediately available. Refer to Verification of Lump Sum Income in this section.



## Verification of Lump Sum Income

The following information about lump sum income must be verified from the source:

- who received the lump sum income
- the amount of the lump sum income
- the date on which the lump sum income was received
- legal restrictions placed on the use of the lump sum income
- allowable expenditures paid from the lump sum income.

If the AU is unable to obtain the verification, the agency must attempt to obtain verification from the source.

If the AU fails or refuses to verify the above information, future cash assistance eligibility cannot be established. Termination of cash assistance continues to be based on lump sum budgeting and not on a failure to cooperate or failure to provide verification.

If verification is provided at a future date and the period of ineligibility can be determined historically, future cash assistance eligibility can be established.

## Shortening the Period of Ineligibility

The lump sum period of ineligibility may be shortened because of changes in circumstances, including the following:

- The budgeted lump sum income or a portion thereof becomes unavailable to the lump sum budget unit because of theft, loss or involuntary placement of legal restrictions upon the lump sum income.



The period of ineligibility cannot be shortened if the lump sum income is voluntarily placed in an inaccessible account or trust fund.

- An individual who has access to the lump sum income takes the lump sum income and moves from the home.
- Expenditures are made for a casualty or a disaster loss considered an act of God, such as fire, flood, severe storm or earthquake.
- Expenditures are made to prevent eviction or to secure housing after eviction. These expenditures may be used only twice during a period of ineligibility. An eviction notice is required prior to shortening the period of ineligibility.
- Expenditures are made to avoid disconnection of utilities. These expenditures may be used only twice during a period of ineligibility. A notice of disconnection is required prior to shortening the period of ineligibility. The period of ineligibility is not shortened if sufficient emergency energy assistance is available to avoid disconnection.
- Expenditures are made to move from substandard housing, to pay for essential repairs to the home, or for replacement of an essential appliance.
- Expenditures are made for unreimbursed funeral expenses of the following individuals:

- a member of the lump sum budget unit,
- the spouse, parent or minor child of a member of the lump sum budget unit,
- a child for whom an individual in a lump sum period of ineligibility continues to receive cash assistance.

Receipts for all expenditures are required prior to shortening the period of ineligibility.

A lump sum period of ineligibility is not shortened when the FPL is increased.

A lump sum period of ineligibility is never extended.

### Reapplication Following the Period of Ineligibility

The AU must be informed that it may apply for cash assistance in the last month of the period of ineligibility if temporary assistance is still needed.

None of the original lump sum income is counted as income following the period of ineligibility. Any of the lump sum income on hand after the period of ineligibility is counted as a resource.

Refer to Chart 1650.1 for treatment of lump sum income in special situations.

The following chart is used to determine the treatment of lump sum income in specific situations:

*Chart 1650.1 - Special Considerations in Lump Sum Budgeting*

| IF  | THEN   |
|---|--|
| lump sum income is received in the month of application but prior to the date of application              | the AU must be advised of the effect the lump sum income would have on eligibility and the right to postpone filing an application. If the AU elects to file an application, lump sum budgeting is applied.          |
| the AU anticipates receipt of lump sum income during the application process                              | the AU must be advised of its right to withdraw the application to avoid lump sum budgeting. If the AU elects to continue with the application, lump sum budgeting is applied if lump sum income is received.        |
| lump sum income is received during the application process  | lump sum budgeting applies.  |
| lump sum income is received after denial or after withdrawal of the application                           | lump sum budgeting does not apply.   |
| lump sum income is received in the month of application, but the AU is ineligible for another reason      | lump sum budgeting does not apply.   |
| lump sum income is received in the month of application but after approval                                | lump sum budgeting applies.  |
| an individual is in a lump sum period of ineligibility imposed in another state                           | the lump sum period of ineligibility does not follow the individual from the other state.  |
| lump sum income is received in an active case but the AU is ineligible for another reason                 | lump sum budgeting does not apply.   |
| lump sum income is received jointly with an individual(s) who is not a member of the lump sum budget unit | the net lump sum income is prorated among the individuals for whom the lump sum income is intended.<br><br>The period of ineligibility is based on the lump sum budget unit's pro rata share of the lump sum income. |

| IF  | THEN   |
|---|--|
| lump sum income is received by an individual whose income is deemed to the AU   | lump sum budgeting does not apply.   |
| subsequent lump sum income is received during the period of ineligibility   | lump sum budgeting does not apply to the subsequent lump sum income.   |
| an individual who is ineligible because of receipt of lump sum income leaves the home   | the individual remains ineligible for cash assistance for the predetermined period.  |
| an individual, including one who is a member of the SFU of the lump sum recipient, moves into the home and benefits are requested | the lump sum period of ineligibility does not apply to this individual.<br><br>The lump sum income is not considered in determining eligibility for this individual. All other applicable budgeting procedures are used. |

## Procedures

### Calculating a Period of Ineligibility When Lump Sum Income is Reported

Follow the steps below when the AU reports receipt of lump sum income:

- Step 1** Determine if the income received meets the definition of lump sum income.
- Step 2** Determine who is included in the lump sum budget unit as follows:
  - establish who received the lump sum income,
  - establish who is included in the lump sum recipient's SFU
  - establish who would be included in the lump sum recipient's SFU if that individual were not an ineligible parent or a penalized or disqualified individual.
- Step 3** Accept the AU's statement, if verification is not immediately available, of who received the lump sum income, the amount of the lump sum income, the date on which it was received, legal restrictions placed on its use and allowable expenditures.
- Step 4** Determine the net countable lump sum income by subtracting from the gross lump sum income any amounts legally restricted and amounts for allowable expenses.
- Step 5** Divide the net countable lump sum income by 100% of the FPL for the lump sum budget unit to determine the number of months the lump sum budget unit is ineligible.
- Step 6** If verification was not provided when the lump sum income was reported, verification must be requested from the AU.
- Step 7** Process the termination in the system and mail the system-generated notice.
- Step 8** Schedule any overpayments that result because of receipt of lump sum income.

## Shortening the Period of Ineligibility

Follow the steps below when an event occurs that requires that the period of ineligibility be shortened:

- Step 1** Determine the amount of the lump sum income that is considered still remaining as follows:
- Establish the number of months remaining in the period of ineligibility.
  - Multiply the number of months above by 100% of the FPL amount used in the original calculation of the period of ineligibility.

**Step 2** Subtract the allowable expenses or the amounts that are unavailable from the amount obtained in Step 1.


**Step 3** Divide the amount obtained in Step 2 by 100% of the FPL amount used in the original calculation of the period of ineligibility.

The result of this calculation is the length of the new period of ineligibility.

The remainder from this calculation is not counted as income in any month.

**Step 4** Send system generated notice completing all the required information.

## 1655 Budgeting When A First Sanction is Imposed

|   |  |  |                                   |       |
|---|--|--|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |  |                                   |       |
|   | <b>Policy Title:</b>   | Budgeting When A First Sanction is Imposed |                                   |       |
|   | <b>Effective Date:</b>   | January 2020                               |                                   |       |
|   | <b>Chapter:</b>  | 1600                                       | <b>Policy Number:</b>             | 1655  |
|   | <b>Previous Policy Number(s):</b>  | MT 9                                       | <b>Updated or Reviewed in MT:</b> | MT-52 |

### Requirements

A sanction budget is completed to determine the reduced benefit amount an assistant unit (AU) will receive when a sanction is imposed.

### Basic Considerations

A sanction is imposed against the entire AU rather than an individual. Therefore, the gross income ceiling (GIC), the standard of need (SON) and the family maximum remain the same for the AU size.

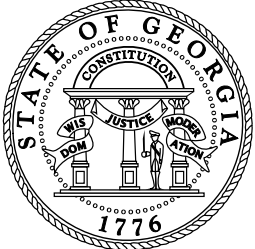
The AU's benefit amount is reduced by 25% when a first or first subsequent sanction is imposed.

## Procedures

Follow the steps below to determine the reduced benefit amount:

- Step 1** Determine the AU's current benefit amount.
- Step 2** Multiply the current benefit amount by 75%.
- Step 3** Compare manual calculations to the reduced benefit amount in Integrated Eligibility System (IES) for the sanction period to determine accuracy.
- Step 4** Authorize the reduced benefit in the system allowing timely notice. The appropriate notice will be generated once the case is authorized.

## 1665 Budgeting the Income of a Disqualified Individual

|  |   |   |                       |
|--|---|---|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |   |                       |
|  | <b>TANF Policy Manual</b>                               |   |                       |
|  | <b>Policy Title:</b>                                    | Budgeting the Income of a Disqualified Individual |                       |
|  | <b>Effective Date:</b>                                  | January 2020                                      |                       |
|  | <b>Chapter:</b>   | 1600  | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>  | MT 37   | <b>Updated or Reviewed in MT:</b>                 | MT-52                 |

## Requirements

A budget is completed to determine the financial eligibility and benefit amount of the assistance unit (AU) when a disqualified individual's income is included.

## Basic Considerations

An individual is disqualified from receiving cash assistance when s/he has committed an intentional program violation (IPV).

Refer to Section 1385, Intentional Program Violations.

The countable income of the disqualified individual is included in the budget if the individual is a member of the standard filing unit (SFU).

The income of the disqualified individual who is not a member of the SFU is included only if the individual was included in the AU at the time the IPV was committed.

The needs of the disqualified individual are not considered when determining the gross income ceiling (GIC), the standard of need (SON) and the family maximum to use in the budgeting process.

Earned income deductions may be applied to the earned income of the disqualified individual.


Refer to Section 1615, Deductions, for information on determining eligibility for earned income deductions.

## Procedures

Follow the steps below to determine financial eligibility and benefit amount when a disqualified individual's income is included in the budget:

- Step 1** Determine the gross countable income of the disqualified individual.
- Step 2** Add the income determined in Step 1 to the gross countable income of the AU members.
- Step 3** Complete the GIC test by comparing the income determined in Step 2 to the GIC for the AU size, excluding the needs of the disqualified individual.
- If the gross countable income is greater than the GIC, deny or terminate cash assistance.
- If the gross countable income is equal to or less than the GIC, proceed to Step 4.
- Step 4** Complete a SON trial budget, if necessary, to determine eligibility of an AU member and/or the disqualified individual for the \$250 standard work deduction. If not necessary, proceed to Step 5.
- Do not include the needs of the disqualified individual when determining the SON to use in the trial budget.
- If ineligible in the SON trial budget, deny or terminate cash assistance. If eligible in the SON trial budget, proceed to Step 5.
- Step 5** Apply applicable earned income deductions to the gross countable earned income of each employed AU member and the earned income of the disqualified individual to determine net earned income.
- Step 6** Add the unearned income of AU members and the disqualified individual to the net earned income determined in Step 5 to determine net countable income.
- Step 7** Subtract the net countable income determined in Step 6 from the SON for the AU size, excluding the needs of the disqualified individual.
- If the net countable income is greater than or equal to the SON, deny or terminate cash assistance.
- If net countable income is less than the SON, proceed to Step 8.
- Step 8** Compare the deficit from Step 7 to the family maximum for the AU size, excluding the needs of the disqualified individual.
- Step 9** Authorize cash assistance in the amount of the deficit or the family maximum, whichever is less.

# 1670 Budgeting the Income of a Penalized Individual

|   |  |  |  |   |
|---|--|--|--|---|
|  | Georgia Division of Family and Children Services<br>TANF Policy Manual |  |  |   |
|   | <b>Policy Title:</b>   |  | Budgeting the Income of a Penalized Individual |   |
|   | <b>Effective Date:</b>   |  | January 2020                                   |   |
|   | <b>Chapter:</b>  |  | 1600   | <b>Policy Number:</b> 1670              |
|   | <b>Previous Policy Number(s):</b>                                      |  | MT 37  | <b>Updated or Reviewed in MT:</b> MT-52 |

## Requirements

A budget is completed to determine the financial eligibility and benefit amount of the assistance unit (AU) when a penalized individual's income is included.

## Basic Considerations

The countable income of a penalized individual is included in the AU's budget.

Refer to Section 1205, Assistance Units, for information concerning who may need to be penalized.

The needs of the penalized individual are not considered when determining the gross income ceiling (GIC), the standard of need (SON), and the family maximum to use in the budgeting process.

Earned income deductions may be applied to the earned income of the penalized individual.

Refer to Section 1615, Deductions, for information on determining eligibility for earned income deductions.

## Procedures

Follow the steps below to determine financial eligibility and benefit amount when a penalized individual's income is included in the budget:

- Step 1** Determine the gross countable income of the penalized individual.
- Step 2** Add the income determined in Step 1 to the gross countable income of the AU members.
- Step 3** Complete the GIC test by comparing the income determined in Step 2 to the GIC for the AU size, excluding the needs of the penalized individual.

If the gross countable income is greater than the GIC, deny or terminate cash assistance. If the gross countable income is equal to or less than the GIC, proceed to Step 4.

**Step 4** Complete a SON trial budget, if necessary, to determine eligibility of an AU member and/or the penalized individual for the \$250 standard work deduction. If not necessary, proceed to Step 5.

Do not include the needs of the penalized individual when determining the SON to use in the trial budget. If ineligible in the SON trial budget, deny or terminate cash assistance. If eligible in the SON trial budget, proceed to Step 5.

**Step 5** Apply applicable earned income deductions to the gross countable earned income of each employed AU member and of the penalized individual.

**Step 6** Add the unearned income of AU members and the penalized individual to the net earned income determined in Step 5 to determine the net countable income.

**Step 7** Subtract the net countable income determined in Step 6 from the SON for the AU size, excluding the needs of the penalized individual.

If the net countable income is greater than or equal to the SON, deny or terminate cash assistance. If the net countable income is less than the SON, proceed to Step 8.


**Step 8** Compare the deficit from Step 7 to the family maximum for the AU size, excluding the needs of the penalized individual.

**Step 9** Authorize cash assistance in the amount of the deficit or the family maximum, whichever is less.



# 1700 Case Management

## 1701 Case Management Overview

|   |  |                                   |                       |
|---|--|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                                   |                       |
|   | <b>Policy Title:</b>   | Case Management Overview          |                       |
|   | <b>Effective Date:</b>   | June 2019                         |                       |
|   | <b>Chapter:</b>  | 1700                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 6   | <b>Updated or Reviewed in MT:</b> | MT-48                 |


### Requirements

Case management is the activity that begins with application and continues as long as an assistance unit (AU) remains eligible for TANF.

### Basic Considerations

- Every AU is required to cooperate with periodic reviews of eligibility.
- Every AU is required to report all changes that may affect its eligibility and/or their benefit level.
- All reported changes must be processed in a timely manner.
- Every AU must receive proper notification of action taken on its case.
- Every AU has the right to request a hearing on any action taken on its case.
- In some cases, changes reported by the AU may result in the AU's receipt of incorrect benefits in prior months. It may be necessary to recover these overpayments.

## 1705 Notification

|   |  |                                   |                       |
|---|--|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                                   |                       |
|   | <b>Policy Title:</b>   | Notification                      |                       |
|   | <b>Effective Date:</b>   | May 2023                          |                       |
|   | <b>Chapter:</b>  | 1700                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 64  | <b>Updated or Reviewed in MT:</b> | MT-72                 |

### Requirements

An assistance unit (AU) must receive proper notification of action taken on a case.

## Basic Considerations

### Written Notice

Written notice to the AU is required when any of the following occurs:

- approval or denial of an application for cash assistance,
- an increase or decrease in the AU's benefit level,
- addition or deletion of an individual in an AU,
- denial or termination of an individual's cash assistance resulting from a penalty, IPV disqualification or ineligibility because of citizenship requirements,
- imposition of a sanction,
- approval or denial of a hardship waiver and an extension of cash assistance,
- termination of all cash assistance to the AU.

Written notifications must include the following information:

- the proposed action,
- the reason for the action,
- the effective month of the action,
- the AU's right to a fair hearing,
- the condition under which the AU may receive a continuation of benefits pending a hearing,
- the AU's liability for benefits received during the hearing process for which the AU is ineligible,
- the availability of free legal representation, and the telephone number and name of a person to contact for additional information.

Notices must contain the citation of the manual section supporting the action.

Written notice is program specific and is either generated by the system or completed manually.

Written notice can be mailed to the AU or hand-delivered to the AU during an interview. Written notice is either adequate or timely.

### Adequate Notice

Adequate notice is a written communication provided to the AU no later than the date on which the action is taken.

Adequate notice is sufficient when informing the AU of a change that impacts cash assistance in a positive manner.

Adequate notice is sufficient in the following situations that negatively impact cash assistance:

- a mass change in cash assistance initiated by the state or federal government,
- a reliable report of the death of all members of the AU,

- a request from the AU to voluntarily close the case to avoid a sanction involving a reduction in benefits,
- a verbal or written statement from the AU requesting termination of cash assistance for the entire AU,
- a disqualification because of an Intentional Program Violation (IPV),
- a reduction or termination of cash assistance if the AU was previously informed of the change and its effective date,
- the approval of SSI for an AU member,
- a reliable report of the death of a recipient or payee, with no other relative to serve as payee,
- the admission of an AU member to a public institution,
- the admission of an AU member to a nursing home,
- the removal of a child from the home as a result of judicial determination or voluntary placement in foster care,
- the signing of the Form 102, Waiver of Timely Notification, by the client, allowing benefits to be reduced or terminated, or
- the whereabouts of the AU is unknown, and mail sent to the AU has been returned by the Post Office with no forwarding address indicated.



The cash assistance must be made available to the AU if the AU is located and is otherwise eligible.

The list above is all-inclusive of negative actions for which adequate notice is sufficient.

### **Timely Notice**

Timely notice is a written communication provided to the AU with at least a 14-day waiting period before the date the proposed negative action can become effective.

Timely notice is provided in all circumstances for which adequate notice is not sufficient.

The proposed change is implemented effective the month following the month in which the 14-day period of timely notice expires. An overpayment may occur when the system does not correctly issue benefits in accordance with what must be the effective month of change. Refer to Section 1720, Changes for additional information regarding overpayments.

If the AU provides information within the 14-day waiting period that may have an impact on the proposed change, the action must be stopped, and the AU's circumstances reevaluated.

The system automatically tracks the 14-day timely notice period when the action is entered in the system.

### **Hearing Requests**

The AU has the right to request a hearing within 30 days of the date on the notice and, during the 14-day timely notice period, may request a continuation of benefits at the benefit level prior to the negative action.

The AU meets the requirement to request a hearing and a continuation of benefits if the following occur:

- the timely notice period ends on a weekend or holiday, and
- the request is received on the first workday following the weekend or holiday.

Refer to Appendix B for additional information regarding hearings.

### Manual Notice

A manual notice must be sent when the system-generated notice does not provide sufficient information. The system-generated notice and the system’s tracking of the timely notice period are waived.

The 14-day timely notice period must be manually tracked when a manual notice is sent, and the action is not entered in the system.

The manual notice must inform the AU of the eligibility, benefit level and any special requirements.

A manual notice must be sent in the following situations:

- cash assistance is not extended after the lifetime limit has been reached, and
- any other situation in which the system-generated notice does not provide sufficient information.

The following forms can be used to provide manual notice:

- Form 191, Disposition Notification TANF Hardship Waiver
- Form 192, Disposition Notification TANF Lifetime Limit Termination or Denial.
- Form 249, TANF Notification Form
- Form 329, Disposition Notification TANF Sanction

The original notice is sent to the AU and filed in Web Center Enterprise Capture (WEC). Other copies are provided as required by policy.


Use the following chart to determine the type of notification required for a given action.

*Chart 1705.1 - Required Notification*

| ACTION TAKEN  | NOTICE REQUIRED |
|---|-----------------|
| An eligible child has been removed from the home because of a judicial determination or voluntary placement in foster care.   | Adequate        |
| An AU member is approved for SSI.   | Adequate        |
| An AU member is admitted or committed to a public institution.  | Adequate        |
| An AU member is placed in a nursing home.   | Adequate        |
| The AU’s whereabouts are unknown and agency mail has been returned by the Post Office indicating no forwarding address.       | Adequate        |
| Cash assistance is reduced upon approval of the application and the AU was notified of the reduction at the time of approval. | Adequate        |

| ACTION TAKEN   | NOTICE REQUIRED |
|--|-----------------|
| Cash assistance was previously approved for a specific time period, and the AU was informed in writing of the proposed reduction or termination in benefits.   | Adequate        |
| A reliable report of the death of all members of the AU is received.   | Adequate        |
| An AU requests closure of its case to avoid a sanction involving a reduction in benefits   | Adequate        |
| A change in the AU's circumstances causes a decrease or termination of cash assistance for an individual or the entire AU.   | Timely          |
| An individual is disqualified.   | Adequate        |
| The agency has information concerning the death of a recipient or payee, and there is no one to serve as grantee relative or emergency payee.  | Adequate        |
| Mass changes in cash assistance are initiated by the state or federal government, including the following: <ul style="list-style-type: none"> <li>• TANF, RSDI and SSI cost of living increases</li> <li>• increases in financial standards and benefits levels</li> <li>• increases in deductions.</li> </ul> | Adequate        |
| The client signs a Form 102, Waiver of Timely Notification, allowing cash assistance to be reduced or terminated.  | Adequate        |
| The AU submits an unambiguous written request to voluntarily terminate the case.   | Adequate        |
| The entire AU has moved out of state.  | Adequate        |
| The agency has verified that the entire AU has moved out of state and is currently receiving benefits in the other state.  | Adequate        |

## 1710 Reviews

|  <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |               |                                   |       |
|--|---------------|-----------------------------------|-------|
| <b>Policy Title:</b>   | Reviews       |                                   |       |
| <b>Effective Date:</b>   | November 2023 |                                   |       |
| <b>Chapter:</b>  | 1700          | <b>Policy Number:</b>             | 1710  |
| <b>Previous Policy Number(s):</b>  | MT 72         | <b>Updated or Reviewed in MT:</b> | MT-75 |

## Requirements

Renewals of continuing eligibility are required for all TANF cases every twelve months.

## Basic Considerations


### Review Requirements

AUs must be notified that a renewal needs to be completed, allowing them sufficient time to comply with the renewal requirements. The renewal process must be completed by the last day of the month in which the renewal is due.

After completing a Renewal, the TANF case is renewed for a period of 12-months.

-  If the last day of the month falls on the weekend or holiday, the renewal must be submitted by the last business day of the month.

Renewals may also be completed at other times if the case manager deems it necessary because of a change in the AUs circumstances. To complete the renewal process, the AU must submit a completed renewal form and be interviewed.

-  90-day reviews are recommended for Individuals that are caring for a disabled household member. This is not a standard TANF eligibility renewal.

The AU can complete the renewal form by:

- submitting a completed Form 508 – Food Stamps, Medicaid, TANF Renewal Form to the local county office or
- using the on-line Renewal Option via Georgia Gateway at: [www.gateway.ga.gov](http://www.gateway.ga.gov).

The AU must submit the renewal form prior to the scheduled interview appointment time.

### **Electronic Signatures**

Electronic signatures utilizing Adobe signature or other E-Signature software will be acceptable for all TANF forms. A completed application consists of a signed application submitted with a name and address. A typed name on the signature line of a paper application is not acceptable.

### **Who Must be Interviewed**

A telephone or face-to-face interview must be conducted with the following individuals:

- the parent(s) or grantee relative,
- a pregnant woman (including a minor dependent child who is pregnant)
- a minor parent who is receiving cash assistance as a dependent child, including a non-custodial, non-supporting minor parent; or
- an AU member who has a work requirement

If relevant to the AUs circumstances, a telephone or a face-to-face interview may also need to be conducted with one or more of the following individuals to obtain income/resource information:

- alien's sponsor
- ineligible parent who is not a payee
- employed minor child in the AU if the caretaker is uncertain of the child's income
- spouse of a married minor
- stepparent
- spouse of a caretaker
- parent of a minor caretaker

## What Must be Reviewed

The following points of eligibility must be reviewed, and verification obtained, if applicable:

- deprivation
- living arrangements, including those of a pregnant minor or minor parent
- prenatal care
- personal responsibility requirements
- work requirements
- immunizations
- resources
- income
- dependent care expenses
- financial management
- any other point of eligibility subject to change
- GRG /MSP eligibility.

## Voter Registration

It is the policy of the Department of Human Services (DHS) that all Office of Family Independence (OFI) programs must offer voter registration services to all applicants and recipients whenever they apply for services, renew services, or submit a change of address, whether in person, electronically, via the telephone, facsimile, or mail.

Voter registration services include distribution of:

- Application for Voter Registration
- Assistance in completing the form if requested
- Acceptance and transmittal of completed Voter Registration Application and the Agency Recap Forms to the Secretary of State.

Include the Agency Voter Registration Declaration Statement and Application for Voter Registration with each renewal package.

Document recipient's acceptance or declination of the voter registration service.

For additional information about voter registration, refer to [1008 Voter Registration](#) of the policy manual.

## Appointment Notice

A system-generated appointment notice or a manual Form 173A- Appointment Letter is used to schedule a face-to-face or telephone interview. The letter must contain the following information:

- that a review is necessary to continue eligibility,

- the consequences of failing to comply with the renewal process,
- the date on which the AU must be available for a telephone interview or appear for a face-to-face interview with the case manager,
- the AUs responsibility for rescheduling a missed interview,
- the AUs responsibility to provide all required verification,
- the AUs right to a fair hearing,
- the address of the county office completing the renewal, and
- the name and direct telephone number of the case manager.

## Missed Appointment

If the AU misses the telephone or in-office appointment and does not contact the agency within the 24-hour grace period, the case is closed in IES issuing a timely notice. The TANF case is automatically closed following the expiration of timely notice.

If the AU contacts the agency within 14-days waiting period, the action must be stopped and the AUs circumstances reevaluated. Any OI/OP resulting from this missed appointment will be considered a valid overpayment.

Refer to [1705 Notification](#) for additional information regarding Timely Notice and possible overpayment.

## Procedures

Follow the steps below to complete a renewal:

1. Mail the AU an appointment notice to schedule the interview. The appointment notices/letter should be mailed to the AU to ensure receipt by the AU within seven calendar days prior to the appointment date.



An appointment scheduled by means other than in writing can be made fewer than seven days prior to the appointment date. Ensure that sufficient time is allowed for processing the review by the due date.

2. Conduct a telephone or face-to-face interview with the appropriate individuals.
3. Offer voter registration services and record the outcome in IES and on the Declaration Statement.
4. Review all points of eligibility using the completed Form 508, Food Stamps, Medicaid, TANF Renewal Form or Customer Portal Renewal Application. Obtain verification when required.
5. Document the information obtained during the interview process in IES.

## Mandatory Forms

The following forms must be completed and/or provided to the AU when completing a TANF renewal **and document in IES**:



- **Form 508**, Food Stamps, Medicaid, and TANF Renewal form (if renewal is not submitted through customer portal).



**Form 297**, Application for TANF, Food Stamps, and Medical Assistance can be accepted for a TANF renewal. However, **Form 528**, SNAP Periodic Report Form, cannot be accepted for a TANF renewal.

- **Form 522**, Domestic Violence brochure. If the renewal is submitted through Customer portal or Form 508, the section for Domestic Violence will satisfy the Form 522 requirement.

## Conditional Forms

The following forms are completed **as necessary** when completing a TANF renewal:

- **Form 138**, Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement and Third-Party Resources, if deprivation is based on continued absence and there has been a change since the most recent application or renewal. *(Form is required if additional child is added).*
- **Form 173**, TANF/ Medicaid/ Food Stamp Verification Checklist
- **Form 173 A**, Appointment Letter
- **Form 194**, TANF Assessment for Domestic Violence, Sexual Assault, Sexual Harassment, or Stalking *(This form is required to be signed and returned if a waiver is requested for DCSS Cooperation or Work Requirements).*
- **Form 196**, TANF Family Service Plan (TFSP)-Personal Responsibility Requirements (PRP) if there has been a change in the AUs PRP requirements since application or last renewal. *(Form must be signed and returned).*
- **Form 196A**, TANF Family Service Plan (TFSP)- Work Requirement, if there has been a change in the AUs TFSP work requirement since application or last renewal. *(Form must be signed and returned).*
- **Form 351**, GRG MSP CRISP Work Sheet
- **Form 354**, Expense Statement, *(Form 354 is only for work eligible adults. It should be completed if Form 508 is not completed in its entirety).*
- **Form 489**, TANF Work Requirement Exemption Form, if there is a child in the home less than 12 months of age. *(Form must be signed and returned if the client is requesting an exemption).*
- **Form 785**, Family Planning Services Referral, if required *Refer to 1345-4 – Personal Responsibilities Requirements for details about requirements to complete Form 785.*
- **ADA RM Form 101**, Americans with Disability Act Reasonable Modification Form. *(This form may be used, but is not required, if reasonable modifications or accommodations are requested).*
- **ADA RM Form 102 Tracking Form**, Americans with Disability Act Reasonable Modification Tracking Form *(This form is required when the Reasonable Modification (RM) request cannot be entered and documented in Gateway, or the request for a RM may be potentially denied).*



If Form 194, 196 – PRP, 196A – Work Plan, and/or 489 are required, they must be signed and returned. Case Notes must be updated to indicate a required form was mailed if Form 508 is submitted as the renewal.

Whenever IES can be used to collect or transmit necessary information, it should be used. If IES cannot be used, even if only temporarily, the hard copy form must be used.

## Other Forms

Based on the client’s circumstances, other forms may also be completed.

Other forms are completed to verify Points of Eligibility. For example, income verification forms, exemption from work requirement forms etc.

1. Complete Clearinghouse requirements:
  - View related records
  - Document IES: “Additional information verified by a third party or other sources.”



**Do not cut and paste Federal Tax Information (FTI) in WebCenter Enterprise Capture (WEC) or IES screens.**

 Refer to [1410 Security for IRS, FTI, and BEERS Information](#) of the policy manual to learn more about the security of FTI information.

Update information on the system to reflect changes and to indicate that the review is complete.


Use the following chart as a guide to timely completion of a TANF renewal:

*Chart 1710.1 - PROCEDURES FOR COMPLETION OF TANF RENEWAL*

| IF   | THEN   |
|--|--|
| the AU complies with all requirements  | Continue eligibility.  |
| the AU misses the telephone or in- office appointment and does not contact the agency within the 24-hour grace period                                    | A timely notice is sent, after the 24-hour grace period and then close the case following expiration of the timely notice  |
| the AU misses the telephone or in-office appointment and contacts the agency within the 24-hour grace  | Appointment rescheduled; client advised to submit renewal form <b>508 prior to the appointment.</b>  |
| the AU misses the telephone or in-office appointment and contacts the agency within the timely notice period   | Appointment rescheduled; client advised to submit renewal form <b>508 prior to the appointment.</b><br><br> If this appointment is missed, the original timely notice period continues. |
| the AU misses the telephone or in-office appointment and later contacts the agency for an interview and submits a renewal form before the end of the POE | Reopen the TANF case and complete the interview.<br><br>If verification is requested and returned, complete TANF renewal.<br><br>If verification is not returned, close TANF case.   |
| the agency did not provide written notice of the appointment seven days prior to the appointment date and the appointment has been missed                | Reschedule the appointment.<br><br> Timely notice does not begin until the second appointment is missed.  |
| the AU fails to provide requested verification that is required to re-determine eligibility, or return <b>Form 508</b>                                   | close the case following expiration of timely notice.  |
| Client fails to attend renewal appointment and does not submit a renewal form  | Close case   |

| IF  | THEN  |
|---|---|
| the case is transferred from another county | complete a review within 30 days of accepting transfer. |

## 1720 Changes

|  | Georgia Division of Family and Children Services<br>TANF Policy Manual |          |                                   |       |
|---|--|----------|-----------------------------------|-------|
|   | <b>Policy Title:</b>   | Changes  |                                   |       |
|   | <b>Effective Date:</b>   | May 2023 |                                   |       |
|   | <b>Chapter:</b>  | 1700     | <b>Policy Number:</b>             | 1720  |
|   | <b>Previous Policy Number(s):</b>                                      | MT 48    | <b>Updated or Reviewed in MT:</b> | MT-72 |

### Requirements

When a change in circumstances occurs, action must be taken to determine the ongoing eligibility of the assistance unit (AU).

### Basic Considerations

The AU must report all changes on a timely basis, which is within 10 calendar days of the date on which the change occurs.

There may be changes in the AU's circumstances that require re-evaluation of the case. Examples include but are not limited to the following:

- a work eligible individual finds a job,
- an AU member is approved for Supplemental Security Income (SSI), Retirement Survival Disability Income (RSDI), Unemployment Compensation Benefits (UCB), Child Support or any other unearned income,
- a dependent child leaves the home,
- pregnancy and the number of fetuses
- the loss of one or more fetuses
- absent parent moves in the home
- an AU member becomes deceased

The date on which the change occurs is the day the event happens. Examples include but are not limited to the following:

- the date on which the first (or last) paycheck is received,
- the date on which the unearned income is first received,
- the date on which earned or unearned income is terminated,
- the date on which an AU member leaves the home,

- the date of the loss of the fetus.

## **Financial Changes**

A financial change that results in a decrease in benefits or in total ineligibility must be effective the month after the change occurs, or the second month after the change occurs, depending on when the worker acts and timely notice expires. If the change is not processed in time to decrease or terminate cash assistance effective the appropriate month, the AU will be overpaid.

A financial change that results in an increase in benefits must be effective the month after the change is reported or the month in which verification of the reported change is provided, whichever is later. If the change is not processed in time to increase cash assistance for the appropriate month, the AU will be underpaid.

## **Non-financial Changes**

A non-financial change that results in a decrease in benefits or in total ineligibility must be effective the month after the change occurs, regardless of when timely notice expires. If the change is not processed in time to decrease or terminate cash assistance effective the appropriate month, the AU will be overpaid.

A non-financial change that results in an increase in benefits must be effective the month after the change is reported or the month in which all eligibility requirements are met, whichever is later. If the change is not processed in time to increase cash assistance for the appropriate month, the AU will be underpaid.

The National Voter Registration Act of 1993 requires that, if a client personally reports a name or address change that necessitates a change in his/her voting location, then we must offer voter registration and provide him/her a voter registration Form VRA-07.

If a change is reported through another channel, such as a telephone call or written request to change the name or address, which necessitates a change in voting location, then we must provide a State of Georgia Application for Voter Registration, VRA-07, by mail or during the next in-person client contact.

## **Untimely Report of Changes**

If an AU fails to report a financial change in a timely manner, an overpayment may result. The case manager must determine when the change should have been reported, add 10 days for processing, and then add 14 days to give timely notice of adverse action. Financial changes are effective the month after the timely notice expires. A month for which the payment should have been decreased or terminated is an overpayment month. The worker's failure to act within ten days of receipt of verification of the change may result in an overpayment.

A financial change that causes a decrease in benefits or in total ineligibility requires that the AU be given timely notice. If, because of the date on which timely notice expires, the AU receives an additional month of cash assistance, the additional month of benefits counts toward the AU's lifetime TANF limit.

The AU may sign Form 102, Waiver of Timely Notice Period, to avoid the receipt of additional cash

assistance and reserve a month of eligibility for a later date when the need for cash assistance may be greater.

If an AU fails to report a non-financial change in a timely manner, and the timely report would have caused a decrease in benefits or total ineligibility, an overpayment will occur. The case manager must determine when the change should have been reported and close the case or reduce the benefits effective the month after the month in which the change occurred. The case manager must provide adequate notice informing the client about the agency’s decision, reason for the decision and must give the client an opportunity to request a hearing.

Use the chart below to determine if verification is required when an AU reports a change.

*Chart 1720.1 - Required Verification*

| CHANGE   | VERIFICATION REQUIRED                                    |
|--|--|
| income-new source  | yes  |
| income-amount changes  | yes  |
| terminated income  | yes  |
| income resulting in decrease of benefits                             | yes  |
| if the reported change results in total ineligibility of the client  | no, timely notice is required                            |
| if the reported change results in decrease in benefits               | yes, timely notice is required                           |
| vehicle-acquisition of   | refer to section 1515                                    |
| real property-acquisition of   | yes  |
| life insurance-acquisition of  | no   |
| other resources-changes in or acquisition of                         | yes, if total resources exceed 75% of the resource limit |
| AU size, if the AU remains eligible, including the number of fetuses | yes  |
| AU size, if results in total ineligibility                           | no, timely notice is required                            |
| AU size decreases due to death                                       | yes, if questionable                                     |
| dependent care costs   | yes, if changed  |
| other factors of eligibility   | yes, if questionable                                     |
| residence  | yes, if questionable                                     |
| excluded income, i.e. vendor payments                                | yes  |
| voluntary closure  | no, timely notice is not required                        |

Use the chart below to determine procedures when an AU fails to provide requested verification.

*Chart 1720.2 - Failure of an AU to Provide Requested Verification*

| IF THE AU FAILS TO PROVIDE VERIFICATION OF  | THEN  |
|---|---|
| a change in income, a new source of income, a resource that must be verified, or questionable | terminate benefits effective the month following the expiration of timely notice. |
| a new dependent care expense  | do not allow the dependent care expense as a deduction.                           |
| an increase in a dependent care expense   | remove the dependent care expense deduction from the benefit calculation.         |

| IF THE AU FAILS TO PROVIDE VERIFICATION OF | THEN  |
|--|---|
| a decrease in a dependent care expense     | remove the dependent care expense deduction from the benefit calculation. |

 Overpayments may exist based on specific timeliness requirement. Refer to Chapter 1900, Issuance.

Use the chart below to determine when the AU is required to report changes.

*Chart 1720.3 - Reporting Changes*


| Type Of Change   | Deadline by Which Change Must Be Reported               |
|--|---|
| AU size or composition   | 10 days   |
| residence  | 10 days   |
| resource/acquisition of a licensed vehicle   | 10 days   |
| resource/all types other than acquisition of a licensed vehicle  | 10 days when resources exceed 75% of the resource limit |
| dependent care   | 10 days   |
| source of income   | 10 days   |
| income change  | 10 days   |
| income automatically updated by the system (DCSS, TANF, RSDI, SSI, RR, and VA mass reviews with % updates) | not required  |
| excluded income, such as vendor payments   | 10 days   |

## Procedures

All changes reported by an AU must be documented in IES. The case manager must act on all reported changes in a timely manner. If the change reported by the AU results in total ineligibility of the AU, then follow the steps below to process changes:

1. document the reported change
2. enter the information on the appropriate IES screen per policy using the client statement as verification,
3. allow 14-days timely notice and
4. close the case effective the month after timely notice expires. If the change reported by the AU results in decrease in benefits, then:
5. determine if the change is reported timely or untimely.
6. document the case record, request that the AU provide verification within 10 days.
7. determine if the AU requires assistance in obtaining verification. If so, provide assistance.
8. enter the verified information in IES allowing timely notice.
9. provide the AU with appropriate notice. Refer to Section 1705, Notification.
10. If the AU fails to return the requested verifications by the due date, close the case for the reason “failure to provide information to determine eligibility.”

# 1730 Financial Changes

|   |  |                   |                                   |       |
|---|--|-------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                   |                                   |       |
|   | <b>Policy Title:</b>   | Financial Changes |                                   |       |
|   | <b>Effective Date:</b>   | June 2019         |                                   |       |
|   | <b>Chapter:</b>  | 1700              | <b>Policy Number:</b>             | 1730  |
|   | <b>Previous Policy Number(s):</b>  | MT 5              | <b>Updated or Reviewed in MT:</b> | MT-48 |

## Requirements


When an assistance unit (AU) experiences a change in its resources, income or expenses, ongoing eligibility must be determined, and action taken to adjust the benefit level.

## Basic Considerations

A financial change is defined as a change in resources, income and/or expenses. It includes the following:

- a new resource
- a change in the value of a resource
- the loss of a resource
- a new income source
- a termination of income
- a change of employer
- an increase or decrease in the rate of pay
- an increase or decrease in number of hours worked
- an increase or decrease in the dependent care expense due to a change in provider, number of hours of care, number of individuals for whom care is given, or the amount charged a change in self-employment.

The above list is not all-inclusive.

 If a decrease in income is reported after the month of change, the AU is not entitled to receive a corrective.

All financial changes must be reported within 10 days of the date of the change. A change in income or expenses requires a recalculation of the representative income or expenses based on the AU's past, current and/or anticipated circumstances. Verification of changes in income and resources is required.

Normal fluctuations in the income amounts are not considered a change in circumstances and do not require a recalculation of the representative income amount. Normal fluctuations include the following:

- overtime not expected to last for more than one calendar month
- a fifth or periodic paycheck
- vacation pay received within a calendar month.

All financial changes must be verified. The worker must act on the reported change immediately upon receiving the required verification, but no later than 10 days after receipt.

### **Change Causes Benefits to Increase**

If the reported change in income, resources, or deductions causes cash assistance to increase, determine and document:

- the date on which the change was reported,
- the nature of the change,
- the date on which the change became/will become effective,
- the type of income, resource, or deduction,
- the new amount of income, resource, or deduction
- the AU member who receives the income, owns the resource, or pays the deduction,
- the frequency with which wages are received or expenses paid,
- the date on which wages are received or expenses paid,
- the verification source.

After the verification has been obtained, complete the following steps:

1. Complete a trial budget. Determine representative pay or expenses, using the correct conversion factor for the ongoing month. Refer to Chapter 1600, Budgeting.
2. Make changes in the system effective the month after the change is reported or the month in which the client provides verification of the reported change, whichever is later.

### **Change Causes Benefits to Decrease**

If the reported change in income or deductions causes cash assistance to decrease, determine and document:

- the date on which the change was reported,
- the nature of the change,
- the date on which the change became/will become effective,
- the type of income, resource, or deduction,
- the new amount of income, resource, or deduction
- the AU member who receives the income, owns the resource, or pays the deduction,
- the frequency with which wages are received or expenses paid,
- the date on which wages are received or expenses paid,




- the verification source.

Follow the steps below after verification has been obtained:

1. Complete a trial budget. Determine representative pay or expenses, using the correct conversion factor for the ongoing month. Refer to Chapter 1600, Budgeting.
2. Make changes in the system effective the first or second month following the month in which the change occurred, depending on when the worker takes action and timely notice expires. Provide timely notice.

## 1735 Changes in Residence

|   |  |                      |                                   |       |
|---|--|----------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                      |                                   |       |
|   | <b>Policy Title:</b>   | Changes in Residence |                                   |       |
|   | <b>Effective Date:</b>   | November 2021        |                                   |       |
|   | <b>Chapter:</b>  | 1700                 | <b>Policy Number:</b>             | 1735  |
|   | <b>Previous Policy Number(s):</b>  | MT 48                | <b>Updated or Reviewed in MT:</b> | MT-64 |

### Requirements

AU members must be Georgia residents.

### Basic Considerations

When the AU moves, changes are made to ensure that benefits are received at the correct address and at the correct benefit level.

#### CHANGE in RESIDENCE REQUIREMENTS

Make an address change in the system on the day on which it is reported to the agency to ensure that benefits are sent to the correct address.

Offer voter registration services to each A/R at each contact for a report of change of residential address.

Document the following:

- the date on which the AU changed its residence
- the new address
- the date the new address was reported to the agency
- the AU members who reside at the new address
- the names of others who may be living at the address and their relationship to the AU members
- the new rent and utility cost amounts.

Determine whether the AU composition has changed. If so, make appropriate additions or deletions according to Section 1733, Changes in AU Composition.

Determine whether the AU's new residence is in the county where the case is currently assigned.

### AU Moves Out of the County

When information is received that the AU has moved out of the county, complete the following:

- Change the address in the system.

Complete a standard review no later than the month following the month in which the transfer is processed on the system.


### AU Moves out of the State

When information is received that the AU has moved out of Georgia, document the following:

- the date on which the agency became aware that the AU left the state
- the source of information for the AU's change in residence

Terminate the TANF case effective the month after the change was reported. Adequate notice is provided.

## 1740 AU Composition Changes

|  Georgia Division of Family and Children Services<br>TANF Policy Manual |                        |                            |       |
|--|------------------------|----------------------------|-------|
| Policy Title:  | AU Composition Changes |                            |       |
| Effective Date:  | July 2023              |                            |       |
| Chapter:   | 1700                   | Policy Number:             | 1740  |
| Previous Policy Number(s):   | MT 72                  | Updated or Reviewed in MT: | MT-73 |

### Requirements

The assistance unit (AU) includes members of the standard filing unit (SFU) and may include other related individuals.

### Basic Considerations

Any change in the composition of an AU must be evaluated in terms of its effect on the AU's eligibility. Individuals who are added to an AU must meet all eligibility requirements.

Evaluate the size and composition of the AU when an individual moves in with the AU. Determine whether the individual is required to be included in the AU.

## Procedures

Complete the following procedures when the individual is being added to an AU and is a SFU member:

- Document changes in the system.
- If the addition of the new SFU member results in an overpayment or total ineligibility for the AU because of the new member's income or resources, that change is a financial change. Make the change effective the month after the change occurs or no later than the second month in which the individual began living with the AU, depending on when the worker takes action and timely notice expires.
- If the addition of the new SFU member causes an increase in benefits, make the change effective the month after the change is reported or the month in which all eligibility requirements are met, whichever is later.
- Penalize the individual if the AU fails to cooperate in establishing eligibility for the SFU member.
- Terminate cash assistance if the AU fails to cooperate in establishing eligibility for the SFU member if the failure to cooperate makes eligibility for the entire AU questionable.

Complete the following procedures when an individual is being added as a non-SFU member to an AU or the individual is being added to any other AU:

- Process a new application for the new member, using normal processing and notification procedures.
- If the AU fails to cooperate in establishing eligibility for the non-SFU member or any other AU member, deny the application and provide adequate notice.

### Adding AU Member

Compute a trial budget to determine ongoing eligibility when adding an AU member. Include the new AU member's income and resources in the trial budget.

Follow the steps below if the AU is ineligible based on the trial budget:

1. Terminate cash assistance, allowing timely notice
2. Determine if an overpayment of cash assistance has occurred.
3. If the AU remains eligible based on the trial budget, complete the following:
  - Schedule an interview.
  - Establish all points of eligibility.
  - Request necessary verification including mandatory forms
  - Finalize upon return of verification



An interview is not required when adding a newborn to the AU.

## Adding a SFU individual

Follow the steps below when adding an SFU individual:


1. Add the new member to the AU effective the month in which all eligibility requirements are met, but no earlier than the month following the month in which the change is reported.
2. Add the new member's income and resources and process any overpayments.
3. Notify the AU of the change in benefit level.

## Birth of a Child to a Minor Dependent Child

When a minor dependent child gives birth to her own child, add the child to the AU by following **Steps 1-4** of the procedures for **Birth of a Child to an Adult AU Member**.

## Birth of a Child to an Adult AU Member

Follow the steps below if a child is born to an adult AU member:

1. Determine and document:
  - the date of birth of the child,
  - the date on which the change was reported to the agency,
  - the name of the child, and
  - all necessary information concerning the absent parent. See Section 1315, Deprivation.
2. Establish that the child lives with the parent.
  -  The parent's statement is acceptable verification.
3. If deprivation is based on continued absence, then discuss and mail Form 138, Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement and Third-Party Resource Requirements
4. Add the child to the AU following the procedures for **Adding AU Member**.

## Absent Parent (AP) Returns Home

Follow the steps below if an absent parent returns to the AU:

1. Determine and document the following:
  - the date on which the parent returned to the home
  - the date on which the change is reported to the agency
  - the name of the parent and information regarding basic eligibility criteria
  - the parent's income and resource information.
2. Determine the AU's continuing eligibility based on deprivation caused by either the incapacity or recent connection to the workforce of a parent.

Follow the steps below if the AU remains eligible because of continued deprivation based on incapacity or recent connection to the workforce:

1. Complete a trial budget to determine financial eligibility.
2. Include the parent's income and resources in the trial budget.

Follow the steps below if the AU remains eligible based on the trial budget:

1. Add the parent's income and resources effective the month following the months/he returned to the home.
2. Add the parent to the AU effective the month following the month all points of his/her eligibility are met, but no sooner than the month following the month s/he returned to the home.

### **AP's Return Causes AU's Ineligibility**

Follow the steps below if the AU is ineligible because deprivation no longer exists, or the trial budget shows financial ineligibility:

1. Determine the AU's eligibility for a three-month adjustment period (refer to Section 1318, Incapacity).
2. If the AU is eligible for an adjustment period, terminate cash assistance after the end of the adjustment period.
3. If the AU is not eligible for an adjustment period, terminate cash assistance after giving timely notice.
4. Determine if an overpayment exists and process accordingly.

### **AU Member is Disqualified due to an Intentional Program Violation (IPV)**

Follow the steps below if an AU member is disqualified because s/he has committed an intentional program violation (IPV):

1. Count the income and resources of the disqualified AU member. Apply earned income deductions to the earnings of the disqualified individual, if otherwise eligible to receive the deductions.
2. Provide adequate notice to the AU prior to imposing the disqualification. Include in the notice the new benefit amount, the period of the disqualification, and information on Medicaid eligibility.
3. Impose the IPV disqualification effective as early as the month following the month of the adequate notice, but no later than the first day of the second month following that notice.
4. Add the disqualified individual to the AU the month after the disqualification period ends.



Timely notice is not required when imposing an IPV disqualification.


### **AU Member Becomes SSI-Eligible**

Follow the steps below if an AU member becomes eligible for SSI:

1. Determine and document:
  - the name of the person receiving SSI,

- the date on which SSI is approved,
  - the date on which the change is reported to the agency, and
  - the amount of the SSI benefit and whether RSDI is received.
2. Determine if dependents of the SSI-eligible individual receive RSDI and if the SSI-eligible individual also receives RSDI.
  3. Make the SSI recipient ineligible effective the month following the month in which SSI was approved. Provide adequate notice.

 Do not consider in the budget any income or resources of the SSI individual.

 SSA will contact the agency to determine the effective month of the removal of the SSI individual. SSA will budget TANF in the SSI budget until the effective month of removal. No OP should occur in the TANF case.

### **AU Member Leaves the AU**

Follow the steps below if an AU member leaves the AU:

1. Determine and document:
  - the name of the individual who left the AU,
  - the date on which the individual left the AU, and
  - the date on which the AU reported the change to the agency.
2. Remove the individual and his/her income and resources effective the month following the month in which the change is reported, if removing the individual causes an increase in the AU's grant amount,
3. Remove the individual and his/her income and resources effective the month after the month the change occurred, if removing the individual causes a decrease in the AU's grant amount. Provide timely notice unless a waiver is signed.
4. Determine if an overpayment has occurred and process accordingly.
5. Determine ongoing eligibility for the remaining AU members.

### **AU Member Marries**

Follow the steps below if an AU member marries:

1. Determine and document:
  - the date of marriage,
  - the relationship of all AU members to the new spouse, and
  - whether the new spouse is required to be included in the AU.
2. Complete a trial budget to determine the AU's ongoing eligibility, including the new spouse's income, if the new spouse must be included in the AU.
3. Complete a trial budget to determine ongoing eligibility, including the new spouse's income, if the new spouse is a stepparent or the spouse of a minor in the AU.

Follow the steps below if the AU is ineligible based on the trial budget:

1. Terminate cash assistance after allowing timely notice.
2. Determine if an overpayment of cash assistance occurred, and process accordingly.

Follow the step below if the AU remains eligible based on the trial budget:

1. Add the spouse to the AU and budget the new spouse's earnings if the AU is eligible based on the trial budget.

## **AU Member Dies**

Follow the steps below if an AU member is deceased:

1. Determine and document:
  - name of the deceased
  - the date of death,
  - date reported to the agency
2. Remove the individual and his/her income and resources effective the month following the month in which the change is reported, if removing the individual causes an increase in the AU's grant amount,
3. Remove the individual and his/her income and resources effective the month after the change occurred, if removing the individual causes a decrease in the AU's grant amount.
4. Determine if an overpayment has occurred and process accordingly.
5. Determine ongoing eligibility for the remaining AU members.




When the deceased member is the head of the household, the change becomes effective the month after the individual became deceased. The entire case must close. Timely notice is not required. If the new parent caretaker with whom the children are living would like to receive TANF benefits, a new application must be submitted.

## **Loss of a Fetus**

Follow the steps below if a pregnant AU member loses an unborn child:

1. Determine and document:
  - number of fetuses lost
  - the date of the loss,
  - date reported to the agency
2. Update the **Pregnancy Details** screen effective the month following the month in which the change is reported.
3. Determine if an overpayment has occurred and process accordingly.
4. Determine ongoing eligibility for the remaining AU members.

# 1745 Miscellaneous Changes

|   |  |                       |                                   |       |
|---|--|-----------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                       |                                   |       |
|   | <b>Policy Title:</b>   | Miscellaneous Changes |                                   |       |
|   | <b>Effective Date:</b>   | June 2019             |                                   |       |
|   | <b>Chapter:</b>  | 1700                  | <b>Policy Number:</b>             | 1745  |
|   | <b>Previous Policy Number(s):</b>  | MT 2                  | <b>Updated or Reviewed in MT:</b> | MT-48 |

## Requirements

Other changes may occur which may require action. Evaluate reported changes for necessary action.

## Basic Considerations

There may be changes in regulations or in AU circumstances that require changes to the case. These may include the following:

- mass changes
- AU requests closure or other changes in eligibility
- other unspecified changes.

## Mass Changes

Mass changes typically affect all or a large percentage of AUs. These changes may include the following:

- adjustments to income limits
- adjustments to shelter/dependent care deductions
- adjustments to benefit limits
- cost of living adjustments to SSA, SSI and other benefits
- other changes based on legislative or regulatory actions.

Mass changes are generally done by the system without worker intervention. Adequate notice is required.

Cases affected by the mass change but not updated by the system may require the worker to initiate a change in the case. The system will generate a list of cases that will not be

updated in the mass review so that the worker may take appropriate action.

## Voluntary Closure


Follow the steps below if the AU requests case closure:



1. Determine and document the following:
  - the reason for the closure
  - the date the closure is requested, and
  - the potential for an overpayment of cash assistance.
2. Terminate ongoing benefits.
3. Provide adequate notice.

# 1800 Employment Services

## 1801 Employment Services

|   |   |                                   |       |
|---|---|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |       |
|   | <b>TANF Policy Manual</b>                               |                                   |       |
|   | <b>Policy Title:</b>                                    | Employment Services               |       |
|   | <b>Effective Date:</b>                                  | January 2020                      |       |
| <b>Chapter:</b>   | 1800  | <b>Policy Number:</b>             | 1801  |
| <b>Previous Policy Number(s):</b>   | MT 33   | <b>Updated or Reviewed in MT:</b> | MT-53 |

### Requirements

The Georgia Division of Family and Children Services (DFCS) will provide the support necessary for TANF families to achieve economic self-sufficiency by obtaining and retaining employment.

### Basic Considerations

#### Overview of Employment Services

According to the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (P.L. 104-193), Title I, Temporary Assistance for Needy Families (TANF), two of the main purposes of TANF are 1) to end the dependency of needy parents on government benefits by promoting job preparation, work and marriage and 2) to encourage the formation and maintenance of two-parent families.

Georgia's primary focus in the TANF program is to:

- inform the participants of our beliefs:
  - It is the belief that the government cannot and should not take the place of family.
  - The benefits of work will always be better for families than the limited benefits of TANF.
  - There is dignity in work, whether with the hand or the head.
  - TANF isn't good enough for any family.
  - Productive partnerships empower families to take charge of their lives.
  - Families are capable and responsible for making changes happen.
  - With proper preparation, support and supervision, the department can help our customers create a more secure employment future for themselves.
- provide parents/grantee relatives with job preparation and work opportunities, and the support services needed to achieve that goal.

In so doing, Georgia can help needy families become self-sufficient and leave the cash assistance roles as soon as possible thus, preserving their TANF months for future use, if needed.

A TANF Family Service Plan (TFSP) will be developed with the family and may include:

- job search, job training, and assistance with job placement;
- support services such as childcare, transportation, and other necessary expenditures that assist families in obtaining and sustaining employment, thus eliminating the need for cash assistance;
- support services intended to support and maintain two-parent families; and
- support services intended to prevent teen and out-of-wedlock pregnancies.

Assistance is provided in the following manner:

- cash assistance that is provided by electronic payment processing information card.

The “TANF Clock” refers to the time limited nature of TANF benefits. Refer to [1390 Lifetime Limit](#).

Movement towards sustained employment must be given the highest priority in the provision of services and benefits. The receipt of cash assistance is directly linked to the exercise of responsible behavior on the part of parents who receive benefits on behalf of their children. The priority is given to employment because Georgia believes that families will always be better off when they work, and this is consistent with the work requirements contained in the federal legislation. Therefore, support services will be provided to create progress towards sustained employment.

Participants who go to work and become ineligible for cash benefits may continue to receive childcare to ensure stable employment and a decrease in recidivism.

Georgia is required to terminate or reduce cash assistance to an assistance unit (AU) if an AU member refuses to engage in required work activities without good cause.

The purpose of TANF Employment Services is to help clients become prepared for and obtain employment and to reduce the need for and dependence on public assistance.

DFCS collaborates with employers, educators, trainers, and support service providers to ensure that each client has access to the resources needed to achieve the goal of self-sufficiency.

DFCS assists participants in the utilization of a combination of employment resources such as, child support payments, non-recurrent cash assistance, job coaching, subsidized employment and other support services listed in section 1830, Employment Support Services of the policy manual.

### **Goals of Employment Services**

The goals of employment services are to:

- promote the benefits of work versus the limited benefits of welfare,
- promote economic self-sufficiency through employment,
- support job retention by providing a variety of support services,
- promote family stability through personal responsibility requirements,
- help clients attain full-time employment as quickly as possible,
- develop partnerships with the business community to ensure that applicants and recipients have realistic opportunities for job placement,

- assess the job market to ensure that recipients are prepared for the jobs available in their communities,
- provide necessary support services to applicants and recipients participating in the employment or training program, and
- refer clients, as needed, to service providers who may be able to meet needs that DFCS cannot.

### **Federal Performance Standards**

Georgia has established a set of values to be a guide for our workers. Georgia sets performance standards in negotiation with its Districts and Counties. However, the federal performance standards are used as minimum.

Beginning in FFY 1999, and continuing, 90% of two-parent families must participate for a minimum of 35 hours per week. Both parents in a two-parent family must meet 35-hour per week minimum requirement.

During FFY 2001, 45% of single-parent families had to participate for a minimum of 30 hours per week. Beginning in FFY 2002, 50% of single-parent families must participate for a minimum of 30 hours per week.

Beginning in Federal Fiscal Year (FFY) 2002, 50% of single-parent households with a work requirement are required to participate in one or more core (primary) activities for a minimum of 30 hours per week. However, a single custodial parent of a child under six may participate for an average of only 20 hours per week in a month. Specific activities are designated by federal law as core (primary) work activities.

Refer to [1820 Work Activities](#).

Some activities are designated by federal law as countable to a state's work participation rate under certain circumstances. Categorized as non-core (secondary) work activities, they can count toward the minimum standard of 30 hours per week when a participant has at least 20 hours of participation in core (primary) activities.

Refer to [1820 Work Activities](#).

Not more than 30% of TANF participants counting toward the participation rate may meet the work requirement by participating in vocational education activities or by being a teen head of household who maintains satisfactory school attendance.

For two-parent families, the participation requirement is slightly different. The requirement is that 90% able-bodied two-parent assistance units must participate in an approved work activity.

To count in the participation rate, both able-bodied parents in a two-parent AU must participate for a combined total of at least 35 or 55 hours, depending on whether or not they receive federally funded childcare.

### **ADA Requirements**

The ADA's definition of a person with a disability is an individual who:

- has a physical or mental impairment that substantially limits one or more major life activities,
- has a record of such impairment, or
- is regarded as having such an impairment.

Persons discriminated against because they have a known association or relationship with an individual with a disability also is protected by the ADA.

The Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973 are applicable to employment services policies and practices.

The ADA forbids the exclusion from participation in TANF of an otherwise eligible person solely due to that person's disability. The ADA forbids the denial of benefits provided by a public entity to a person otherwise eligible for those benefits, solely due to that person's disability.

The ADA also forbids the subjection of a disabled person to discrimination by a public entity. Entities that receive Federal financial assistance are prohibited by the Rehabilitation Act of 1973 from the same forms of discrimination that are prohibited by the ADA.

To exempt disabled persons from mandatory work activities denies them access to the services necessary for the achievement of self-sufficiency and violates the letter and the spirit of the ADA. This is consistent with Georgia's beliefs and counties will secure accommodations for persons with disabilities/limitations in order to ensure their participation.

The Federal TANF statute is based on the presupposition that recipients of public assistance will be better off when provided with job and training opportunities rather than continuing to receive public assistance.

The division's employment services policies and procedures are designed to work with disabled individuals who have disabilities but who can work if provided with modified training or accommodated job opportunities. In so doing, the division allows people with disabilities to benefit from employment services.

Georgia does not exempt its disabled TANF recipients from work activities. Rather, policy requires that the TANF Family Service Plan considers a client's abilities and disabilities/limitations when a TANF service plan is developed by the case manager with the client.

## **Case Management**

The goal of case management is to support movement towards sustained employment. The expectation that dependence on public assistance can end must be communicated to the recipient throughout the case management process. The process must be goal-oriented, focusing on what the client needs and what must be done to achieve the final goal of self-sufficiency.

Case management is a systematic approach to assessing the needs of the AU, identifying resources, coordinating the referral process to access these resources to meet those needs, and monitoring the progress being made in attaining the goals agreed upon by the recipient and case manager.

## Case Manager Responsibilities

The case manager is responsible for:

- assessing applicants to determine their job readiness level,
- assessing the need for referrals to partner agencies that perform comprehensive assessments,
- overseeing the assessment of a client's skills, aptitudes, strengths, interests and social service needs,
- developing a TANF Family Service Plan (TFSP) Form 196A that is suitable to a client's education, skills, and abilities,
- arranging and coordinating the services the client needs to meet the personal responsibility and work requirements of the TFSP,
- providing the assistance that will enable the client to become employed as quickly as possible,
- developing and reinforcing a client's skills in planning for self-sufficiency,
- evaluating and monitoring of the performance of both the client and the service provider,
- coordinating services provided by various partner agencies and organizations, and
- identifying resources and developing solutions.

Document all assessment findings on the appropriate forms as well as on the Integrated Eligibility System (IES).

All DFCS staff plays a part in helping recipients find work and attain economic self-sufficiency. It is essential, therefore, to maintain effective communication when more than one worker is dealing with different aspects of a case.

When eligibility and employment services responsibilities are divided, information that may affect a recipient's eligibility for cash assistance must be reported to eligibility staff as soon as possible so that changes can be made within the standard of promptness (SOP).

Examples of such information include:

- changes in earnings, i.e. acceptance of or loss of employment,
- changes in unearned income,
- changes in family composition,
- change in residence,
- school attendance of a dependent child who is 16 years old or older,
- receipt of "Notice of Non-compliance with DCSS" or "Letter of Compliance with DCSS",
- change in the marital status of an AU member.

This list is not all inclusive.

Information affecting eligibility for childcare must also be communicated as soon as possible so that changes can be made within the SOP. It is also important to keep staff apprised of the accomplishments of participants.

Close communication must be maintained with partner agencies and other entities with which the agency has contracted to provide services to TANF clients. The deadlines, by which information must be relayed by DFCS staff to partner agencies, and by partner agencies to DFCS staff, are typically specified in the contracts and other agreements. These standards may be different than what is required by TANF policy.

If applicable, document all findings on the appropriate forms, as well as in IES.

## 1805 Applicant Services

|   |  |                    |                                   |       |
|---|--|--------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |                    |                                   |       |
|   | <b>Policy Title:</b>   | Applicant Services |                                   |       |
|   | <b>Effective Date:</b>   | May 2024           |                                   |       |
|   | <b>Chapter:</b>  | 1800               | <b>Policy Number:</b>             | 1805  |
|   | <b>Previous Policy Number(s):</b>  | MT 74              | <b>Updated or Reviewed in MT:</b> | MT-77 |

### Requirements

Applicants for cash assistance are required to participate in job search when they are determined to be job-ready and if they are not exempt from work requirements. Applicants who meet the exemption criterion may choose to waive their exemption and participate in job search.

### Basic Considerations

All applicants should be assessed for their job readiness level before an activity is assigned.

An applicant’s strengths, barriers, resources, limitations, and disabilities should be taken into consideration when determining job readiness level. Reasonable accommodations must be provided before engaging the applicant in an activity.

An applicant for cash assistance may participate in any activity, including job search, prior to the disposition of the application. However, only non-compliance with job search can be a reason to deny the application.

DFCS can provide Support Services to support applicant job search only. However, DFCS collaborates with employers, educators, trainers, and support service providers to ensure that each participant has access to the resources that are available in the community, to achieve the goal of self-sufficiency. Each county is responsible for developing procedures for how applicant services will be managed in its local office. Services may be provided individually or as a group.

An applicant whose disability(ies)/limitation(s) prevent him/her from doing job search is not considered job ready. If otherwise eligible for cash assistance, the application should be approved prior to the completion of an in-depth assessment.

## **Exemption**

A single custodial parent, with a child less than twelve months of age, may choose to receive an exemption from work activities. However, the cost and consequences of the choice must be explored with the client. The reason(s) why the client chose exemption should be clear to both parties, i.e., the client and the case manager.

The maximum allowable exemption is up to three months per child. However, the exemption period for the single custodial parent cannot exceed a total of 12 months.

The case manager will explain to A/R that personal responsibilities are applicable during exemption period.

The case manager will schedule an appointment with the exempt single parent during the last month of exemption to develop the TANF Family Service Plan, which will be effective the following month. An applicant who qualifies for the exemption from work activities may choose to participate in job search while retaining the option to exercise the exemption from work activities if the application is approved.

## **Orientation**

Orientation to employment services can be provided for clients on an individual basis or in a group setting. Orientation includes an emphasized explanation of 48-month TANF lifetime limit, provision of information about seeking the employment, attending school or other training, the availability of childcare, and other resources that would assist the client in becoming economically self-sufficient. It also provides the opportunity to inform the participants of our beliefs:

- Government cannot and should not take the place of family.
- The benefit of work will always be better for families than the limited benefits of TANF.
- There is dignity in work, whether with the hand or the head.
- TANF is not good enough for any family.

The orientation can give local employers and representatives of partner agencies and service providers a chance to present information about employment opportunities and their services.

During orientation, information on the following topics must be provided:

- 48-month lifetime limit of TANF benefits
- the purpose of federal work requirements
- the role/responsibilities of the case manager
- the purpose of applicant job search
- the rights and responsibilities of the client
- the availability of support services (Incidentals, Earned Income Tax credit (EITC), Child Tax credit (CTC))
- criteria for exemption from work requirements
- distinctions between work eligible and non-work eligible status



- Americans with Disabilities Act (ADA) requirements
- consequences of a failure to participate
- the fair hearing process
- role of partner agencies that may become involved in the process of assisting the participant to prepare for and find employment.
- the consequences of a failure to meet work requirements.

Applicants must be assessed so that a determination can be made concerning the client's job readiness level and the appropriateness of participation in applicant job search. Form 490, Applicant Services Assessment Form, is used to guide the assessment and to record this information.

Refer to Section 1815, TANF Family Service Plan Development, for additional guidance on conducting an assessment.

Based on the case manager's assessment the job readiness level must be determined for the applicant.

### **Assessment**

The initial assessment determines that the applicant is:

- job ready and may be scheduled for job search
- near job ready and needs some more skills, training and /or extensive job search
- not job ready and job search is not appropriate at this time.

The applicant may be given a waiver or delay of participation to job search requirements due to good cause. However, the cost and consequences of the choice must be explored with the client. The reason(s) why the client chose exemption should be clear to both parties, i.e., the client and the case manager.

Refer to Section 1835, Failure to Participate, for examples of good cause.

When determined to be job ready, applicants are required to participate in job search. Counties may designate a period of required job search, not to exceed six weeks from the date of application.

A minimum of twenty-four employer contacts must be completed within the designated job search period. A county may, based on local conditions, require more than twenty-four contacts.

The job ready applicant assigned to job search must keep any appointments with the Department of Labor (DOL) and comply with job referrals. The applicant must submit a record of employment contacts on Form 495, Job Search Record.

Childcare must be provided when necessary to enable an applicant to complete job search requirements. The case manager can authorize the reimbursement of or payment for transportation and incidental expenses incurred as a direct result of completing the job search requirements. Refer to Section 1830, Employment Support Services.

At the conclusion of the designated job search period, the case manager must meet with the appli-

cant to verify compliance with applicant job search. This meeting is known as the progress review and may be documented on Form 196A of the TFSP and relevant screens in Gateway.

### **Guidelines for Applicant Job Search**

Counties should regularly monitor participation in applicant services on a weekly or other periodic basis during the job search period. The purpose is to monitor participant's progress, to provide encouragement, problem resolution, and additional job leads and determine job readiness levels.

The case managers need to assist the applicants in beginning the job search, provide information on job leads, job search resources and determine which support services are needed. Consideration should be given to the following:

- TANF clock - How many months of TANF this AU has already received,
- job readiness level,
- the types of jobs in which the client has previously worked,
- previously held jobs preferred by the client, and the reasons why some were preferred over others,
- the availability in the community of jobs like those preferred by the client,
- types of work suggested by family members or friends as being particularly suitable for the client,
- whether or not the client has an employed friend who might assist the client in being hired by the friend's employer.

In order to determine needs and potential solutions, consider all available resources, for example:

- the means by which the client would get to work if a job offer was received the next day;
- what arrangements the client currently makes when transportation is needed;
- whether the client knows how to use public transportation, if available;
- whether the client has a valid driver's license and insurance and, if not, what is needed in order to obtain a license or insurance;
- Who provides care for the client's children when the client is absent from the home, e.g., to go to the store, to DFCS, to the doctor, etc. What kind of childcare provider does the client want for the children? If the client was offered a job the next day, who would care for his/her children?

During the job search monitoring process, the following questions should be considered:

- What positive things have happened during the client's job search? What resources did the client utilize to find job leads?
- What difficult situations must the family now manage?
- What can be done to eliminate the problem(s)?
- Is Child Welfare involved with this AU?
- Is there any change in job readiness level?
- Does the client expect to hear from any prospective employers? How soon might the client

know the results from any interviews?

- If the client was to be offered one of the jobs for which s/he applied, is there anything the client will need before being able to accept the job offer?
- Where else is the client planning to look for work?

The applicant must be provided with Form 495, Job Search Record. Items 1-4 must be completed by the case manager, indicating the number of job contacts required and the date the client must return for a review.

The case manager must schedule a final progress review appointment with the applicant to assess the success of job search at the end of the designated job search period. The purpose of the progress review is to verify compliance with the job search requirements and determine if the applicant has been successful in finding employment. This review is also used to re-assess the job readiness level and determine if the applicant needs any additional assistance to move towards stable employment.

If the applicant fails to keep the appointment without good cause, the application must be denied.

If the applicant keeps the appointment, complies with the applicant job search requirements and is otherwise eligible for cash assistance, then the TANF application must be approved. However, any barriers that might affect participation in the work activity should be included in the TANF Family Service Plan (Form 196A) upon approval.

If the applicant keeps the appointment, fails to meet the applicant job search requirement, but has good cause and is otherwise eligible for cash assistance, then the TANF application must be approved. Any barriers that might affect participation in the work activity should be included in the TANF Family Service Plan (Form 196A) upon approval.

If the applicant keeps the appointment, fails to meet applicant job search requirements without good cause but conciliates and is otherwise eligible for cash assistance, then the TANF application must be approved.

If the applicant keeps the appointment, fails to meet the applicant job search requirements without good cause, and refuses to conciliate, then the TANF application must be denied.

The applicant must be assisted with transportation and childcare, as needed, so that job search requirements can be met.

Refer to Section 1830, Employment Support Services, for a detailed description of available support services and eligibility requirements to receive these services.

## **Child Care**

The case manager must assist the applicant in obtaining childcare services through the Childcare and Parent Services (CAPS) Section. Complete policies and procedures for providing subsidized childcare are located in the CAPS policy manual.

## Transportation

Applicants can be provided \$7.00 per day to assist with transportation costs for job search. These costs may be provided up-front or as a reimbursement. If a county is able to purchase transportation for the applicant through bus tokens or other means, it may do so in lieu of providing cash to the applicant. The cost must not exceed a daily rate of \$7.00.

An applicant may receive assistance with auto repair and maintenance expenses if these services are deemed necessary for the applicant to fulfill job search requirements or to accept employment while the application is pending.

## Incidental Expenses

Incidental expenses include other services needed by the applicant to find a job and keep it. These services can be purchased only when they are not available from other sources. The need to purchase these services must be approved in advance by the case manager and documented on The TANF Family Service Plan. (Form 196A)

## Post-Applicant Support Services

Refer to Section 1830, Employment Support Services, for a complete listing of reimbursable expenses and the amounts that can be paid for applicants.

# 1815 TANF Family Service Plan Development

| Georgia Division of Family and Children Services<br>TANF Policy Manual              |                                   |                                      |                                   |       |
|---|-----------------------------------|--------------------------------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | TANF Family Service Plan Development |                                   |       |
|   | <b>Effective Date:</b>            | May 2023                             |                                   |       |
|   | <b>Chapter:</b>                   | 1800                                 | <b>Policy Number:</b>             | 1815  |
|   | <b>Previous Policy Number(s):</b> | MT 53                                | <b>Updated or Reviewed in MT:</b> | MT-72 |

## Requirements

Every client who is subject to personal responsibilities and/or mandatory work requirements must develop, along with the case manager, all applicable sections of the TANF Family Service Plan (TFSP). These sections must be developed specifically for the client. The client must comply with the requirements of the service plan.

## Basic Considerations

### TANF Family Services Plan Development (TFSP)

Every client who has personal responsibilities and/or work requirements must cooperate in the development of his or her own TFSP, based on the assessment. Every client who has personal responsibilities or a work requirement must meet the requirements stipulated in the TFSP.

It is the case manager's responsibility to use every resource to assist the client as needed and to discuss the following:

- the TANF requirements,
- the benefits of work versus welfare and
- months left on the TANF clock.

A refusal by an applicant, without good cause, to participate in the development of the TANF Family Service Plan or to sign the plan will result in denial of the application.

A failure by an applicant, without good cause, to keep a scheduled appointment concerning development of the TFSP will result in denial of the application.

A refusal by a recipient, without good cause, to participate in the development of the TANF Family Service Plan or to sign the TANF Family Service plan will result in termination of the TANF case.

A refusal by a recipient, without good cause, to keep a scheduled appointment concerning the development or amendment of the TFSP will result in closure of the TANF case for failure to keep an appointment.

A refusal or failure to meet the requirements of the TFSP without good cause may result in the imposition of a sanction against the assistance unit (AU).

Refer to Section 1351, Sanctions, for information on sanctions and good cause.

### **Initial TFSP Development**

Development of the TFSP is to begin with an initial contact. It must be completed prior to final approval of the application.

Work activities or personal responsibility requirements can begin before eligibility has been established and the application is approved, if the client agrees. However, childcare and transportation funds may only be provided for job search.

The case manager and the client must work together to develop a plan that moves the client toward self-sufficiency as soon as possible and utilize the least number of months.

### **TFSP Development Criteria**

The following must be used in developing or amending a TFSP with the client:

- the results of the case manager's assessment of the client's skills, work experience and education
- the results of the initial discussion of any limitations the client may have
- the results of in-depth assessments of the family's strengths, abilities, work experience and education. This may include information provided by other service providers. Child welfare services are always to be included and regarded with priority.
- available program resources to support the client in participating in work activities and in attaining the employment goal

- the family's need for and the availability of support services,
- the family's need for reasonable accommodations due to the existence of a limitation,
- the client's vocational and employment interests,
- information concerning employment opportunities in the local labor market.

### **TFSP Development and the Americans with Disabilities Act (ADA)**

The ADA's definition of a person with a disability is: an individual who (a) has a physical or mental impairment that substantially limits one or more major life activities, (b) has a record of such impairment, or (c) is regarded as having such impairment.

Persons discriminated against because they have a known association or relationship with an individual who has a disability are also protected by the ADA.

The ADA requires that a person with a disability be given meaningful access to all programs and services. Providing meaningful access to a client with a disability means that the client must be given the opportunity to benefit from all available resources to the same extent as provided to a person without a disability.

The TFSP must be developed in a way that provides individualized treatment and meaningful opportunities for a client with a limitation to succeed in achieving the goals of the TFSP.

The TFSP must not be developed in a way that places barriers on the client based on a false assumption that there are certain work activities to which a person with a disability/limitation must never be assigned.

A client with a disability/limitation is not exempt from work requirements or personal responsibilities. Work requirements are mandated based on the presupposition that an individual will be better off if provided with job and training opportunities rather than continuing to receive public assistance.

A client with a disability may need to receive additional training and/or support services before s/he is ready to succeed at work. The case manager must be particularly attentive to the potential need for accommodations necessitated by a disability/limitation.

A client with a disability may require additional time in order to achieve not only the final goal of full-time employment, but also in order to meet intermediate goals specified in the plan.

### **Special Circumstances in TFSP Development**

The TFSP is developed in coordination with other agencies that provide services to the client. Any TFSP that is developed prior to the completion of a comprehensive assessment will probably need to be updated when the results of the assessment are received.

In some instances, it may not be possible to complete the TFSP within the established time parameters. There may be a valid reason to delay not only the development of the TFSP, but also the referral for the client's comprehensive assessment.

For example, a client may have unresolved domestic violence, sexual assault, sexual harassment, or

stalking issues that require a stabilization of the family's living arrangements before the client is able to engage in a work activity. Any existing child welfare service plan is to be incorporated into the TFSP.

## **Basic Guidelines**

### **Outreach: Letting People Know**

Outreach is the first opportunity to let people know that things have changed and that the old idea that people are entitled to cash benefits if they qualify, has been replaced with the idea that people have a responsibility for their own well-being. This does not apply to Food Stamps, Medicaid or other income eligible supports.

Outreach takes many forms. DFCS collaborates with employers, educators, trainers, and support service providers to ensure that each client has access to the resources needed to achieve the goal of self-sufficiency. DFCS also works with local agencies and community partners to inform the public of the expectations and services the TANF program provides for participants.

Case management begins by informing applicants and recipients that the case managers are available and can help them. Alternative choices and resources are to be discussed with the applicant.

Outreach results in customers believing that the case manager can help and also understanding the many options available through DHS and community-based agencies.

### **Making a Connection: Receiving a Case**

This is the point at which the person is formally entering the case management process. Case management centers on engaging with the individual sufficiently to assure that the person is in the right place to receive the benefits s/he requests.

Receiving a case involves:

- receiving the application
- screening for the number of months on TANF, CPS involvement, etc.,
- obtaining information from the family, informing the family about the application process, and determining eligibility for TANF if the client chooses to participate.

### **Assessment: Learning about the family**

The purpose of the assessment is to evaluate the client's strengths and barriers to employment and their well-being. The assessment process must begin at the point of application and prior to the approval for cash assistance. The assessment step is crucial, as it is the foundation for the client's successful participation in the service plan.

Assessments are to be interactive with the client and allow the worker to understand the client's (families') current situation in relation to the goals of the program. When focusing on the employment goal, the assessment must gather information regarding readiness for employment, employment history, and potential barriers to employment.

Information gathered must be used to formulate the TFSP. Assessments are never done by either

the client alone or the worker alone.

The assessment process must be thorough and may involve multiple sessions with the case manager and/or referral of the client for testing or evaluation.

Because circumstances change and because service goals are completed or changed, the assessment process is ongoing, and the completion of the initial assessment is only the beginning of that process.

If another agency has been contracted to complete in-depth assessments, the case manager remains responsible for guiding the client throughout the assessment process.

The case manager has final responsibility for providing oversight of the assessment process and for ensuring that the TFSP is in conformity with assessment findings and with federal work requirements.

The assessment process should include the following:

- relationship building and customer engagement,
- fact-finding,
- completion of an Applicant and Employment Services Assessment in the Integrated Eligibility System (IES) if applicable, and
- a process of verifying information gathered.

The best assessment process results in the client understanding their own situation better, including the strengths and resources available to them.

#### **Case Planning: Reviewing, Analyzing, Deciding**

Case planning is the process of establishing goals and the steps to reach those goals. Case planning is dependent upon assessment results. After gathering information, the case manager is required to pull the information together in a way that answers the question: “What does this all mean?” The information must be reviewed, analyzed and conclusions drawn.

This is the point at which the determination is made about which job readiness level the person fits into (job ready, near job ready, not job ready). For further details about job readiness levels refer to Section 1805 Applicant Services.

Case planning requires that the case manager and the client are clear and agree on the goal of their work together. The service plan must also reflect the goals of the TANF/Employment Services program. Based on information obtained during the assessments, the case manager and the client must work together to complete the initial TANF Family Services Plan (TFSP).

After the TFSP is developed, additional assessments constitute an ongoing process that will provide a means by which work activities and support services can be evaluated. Ongoing assessments should enable the case manager to make additional adjustments to the TFSP in order to ensure the participant’s continued successful participation in employment services and personal responsibility goals.

The case manager should document the findings from the assessment on Assessment-Summary




screens in IES during the application process. Refer to Section 1805, Applicant Services. When needed, the in-depth assessments completed by various partner agencies are to be used to supplement what is obtained by the case manager during the application interview.

The case manager may refer a client for further evaluation or testing to supplement the information gathered during the assessment interview when such information is deemed necessary to appropriately develop the TFSP. Documentation must be updated on the Assessment Screens and in Case Notes screens to document further assessments.

### **Resource Identification: Matching Needs with Resources**

At this point in the process, each worker is to identify the range of resources needed by their clients and establish a relationship with the provider of the service to which the client will be referred. A referral is, any connection of a client with a service, whether it is inside or outside of the agency.

 If a participant has been tested or evaluated in the twelve months prior to the assessment, the case manager must request the results of that evaluation rather than duplicate the testing/evaluation. The case manager must have the applicant/recipient sign a release of information Form 5459, Authorization for Release of Information, to obtain information about previous evaluations.

### **TFSP Contents**

The initial TFSP, and each subsequent TFSP, must contain:

- personal responsibilities
- the client's employment goal
- the identification of the client's job readiness level
- the specific work activities in which the client will participate, and the required number of hours of participation
- the anticipated start and end dates for each activity, including the date for achieving the final goal, i.e., full-time, unsubsidized employment
- the satisfactory progress requirements for each activity, and the verification requirements and time frames for submission
- the identification of needed support services and the service providers, and
- the identification of necessary accommodations, deferments and adjustments.

When feasible, the TFSP may reflect the client's preferences for certain work activities. However, the client's skill levels, local employment opportunities, and his/her TANF clock must take precedence in the completed service plan.

### **TFSP Content Requirements for Certain Individuals**

Although the case manager may assist the participant in planning for long-range goals that extend beyond participation in employment services, the TFSP must be focused on the immediate employment goals and the support services that will be provided to meet those goals.

TFSPs for the following individuals must include the activities specified:

- minor parents must attend school or alternative education classes
- non-custodial, non-supporting minor parents who are included in a TANF AU and who have a child receiving cash assistance in another TANF AU must:
  - participate in parenting classes
  - participate in financial management classes
  - cooperate with DCSS
  - attend school or alternative education classes

If the AU has an existing Child Protective Services (CPS) case, the TFSP must be developed with input from the client's CPS worker.

The client must sign the TFSP. The client must be given a copy of the TFSP, with a copy being scanned in WebCenter Enterprise Capture (WEC). If the AU has an existing CPS case, a copy of the completed TFSP must be sent to the CPS worker.

#### **Continuing Evaluations and Assessments**

After completion of the initial service plan, the TFSP must be reviewed according to the dates indicated, but no less than a minimum of once every 30 days for all clients and updated as needed.

#### **TFSP Reviews and Revisions**

The case manager must review each client's TFSP to ensure that it continues to be appropriate and that the client is meeting the plan's requirements. This structured review is part of the ongoing assessment process.

This review can be a face-to-face meeting or a contact by other means, such as a telephone call. This requirement is to determine the client's level of engagement in the activity and if it is time for movement to occur.

If the face-to-face meeting is deemed necessary, it should be in a manner and at a location, which is most supporting to the client's goals and does not interfere with the client's participation in scheduled activities.

The TFSP must also be reviewed:

- as goals are accomplished,
- at critical dates indicated in the service plan,
- whenever a change in work activities occurs, or
- at the completion of a sanction period.

A review of the TFSP that is completed when a phase of the plan is concluded and a new phase begins is regarded as one review, not two separate reviews.

Documentation of the outcome of progress reviews must be entered in the case notes screens in

IES. Updates to the TFSP are completed on the Activity Employment Services screens in IES when changes are made to the plan.

The client's signature on TFSP indicating that the client understands and agrees with all changes made to the TFSP, is required even when documentation of the changes is entered on the system.

### **Case Staffing**

In an event that the client is not making satisfactory progress, the case manager must schedule a case staffing to document TANF client's progress in participation of employment services activities. The intent is to re-evaluate the participant's potential for employment and identify if the client has incurred any additional service needs.

A case staffing will assist the case manager and the client in reviewing potential barriers and ensuring the client's movement towards a successful career as quickly as possible.

Form 199, TANF Employment Services Case Staffing Form, in IES, is used to document the client's progress in achieving the goal of self-sufficiency. Documentation should be updated in Case Notes screens to support information from the staffing.

 Refer to Section 1392, Hardship Waivers for Hardship Staffing.

### **During the Application Process**

At application, the case manager must:

- Refer the applicant to a Domestic Violence Assessor (DVA) if the initial screening indicates a referral is appropriate.
- Document assessment results on Employment Services Family Assessment and Applicant Services Employment Assessment screen in IES.
- Develop with the applicant a service plan based on available information obtained during the application process.
- Include in the plan any specific recommendations for assessments or other referrals.
- Specify in the service plan that, if the TFSP is completed prior to approval of the application, assigned work activities may begin if the client volunteers.
- Assign a job-ready applicant to applicant job search.

### **Following Application Approval**

Following approval of the application, the case manager must:

- Make appropriate referrals commensurate with information obtained during the TFSP development process. Specify in the TFSP that cooperation with all referrals that are made is a component of the TFSP.
  - Refer the client for an in-depth assessment if a claim of disability is made, a disability is observed or suspected, or if a disability is confirmed by information voluntarily provided by the client.

- Refer the client to a DVA if domestic violence, sexual assault, sexual harassment, or stalking is reported and no referral was made during the application process.
- Refer the client to domestic violence resources if the client does not want to speak with a DVA, or if a DVA is not available.
- Refer the client to a substance abuse treatment provider if a referral is considered necessary based on available information.
- Refer the client for an assessment of educational and training needs if no referrals for domestic violence, sexual assault, sexual harassment, or stalking, substance abuse, or rehabilitative services are required, or when those issues have been satisfactorily resolved.

Document assessment results on Employment Services Family Assessment and Applicant Services Employment Assessment screen in IES.

- Refer the client to the identified resources appropriate for mental health, developmental disabilities, or addictive disorders problems if assessments indicate their existence.

### **Following Assessment Completion**

Following the completion of an assessment, the case manager must revise the existing TFSP based on the information provided by the assessment.

Individuals participating in the TANF Family service plan's revision should include:

- all case managers, including OFI and Social Services
- the client, and,
- a representative from the assessing vendor that completed the assessment,

The representative need not be physically present for the TFSP development process.

Include in the plan any specific recommendations for training, etc. provided by the assessing entity.

Place the client in appropriate work or training activities after assessments have been completed. Place the client in appropriate work activities after assigned training activities have been completed.

Placement in appropriate work activities may require a referral to a partner agency if job placement responsibilities have been assigned to a contractor.

### **Topics to be Discussed During TFSP Development**

#### **Interests and Employment Skills**

Utilize assessment screens in IES to question the client about his/her career interests. A sample of the questions included in these forms are listed below:

- What personal goals does the client have, and what goals for the family? How does the client plan to achieve these goals?
- What assistance does the client need to achieve these goals?

- What kind of job does the client want? Does s/he have the necessary skills? If not, what can be done to acquire these skills?

### **Work History**

Utilize assessment screens in IES to question the client about his/her work history. A sample of the questions included in these forms are listed below:

- What jobs has the client had? For how long?
- Why did the client leave previous jobs?
- What job did the client enjoy the most? The least? Why?
- What specific skills did the client develop on previous jobs?
- What tasks/skills did the client have the most difficulty performing? What skills would have made the jobs easier to do?
- What characteristics would make a job desirable for the client?

### **Job-Seeking Skills**

Utilize assessment screens in IES to question the client about his/her job seeking skills. A sample of the questions included in these forms are listed below:

- What experience does the client have in seeking employment? Is the client currently looking for work?
- How has the client found jobs in the past? What resources has the client used?
- For what kinds of jobs has the client previously applied?
- What were the results of previous job interviews? What reasons were given to the client for not being hired?
- If the client has no work history, why not?
- Of what local employment opportunities is the client aware?
- What assistance does the client expect DFCS to provide in helping to obtain employment?

### **Education**

Utilize assessment screens in IES to question the client about his/her education. A sample of the questions included in these forms are listed below:

- What was the highest grade the client completed? If the client has not graduated, why not?
- Has the client ever attended GED classes? If so, what was the outcome?
- Is the client attending school or training now? If not, is the client favorably disposed to attend?
- What classes did the client most and least enjoy in school? Why?
- Did the client participate in extracurricular activities in school? If so, are any of these activities relevant to vocational training or employment?
- What educational needs does the client have? Did the client repeat any grades?


- Did the client regard learning as particularly difficult or easy? Did the client receive any special help in school?
- Has the client been tested for literacy level and/or other academic skills? If so, obtain the scores.

### **Personal/Family**

Utilize assessment screens in IES to question the client about his/her personal/family circumstances. A sample of the questions included in these forms are listed below:

- Has the client or another family member been a victim of domestic violence, sexual assault, sexual harassment, or stalking? Is the client or another family member currently a victim or in danger of becoming a victim of domestic violence, sexual assault, sexual harassment, or stalking?
- Are the client's children attending school regularly?
- Does the client attend parent/teacher conferences? How often do the client's children's schools have parent/teacher conferences?
- Do any family members have health problems, emotional problems, or special needs of any kind?
- Does the client need childcare in order to participate in activities?
- Is the client receiving child support from the absent parent? If not, why not? Has the client been cooperating with DCSS?
- Is a referral to Vocational Rehab (VR) or other service providers appropriate?
- Is there a history of substance abuse? Does the client now receive or has s/he received treatment or counseling for substance abuse?
- Does the client have an arrest record? If so, for what crimes has s/he been arrested?
- Has the client been convicted of a felony? If so, for what?
- Does the client have adequate living accommodations?
- Is the client a minor who is required to live with a responsible adult?
- Is the client pregnant? If so, when is the baby due?
- Has the client received family planning counseling? Does the client have dependents for which family planning counseling is appropriate?
- Does the client need assistance with money management or other life skills? Is assistance with parenting skills needed?
- What is the client's usual means of transportation? Does the client have a valid driver's license?

## **1820 Work Activities**

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Work Activities                   |                       |
|   | <b>Effective Date:</b>                                  | February 2024                     |                       |
|   | <b>Chapter:</b>   | 1800                              | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 75   | <b>Updated or Reviewed in MT:</b> | MT-76                 |

## Requirements

A recipient of cash assistance who has a work requirement must participate in specific work activities for a minimum number of hours per week in order to move towards full-time employment.

## Basic Considerations

The main purpose of meeting work requirements is to move an individual towards full-time employment as soon as possible and to preserve months of potential TANF eligibility.

A recipient of cash assistance who has a work requirement is expected to participate in work activities at a level consistent with full-time employment (i.e., 40 hours per week) when such participation is determined by the agency to be appropriate.

A week of participation is defined “as five days of work or work activity, to be consistent with the standard work week of five working days and two weekend days.

The case manager must give special consideration to the client’s remaining months of potential TANF eligibility, or TANF clock, when considering which work activities will contribute to the attainment of the client’s goal. Hours of participation may be in one activity or in a combination of activities.

Participation in specific core (primary) activities is required. Participation in additional non-core (secondary) activities is allowed if the client is participating for a minimum number of hours in core (primary) activities.

A non-core (secondary) activity may only be included as part of a TANF Family Service Plan (TFSP) - Work Plan if:

- the client is already meeting federal work requirements by participating in other countable core (primary) activities or
- the case manager determines its inclusion as part of the TFSP - Work Plan is necessary to prepare the client for participation in a countable activity for a limited time, with consideration of the TANF clock.

Refer to [Chart 1820.1 - Work Activities](#) at the end of Section 1820 regarding designation type of activity.

## Hours of Participation

When appropriate the case manager can and should schedule a work eligible recipient of cash assistance to participate in work activities at a level consistent with full-time employment (i.e., 40 hours per week).

Such participation is to ensure that work-eligible individuals meet their hourly work requirements providing some leeway, should a client miss hours due to some unforeseen circumstances.

The minimum average hours per week a work-eligible, single-parent or pregnant woman must be engaged in work activities is 30 hours per week. At least 20 of the 30 hours per week must be attributable to one or more core (primary) activity. After an individual meets the basic level of participation in a core (primary) activity, a non-core (secondary) activity may be used to count toward the 30-hour minimum standard.

The number of hours required for each activity per week must be specified in the TFSP - Work Plan.

Hours of participation in countable work activities are totaled on a weekly basis. For keying purposes, actual hours of participation must be entered including all decimal places. When calculating the WPR, rounding can be used. Fractions of an hour are rounded up if one-half hour or more or rounded down if less than a half-hour. However, the calculation of FLSA hours for participation in activities is never rounded up.

Actual hours of participation for a month are totaled and divided by the number of weeks in the month to determine whether a client has met the federal averaged weekly standard of hours of participation.

### Single Custodial Parent with Child Under Age Six

A single custodial parent or caretaker relative with a child under age six will count as engaged in work if he or she participates for at least an average of 20 hours per week in a core (primary) activity.

### Pregnant Teen or Teen Parent Head of Household

A pregnant teen or teen parent (under 20 years of age) head of household who does not have a high school diploma or GED is counted as meeting work activity requirements in a month if s/he:

- maintains satisfactory attendance and progress at a secondary school or the equivalent during the month, or
- participates in education related to employment for an average of at least 20 hours per week during the month and achieves satisfactory attendance and progress



If education related to employment does not average at least 20 hours weekly, the client will not have met participation requirements.

Participation in these activities supersedes any requirement to participate in other work activities. However, other activities like employment should be encouraged.



In order to move these clients as quickly as possible to employment and to preserve their



TANF months, when appropriate, employment and other work activities should be included in their TFSPs.

Only actual hours of participation should be entered. If the work eligible pregnant teen or teen parent has met the conditions defined above; they will be considered to have met the participation requirements.

### **Two-Parent Assistance Units (AU)**

A two-parent AU is defined as an assistance unit that includes all families with two natural or adoptive parents (of the same minor child) who are work eligible individuals and living in the home, unless both are minors, and neither is a head-of-household.

An individual in a two-parent AU counts as engaged in work for the month if:

- an individual and the other parent in the family are participating for an average of at least 35 hours per week in one or more core (primary) activities OR
- An individual and the other parent will be considered as engaged in work for the month if an individual and the other parent are participating for an average of at least 30 hours per week in one or more core (primary) activities and an average of 5 hours per week in one or more secondary activities.
- If receiving federally funded childcare assistance, then the individual and the other parent must be participating in one or more core activities for a combined average of 55 hours per week OR
- If receiving federally funded childcare assistance, then the individual and the other parent must be participating in one or more core activities for a combined average of 50 hours per week and 5 hours per week in one or more secondary activities.

### **Countable Core (Primary) Activities**

For those clients who are determined job-ready, the following core (primary) activities may be appropriate:

- Unsubsidized employment
- Subsidized employment (public)
- Subsidized employment (private)
- Job search and Job readiness assistance,

For those clients who are determined near job-ready or not job-ready, the following core (primary) activities may be appropriate:

- On-the-job training (OJT)
- Work experience (WEX)
- Community service programs
- Vocational educational training
- Provision of childcare services to an individual who is participating in community service.

Hours of participation in work experience and community service program activities are limited in accordance with Fair Labor Standards Act (FLSA) guidelines.

Refer to [1349 Work Requirements](#) for additional information regarding Work Eligible Parents.

A client who is participating in any of the core (primary) work activities listed above can also receive credit for hours of participation in certain other work activities under specific circumstances.

### **Countable Non-Core (Secondary) Activities**

A work-eligible parent from a single-parent household or pregnant woman who is participating in core (primary) work activities for an average of at least 20 hours per week, and clients from a two-parent household who are participating in core (primary) work activities for a combined average of at least 30 hours per week, may participate in one of the following non-core (secondary) activities for the remaining hours required to meet federal work participation requirements:

- Job skills training directly related to employment
- Education directly related to employment or
- Satisfactory attendance and progress at a secondary school or in a course of study leading to a certificate of general equivalence.

If a 2-parent household receives federally funded child-care assistance and are participating in core (primary) work activities for a combined average of at least 50 hours per week, they may participate in one of the activities above for the remaining 5 hours to meet federal work participation requirements.

### **Non-Countable (Other) Activities**

All recipients may participate in the following activities if they are meeting the required number of hours in their core (primary) work activities alone or in combination with the three non-core (secondary) activities.

Hours of participation in the following activities cannot count, either alone or when combined with any core (primary) or non-core (secondary) work activities, toward meeting the federal work participation rate requirements:

- Job search and Job readiness assistance after the six-week or the equivalent number of hours limit has been reached,



Hourly equivalent for the purpose of the six-week limit is 120 hours for a single custodial parent with a child under six and 180 hours for all other work-eligible individuals. The hourly equivalent for the purpose of the 12-week limit is 240 hours for a single custodial parent with a child under six and 360 hours for all other work-eligible individuals.

- Vocational educational training in excess of the 12-month limit
- Job readiness training which is independent of job search activity
- Assessment

- Mental health counseling/treatment (after the six-week limit)
- Addictive disorders counseling/treatment (after the six-week limit)
- Life skills training (after the six-week limit), and
- Parenting skills training.



Under the Deficit Reduction Act of 2005, Mental Health Counseling/Treatment, Addictive Disorders Counseling/Treatment, Life Skills Training, and Parenting Skills Training can be classified as a core (primary) activity if entered under Job Search/Job Readiness activity.

Many Mental Health and Addictive Disorder treatment approaches include countable work activities. These programs should be considered first when developing a TFSP - Work Plan.

A client can be assigned to participate in one or more of the activities listed above instead of a countable work activity. However, a non-countable (other) activity may only be included as part of the TFSP - Work Plan if:

1. the client is already meeting federal work requirements by participating in other countable activities, or
2. the case manager determines its inclusion as part of the TFSP- Work Plan is necessary to prepare the client for participation in a countable activity, for a limited time, with consideration of the TANF clock.

### Verification and Documentation Criteria for Credited Hours

Hours of participation in all work activities (countable and non-countable) must be verified. Typically, verification must be obtained by receipt of Form 516, Record of Attendance and Performance Report, Form 517, Record of School Attendance and Performance Report, or Form 495, Job Search Record.



When employment is reported and the combination of employment hours and income are enough to cause TANF ineligibility, client statement may be accepted for work participation hours for an employment activity.

This information must be submitted to the case manager monthly depending on the reporting requirements for each activity. Other written or verbal confirmation of hours from the vendor or the institution where the activity was performed may also be submitted/accepted. If verification of work participation hours is received verbally, documentation must be added in Case Notes to include:

- Name of the vendor and/or person that verified the work participation hours
- Phone number of the vendor and/or person that verified the work participation hours

The participant is ultimately responsible for providing verification of attendance and performance by submitting Forms 495, 516 or 517 to the case manager. Failure to provide verification may result in the onset of the conciliation and/or the sanction process. Refer to the work activity guidelines for explanations or variations in the verification requirements.

## Holidays

Under federal guidelines Georgia gives TANF participants credit for holiday and excused absences in unpaid work activities. A participant may be credited with hours of participation in a work activity other than employment in the event of a federal or state holiday.

The federal and state holidays identified for the TANF Program are: New Year's Day, Martin Luther King Jr.'s Birthday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving Day, Christmas Day, and the day after Christmas Day.

Holiday hours cannot be credited for an employment activity such as unsubsidized employment, subsidized employment (public or private), or on-the-job training.

## Excused Absences

Georgia also gives TANF participants credit for excused absence in unpaid work activities.

The countable excused hours of participation cannot exceed more than 80 hours in the preceding 12-month period and no more than 16 hours of which may occur in a month.

Work activities for which a client can be credited for hours of non-participation are work experience, community service programs, job search/ job readiness, vocational training, and providing child-care services to an individual who is participating in community service programs.

To count an excused absence as actual hours of participation, the individual must have been scheduled to participate in a countable work activity for the period of the absence.

Situations that may be considered for these excused absences include the following:

- a temporary medical condition or illness which is obvious or otherwise substantiated,
- a family crisis or personal crisis,
- domestic violence issues,
- a natural disaster or weather emergency,
- lack of transportation,
- lack of childcare, or
- a court-required appearance.

Participants are required to report absences immediately to their case managers. The case manager makes the determination as to whether the situation meets the criteria for an excused absence, requests any documentation needed, and documents their decision in the participant's file and on a tracking document.

The excused absence hours **cannot** be credited for paid activities such as: On-The-Job Training, Subsidized Employment (public or private), Unsubsidized Employment and Self-Employment.

## Verification and Documentation Criteria for Excused Hours

Immediately upon receiving absenteeism information, the case manager must verify and document the reason why, on a specific day or for a specific period, a client could not report to a work activity

site or attend a class. This information should be documented in Case Notes in the Integrated Eligibility System (IES).

If the reason meets any of the criteria specified above, the case manager can include excused hours for which the client would have participated in the countable activity in accordance with the client's normal pattern for work activity participation.

### **Fair Labor Standards Act (FLSA) Deeming**

Georgia has adopted a "mini" Food Stamps (FS) program, which will enable the State to count the value of Food Stamp benefits when calculating hours of participation for activities that are subject to the Fair Labor Standards Act (FLSA).

Georgia uses FLSA deeming for work-eligible individuals who participate in work experience or community service programs. However, deeming does not include Childcare for Community Service program. We calculate the number of hours for deeming purposes by dividing the monthly TANF grant by the appropriate minimum wage and the monthly FS allotment by the appropriate minimum wage and then the results are added together.

A participant who is engaged in work experience or community service programs for the maximum hours allowed under the FLSA calculation and this calculation falls below the 20 hours per week of participation will be considered deemed meeting for the 20 hours per week of participation for that core activity.

This participant must also be engaged in an additional 10 hours per week of core (primary) non-FLSA or non-core (secondary) work activities to meet the federal participation guidelines and to move the individual towards employment as quickly as possible.



A single custodial parent with a child under six does not have to participate an additional 10 hours as they are considered meeting work participation at 20 hours weekly.

The staff needs to carefully monitor participation in these activities. The actual hours of participation in a core work activity must be entered in the system.

### **FLSA Calculations**

If a FS AU includes members who receive TANF and members who do not receive TANF, staff will count the entire FS benefit toward the TANF work requirement, unless a FS work program requirement such as workfare (SNAP Education & Training - E&T) is also being based on the FS benefit. In that case, the benefits would be prorated with the FS Benefits of the TANF household counted toward the TANF work requirement and the

FS benefits of the other members counted toward the FS work requirement. Benefits would not be double counted toward both requirements.

The hours based on the TANF cash assistance grant and the hours based on the FS allotment must be calculated separately. The composition of the TANF AU may be different from the FS AU. When doing calculations, fractions of an hour are retained to 1/100<sup>th</sup> of a whole number and dropped after the TANF and FS hours are added together. Fractions of an hour cannot be rounded up.

In order to provide the participants with a consistent weekly schedule, we divide the monthly FLSA hours by four, keeping in mind that there will be some months that have five weeks. Therefore, the number of allowable hours must be reviewed monthly and recalculated whenever necessary.

The maximum number of hours that can be permitted in a month is the sum of the TANF hours and the FS hours. Refer to the example below:

Example:

TANF = \$280 per month ÷ \$7.25 = 38.62 hours per month

FS = \$526 per month ÷ \$7.25 = 72.55 hours per month

Total number of hours = 38.62 + 72.55 = 111.17

The FLSA hours of work activity permitted for the month in the above example would be **111** hours.

If the participant misses some hours of participation in one week, the hours can be made up in another week of the same month not to exceed the FLSA limit.

If the averaged actual weekly hours of participation allowed under the FLSA calculation falls below the 20 core hours of participation per week, over the course of a month, the work eligible adult will be considered deemed meeting the 20 hours per week of participation for that core activity.

However, if this participant is a single custodial parent with no child under six or a pregnant woman with no dependent children, the participant must be engaged in an additional 10 hours of non-core or non-FLSA work activities in order to meet the full 30-hour federal participation guidelines.

In an AU in which more than one participant has a work requirement, the total FLSA hours cannot exceed the number of allowable hours derived by using the formula above.

### **General Guidelines for Work Activities**

The DFCS case manager must follow the general guidelines listed below when placing a client in activities:

- Whenever job ready, employment should be the client's mandatory work activity.
- Whenever possible, participation in activities specified in the TFSP-Work Plan should be at a level consistent with full-time employment, i.e., 40 hours per week.
- Whenever possible, the case manager must assign the client to work activities that count towards the federal work participation rate and move the client towards full-time employment.
- A non-core activity may only be included as part of the TFSP-Work Plan if:
  - the client is already meeting federal work requirements by participating in other countable activities.
  - the case manager determines its inclusion as part of the TFSP is necessary to prepare the client for participation in a countable activity, for a limited time, with consideration of the TANF clock.

- The number of hours required for each activity must be specified in the TFSP-Work Plan.
- A participant who already has a marketable job skill must not be trained to develop another skill but must be placed in a job appropriate for existing skills.
- A participant must meet the number of hours required and meet the satisfactory progress requirements for each activity to which s/he is assigned.
- A participant who fails to meet activity requirements without good cause has committed a material violation. The commission of a material violation can result in the imposition of a sanction against the assistance unit.
- A participant must provide verification of participation in activities.
- Whenever possible, a participant must be referred to providers who provide services at no cost to DFCS.
- A participant who attends a private school may receive support services. We must not refer a client to a private school unless the required course of study is unavailable from a government school.
- No tuition will be paid for post-secondary activities for which assistance through Pell or HOPE grants is available.
- When near job-ready, a client may be referred for education or training only when the education or training program to which a referral is made provides preparation for a job that is currently available in the local labor market or that is expected to be available in the future.

### **General Guidelines for Submission of Hours of Participation**

Verification of work participation hours completed must be submitted to the case manager every month. This report is due by the fifth calendar day in the month following the report month. If the report month has a fifth Monday, the report is due by the tenth calendar day in the month following the report month. Forms 516, 517, 495, and 809 can be used to verify work participation. This list is not all-inclusive.

## **Activity Descriptions, Requirements, and Guidelines for Countable Core (Primary) Work Activities**

Listed below are countable Core (Primary) work activities.

### **Unsubsidized Employment**

Unsubsidized employment is full or part-time employment in the public or private sector that is not subsidized by TANF or any other public program. Unsubsidized employment must be given first consideration for any client who is job ready.

#### **Guidelines for Unsubsidized Employment**

The TFSP-Work Plan must require unsubsidized, full-time employment for a client who is already working in unsubsidized part-time employment and does not have barriers to full-time employment.


Full-time, unsubsidized employment must also be required if the client is unemployed but has been

assessed as having the capability of obtaining immediate full-time employment.

Generally, full-time, unsubsidized employment will indicate the participant is soon ready to exit TANF. Therefore, a participant who is employed full-time but earns less than minimum wage is under-employed. The focus of the TFSP-Work Plan should be to increase earnings, benefits and job retention, in order to maximize earnings, prior to ending TANF.

### **Verification of Hours of Employment**

When a client obtains unsubsidized employment, hours of employment may be verified by the employer's statement or by other written information provided by the employer. Client statement can only be accepted for self-employment.

 When employment is reported and the combination of employment hours and income are enough to cause TANF ineligibility, client statement may be accepted for work participation hours for an employment activity.

As they become available, check stubs or other wage verification may be used to verify hours of employment. If the client's hourly rate of pay is known, hours can be determined based on gross earnings.

Information already contained in the eligibility case record that has been used to verify earned income may be used to verify hours of employment.

### **Supervision**

Not applicable.

### **Subsidized Employment (Private or Public)**

Subsidized employment is employment in private or public sector for which the employer receives a subsidy, or (b) a predetermined percentage is paid to the employer from TANF or other public funds to offset some or all of the wages and costs of employing a TANF recipient.

In Georgia, the recipient's wages are subsidized through grant diversion or cash reimbursement for a maximum period of six months. The intent of diverting a client's TANF grant to a potential employer is to provide an incentive for the employer to hire the client.

Subsidized employment placements are intended to, but are not required to, provide permanent, full-time jobs to individuals who are job-ready and/or near job ready, but who may lack the work history necessary to find unsubsidized employment

In addition to paying the participant a competitive salary, the employer must pay benefits that are comparable to those received by regular employees in similarly classified positions.

*Refer to sections 1825, 1826 and 1827 of the policy manuals to learn more about subsidized employment.*

### **Guidelines for Subsidized Employment**

A subsidized employment participant is granted employee status for the duration of the Subsidized



Employment Agreement (SEA) and receives the benefits available to a regular employee of that employer.

A participating employer must:

- provide full-time employment, defined as no less than 30 hours of work per week, pay a salary consistent with what would be paid to another employee in a similar job with similar experience
- provide a written list of supplies, equipment and work clothing required of new employees
- agree to receive the diverted TANF grant or pre-assessed percentage as a direct deposit
- coordinate training with partner agencies
- not displace a regular employee with a subsidized placement
- not hire for a subsidized position because of a strike or lockout, and
- make all efforts to retain the participant in a regular, salaried position unless there is good cause for dismissal. Good cause reasons for dismissal include, but are not limited to:
  - economic reasons requiring a reduction in force by the employer
  - frequent absences from work by the employee
  - disruptive or inappropriate behavior by the employee
  - the employee's inability to perform at an acceptable level.

When a client is dismissed from a subsidized position, the case manager must decide if good cause for dismissal exists. If the dismissal is due to the client's behavior, the case manager should begin the conciliation/sanction process.

An employer who fails to continue the successful participant's employment without good cause will not be granted subsequent contracts. Before the agency can enter into subsequent contracts with an employer, participants who have previously been laid off must be recalled.

The client must receive a rating of satisfactory or better from the participating employer. The employer may submit Form 516, Record of Attendance and Performance Report to the case manager every month. This report is due by the fifth calendar day in the month following the report month. If the report month has a fifth Monday, the report is due by the tenth calendar day in the month following the report month.

Failure to pay all or a portion of wages owed to the employee constitutes a breach of the SEA and terminates the agreement immediately. The employer cannot receive additional subsidies, and DFCS may recover diverted payments made for months for which the employee was not paid fully for wages earned.

The participant is paid at a rate equal to that of a regular employee in the same position with the same responsibilities.

The participant must be available for immediate employment. Hiring is solely at the discretion of the employer.

## **Responsibilities for Subsidized Employment Placements**

DFCS is responsible for publicizing to its client population and to local businesses that subsidized employment is available. The agency is also responsible for recruiting employers to participate. These responsibilities may be carried out directly by DFCS or may be delegated to partner agencies.

The case manager is responsible for conducting an assessment and determining the job readiness level of the client. It is expected that job-ready and near job-ready clients will be placed in unsubsidized employment.

Both before and after a placement has been made, the case manager is responsible for the provision and monitoring of support services that are needed in order for the client to successfully continue in the subsidized placement.

The case manager must meet with the client prior to the latter's placement in a subsidized job to ensure that all needed support services are in place. The case manager must also monitor the agreement to ensure the employer complies with the terms of the SEA.

The case manager is responsible for making subsequent referrals for in-depth assessments that are deemed necessary based on an identification of additional barriers to employment that may not have been detected prior to the initial subsidized job placement.

The case manager or other assigned staff is responsible for overseeing the development of job sites and for establishing agreements with participating employers so that certain criteria are met. Staff assigned to develop subsidized employment sites must complete Form 200, TANF Subsidized Employment Agreement for each site developed.

While the actual development of sites and the establishment of agreements with participating employers may be done by staff from partner agencies and not by the case manager, the case manager does have the final responsibility for ensuring that the work performed by partner agencies is consistent with TANF policies and goals.

A participating employer will receive a subsidy to offset a portion of the cost of the client's salary for the duration of the subsidized placement. If the client's job performance is satisfactory, the employer is expected to offer the client permanent employment.

Prior to placement in a subsidized position, the client must meet with the case manager and representatives from any participating partner agencies in order to ensure that needed training and support services are identified.

## **Monitoring of Subsidized Employment Placements**

All subsidized employment job sites are to be monitored monthly. The case manager or other assigned staff must make an on-site visit during the first month of placement.

Subsequent monthly contacts may be made in person or by telephone.

Contacts are intended to verify that the employer is providing training appropriate to the participant's abilities to perform the basic duties of the job. Monitoring contacts must be documented in the participant's case record.

Though staff from partner agencies may complete the actual monitoring function, the case manager has the final responsibility to ensure that the monitoring is performed on an ongoing basis.

### **Orientation for Subsidized Employment**

A prospective participant must attend a subsidized employment orientation session in which the case manager explains the following:

- participant criteria
- employer criteria,
- diversion of the entire TANF grant to the employer, and
- potential eligibility of Work Support Program payments.

A trial budget will have to be completed to show the amount of earnings required to reduce the AU's grant amount to zero.

*For additional information about subsidized employment and step-by-step instructions for the grant diversion process, refer to Sections 1825, 1826 and 1827 of the Policy Manual.*

### **Verification of Hours of Subsidized Employment**

Prior to placement in a subsidized position, the case manager or the contracted staff must meet with the client and with the participating employer to discuss requirement to verify hours of employment. This requirement is to ensure that the client receives needed training, abides by the rules of employment and the agency provides all support services identified in the TFSP-Work Plan or identified later during participation in the activity.

The hours of subsidized employment may be verified by:

- the employer's statement,
- written information provided by the employer,
- copy of a check received by the client, or,
- by dividing gross pay by the hourly rate if it is known to the agency.

Information already contained in the eligibility case record that has been used to verify earned income may be used to verify hours of employment. However, the case manager must document the source of verification for that month.

### **Termination of Placement**

If the client fails to participate, or the employer does not provide needed training to the client, appropriate procedure will be followed.

*Refer to [1825 Subsidized Employment General Requirements](#) for detailed policy.*

### **Supervision**

Supervision must be provided daily by the employer or the site supervisor.

## **Work Experience (WEX)**

A work experience (WEX) is a work activity performed in return for public assistance, that provides an individual with an opportunity to acquire the general skills, training, knowledge and work habits necessary to obtain employment.

The purpose of work experience is to improve the employability of those who cannot find unsubsidized full-time employment. If previous attempts to obtain unsubsidized or subsidized employment have been unsuccessful, the client should be referred for a work experience placement.

### **Guidelines for Work Experience**

Work experience placements are intended to provide training to an individual who is near job-ready and who needs to develop or improve the job skills and work habits necessary to succeed in a regular job environment.

Work experience placements can be made with either a public sector employer or a private sector non-profit or for-profit employer. It is expected that placements in WEX for more than 3 months would only be acceptable in settings that are expected to turn into full-time employment.

The work experience participant is not an employee of the work site provider and is not paid for hours of participation by the employer.

The work experience site sponsor is expected to offer training opportunities with appropriate supervision within an environment that generally replicates that of regular employment. The sponsor must be made aware that job coaching, and mentoring may be needed to help the participant succeed.

The work experience site sponsor must provide a detailed description of the activities in which the client will participate. The sponsor must also comply with the requirements specified for the sponsor on Form 482, the TANF Work Experience Agreement Form.

The sponsor is responsible for providing reasonable accommodations to work experience participants who have varying job skill levels or who may have physical or mental disabilities.

A client referred for placement at a work experience site must be regarded by the case manager as having the ability for performing the tasks that will be required of a participant and that appropriate accommodations will be provided. A client must not be referred to sites where overnight travel or travel over unreasonable distances will be required.

### **Requirements for Hours of Participation**

A work experience participant is subject to FLSA guidelines. A participant is therefore restricted to a maximum number of hours per month of participation in this activity.

The maximum number of hours permitted is determined by dividing the amount of the AU's regular TANF cash assistance and the AU's FS allotment by the minimum wage.

The hours based on the cash assistance grant and the hours based on the FS allotment must be calculated separately. The composition of the TANF AU may be different than the FS AU. Staff should count the entire FS benefit toward the TANF work requirement, unless the FS work program

requirement such as SNAP E&T is also being based on the FS benefit. Benefits would not count twice toward both requirements.

In that case, the benefits would be prorated with the FS Benefits of the TANF household counted toward the TANF work requirement and the FS benefits of the other members counted toward the FS work requirement. Benefits would not be double counted toward both requirements.

When doing calculations, fractions of an hour are retained to 1/100<sup>th</sup> of a whole number and dropped after the TANF and FS hours are added together. Fractions of an hour cannot be rounded up.

The number of allowable hours must be reviewed monthly and recalculated whenever necessary.

The maximum number of hours that can be permitted in a month is the sum of the TANF hours and the FS hours. Refer to the example below:

Example:

TANF = \$280.00 per month ÷ \$7.25 = 38.62 hours per month

FS = \$526.00 per month ÷ \$7.2 = 72.55 hours per month

Total number of hours = 38.62 + 72.55 = 111.17

The FLSA hours of work activity permitted in the above example would be **111** hours for the month.

If the participant misses some hours of participation in one week, the hours can be made up in another week in the same month not to exceed the FLSA limit.

If the averaged actual weekly hours of participation allowed under the FLSA calculation falls below the 20 core hours of participation per week, over the course of a month, the work eligible adult will be considered deemed meeting the 20 hours per week of participation for that FLSA activity.

However, if this participant is a single custodial parent with no child under six or a pregnant woman with no dependent children, the participant must be engaged in an additional 10 hours of non-core or non-FLSA work activities in order to meet the full 30-hour federal participation guidelines.

### **Responsibilities for Work Experience Placements**

The case manager is responsible for conducting an assessment and determining the job readiness level of the client. Special consideration must be given to the client's goals and his or her TANF clock when making work experience placements.

The case manager is responsible for ensuring that both the sponsor and the participant understand the terms and conditions of the work experience agreement.

When an agreement has been reached with a potential sponsor, the sponsor and the case manager must sign Form 482, the TANF Work Experience Agreement form. A client can only be assigned to a work experience site if an agreement has been signed with a sponsor.

The county DFCS office must maintain a central file of all work experience agreements. A copy of

the agreement form must be provided to the client and to the sponsor.

After placement at a work experience site is arranged, the case manager is responsible for the provision and monitoring of support services that are needed prior to and during the client's participation in the activity.

Consequently, before the client's placement in the work experience activity, but after the assessment has been completed, the case manager must meet with the client as well as staff from any partner agencies that may be involved in the placement process to ensure that all needed support services are in place. Before placement, ensure that all needed support services are specified in the TFSP - Work Plan.

Additional joint staffing must be conducted as needed throughout the duration of the work experience placement.

The case manager is responsible for making subsequent referrals that are deemed necessary based on the identification of additional barriers to employment that may not have been detected prior to the initial work experience placement.

#### **Verification of Hours of Participation in Work Experience**

The case manager or other assigned staff is required to verify hours of participation in a work experience activity.

The case manager must verify hours of participation at least monthly. This verification can be:

- a statement by the site supervisor, or
- Form 516 completed and signed by the site supervisor.

Documentation of monthly verification of WEX hours in the case record is required. The case manager, however, may choose to verify hours on a weekly or bi-weekly basis.

The participant must receive a rating of satisfactory or better from the work experience site supervisor. Form 516, the Record of Attendance and Performance Report form must be submitted monthly. This report is due by the fifth calendar day in the month following the report month. If the report month has a fifth Monday, the report is due by the tenth calendar day in the month following the report month.

#### **Supervision**

Daily supervision must be provided by the site supervisor.

#### **Monitoring**

The number of hours required for the work experience placement must be reviewed at least every 30 days. Changes must be documented. A change in the number of hours of participation must be indicated on the Form 516, Record of Attendance and Performance report and communicated to the client and to the work experience site supervisor.

The case manager is responsible for monitoring the progress of each work experience participant and for verifying that the employer is providing training appropriate for the participants, enabling

them to perform the basic duties of the work experience assignment.

It is the case manager's responsibility to determine if the client has received the maximum benefit from the placement and whether the client should be moved to a different activity.

All work experience sites are to be monitored on a regular basis. The case manager or other assigned staff must make an on-site visit during the first 2 weeks of placement.

Subsequent contacts must be made on a regular basis, the frequency to be determined by the county. Monitoring contacts must be documented in the participant's case record.

### **Grievance Procedures**

A work experience participant must contact the case manager if there is a problem at the site in need of resolution.

Complaints from regular employees of the work experience sponsor should be made in writing to the local DFCS office. Valid complaints include, but are not limited to, the displacement of a regular employee by a work experience participant, or the assignment of a work experience participant to a regular position during a legal strike or other job action.

### **Placement Termination**

A sponsor may terminate a work experience placement at any time by completing the appropriate line on the TANF Work Experience Agreement form and submitting it to the case manager within five calendar days of termination. If the termination is initiated by DFCS, as much advance notice as possible must be given to the sponsor.

### **On-the-Job Training**

On-the-Job Training (OJT) is paid training in the public or private sector that is given to an employee while s/he is engaged in productive work that provides knowledge and skills essential to the full and adequate performance of the job.

Any paid training, whether provided off-site or at the work site, fits the definition of on-the-job training.

The goal of OJT is to provide training for a client who has been hired for a particular job but who may nevertheless lack some of the skills required for adequate job performance. Through a contractual arrangement or other form of agreement, the sponsoring entity pays to an employer reimbursement of up to 50% of a participant's wages for the employer's verified costs of providing the training and additional supervision that is related to the training.

The division, a partner agency or other organization may enter into an agreement with an employer to provide OJT to TANF recipients.

The sponsoring entity is responsible for developing an OJT site and for providing the case manager or other assigned staff with documentation of the participant's daily attendance and performance.

The employer is responsible for developing a training plan and agrees to retain the employee upon successful completion of the training plan.

## **Guidelines for OJT**

The duration of OJT must be limited to what is appropriate to the job for which the participant is being trained. The OJT plan must take into consideration the client's goals, TANF clock, education, prior work experience, existing job skills, and the requirements of the job.

Discrepancies between a client's job skills and the skills required for the job for which the client is being considered must be identified prior to the signing of an OJT contract.

Funds provided to an employer are intended for training activities that are in addition to those that would otherwise be available to other employees.

A sponsoring entity must not enter into on-the-job training agreements with an employer who has received payments under previous agreements but who has failed to provide on-the-job training participants with continued long-term employment as regular employees with wages, benefits and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work.

No financial assistance can be provided for OJT that involves political activities.

Each employer receiving financial assistance to provide OJT must maintain records which determine the amount of assistance received and the purposes for which the assistance is expended.

The OJT participant must receive a rating of satisfactory or better from the work site supervisor.

## **Verification of the Hours of Participation in OJT**

Verification of the work participation hours in OJT is required. This verification may be provided by submitting:

- Form 516, The Record of Attendance and Performance Report, or
- Statement by the supervisor of the entity sponsoring the OJT.

The verification of participation must be provided to the case manager monthly. The case manager may choose to document this information in the case record weekly or bi-weekly.

## **Supervision**

Daily supervision must be provided by the employer or the site supervisor.

## **Job Search and Job Readiness Assistance**

Job Search (JS) and Job Readiness (JR) Assistance is the act of seeking and obtaining employment, preparation to seek and obtain employment, including life skills training, and substance abuse treatment, mental health treatment, or rehabilitation activities.

Job readiness assistance involves two activities:

- preparing an individual to obtain employment, such as preparing a resume or job application, interviewing skills, instruction in workplace expectations, life skills training, and
- substance abuse treatment, mental health treatment or rehabilitation activities.



For such treatment/rehabilitation to count as job readiness, the need for them must be determined by a qualified medical, substance abuse or mental health professional.

Job search includes looking for suitable job openings, contacting potential employers, applying for vacancies, and interviewing for jobs. Job search may be done on an individual basis, or it may be done as part of a group process. The DFCS case manager determines whether the individual participation, group job search, or a combination of both, is most appropriate for a participant.

The case manager's determination is based on assessments of participants' skills, their need for support, the setting most likely to be productive for the participants, and the availability of group job search.

In general practice, participants engage in self-directed job search. The case managers contact the participant as well as with potential employers to validate active participation in job search activity.

Participants document their job search by indicating the time spent on each individual job contact. This may include resume preparation, interviews, and phone calls. Verification of job search compliance whether self-directed or through contracted services is maintained in the case record. Participants must keep all appointments and comply with all job referrals.

The participation is verified by submitting Form 495, Job Search Record and Form 516, Record of Attendance and Performance Report to the case manager. These forms are due to the case manager monthly.

#### **Guidelines for Job Search and Job Readiness**

Under section 45 CFR § 261.34 federal rules have placed a limit of six weeks participation in job search/job readiness activities in a preceding 12-month period.

The Final TANF Rule allows states to convert the six weeks of job search/ job readiness activities to hours. However, there is still a maximum limit of four consecutive weeks as a countable (core) activity.

For the purpose of the six-week limit on participation, a week is defined as 20 hours for a single custodial parent with a child under age 6, and 30 hours for all other work eligible individuals, which is 120 or 180 hours for the six-week limit per preceding 12-month period.

Each time an individual reaches 20 (or 30) hours, a week is used. Due to the maximum 4 consecutive week limit, a recipient can do no more than 80 hours for a work-eligible individual with a 20-hour average weekly work requirement or 120 hours for a work-eligible individual with a 30-hour average weekly work requirement consecutively.

Following the above guidelines, the recipient must participate in another core (primary) and/or non-core (secondary) work activity for 20 or 30 hours during the 5th week while JS/JR is suspended. Then the recipient may participate for any additional hours left up to the six-week limit in job search alone or in job search combined with job readiness training as countable activities.

In determining the 4-week consecutive participation, a week consists of seven consecutive days. Any hours of participation in JS/JR during the course of a 7-day period triggers a week of the 4-week limit.

The 6-week limit applies to each participating individual. Therefore, in a 2-parent household if both parents are considered work eligible and participate in a work activity, each parent can report up to 180 hours for the six-week limit of JS/JR in the preceding 12-month period for each work eligible individual.


The preceding 12-month period refers to the current month for which the data is reported and the 11 previous months. The preceding 12-month period may include one or more periods of participation in the 12 months period.

Under the final rule the six-week limit is converted to hours and operates like an accrual system. Each time an individual reaches 20 hours (or 30 hours), a week is used.

The number of hours of participation in JS/JR activities is determined by the age of the youngest child in the AU. When the age of the youngest child changes, the hours of participation must change also.

**For example:** The month the youngest child turns 6, the AU's weekly hours of participation increases from 20 to 30 hours and the maximum limit increases from 120 to 180 hours for the six-week limit of JS/JR for the preceding 12-month period.

Similarly, if an AU without a child under six years of age expands to include such a child, its average hourly requirement per week would drop from 30 hours to 20 hours.

 Applicant job search weeks do not apply towards this limit. Job search and job readiness activities in excess of six weeks do not count toward the participation rate, but clients may still receive support services for job search and/or job readiness training when these are combined with non-core or other non-countable activities. Form 516, The Record of Attendance and Performance Report, may be submitted to verify attendance in job readiness training classes, substance abuse/addictive disorders treatment programs, mental health treatment programs, life skills training or rehabilitative activities.

Form 495, Job Search Record, may be used to verify hours of participation for job search activities. Documentation of Hours of participation in JS/JR activities in the case record is required monthly. The case manager may choose to verify hours of participation on a weekly or bi-weekly basis.

### “Needy State”

A state may qualify to count participation in Job Search/Job Readiness Assistance activities for up to 12 weeks if the state meets the definition of a “needy State”. The 6-week limit on job search and job readiness assistance can be extended to 12 weeks in a fiscal year if a state has an unemployment rate at least 50 percent greater than the unemployment rate of the United States, or if the State meets the definition of “needy State” under the Contingency Fund provisions of the law. (See sections 407(c)(A)(i) and 407(c)(1)(A) of the Act.)

Under the statute, a State may count up to 12 weeks of participation in job search and job readiness assistance for an individual participating in those activities only in a month in which the State qualifies as “needy” or the unemployment rate is at least 50 percent greater than the national unemployment rate in that month.

There are two ways for a State to qualify as a “Needy State,” one based on its unemployment rate,

the other based on increases in its Food Stamp caseload. (See section 403(b)(5) of the Act.) Here is a general description of the two triggers:

- **Unemployment Trigger** — the average unemployment rate for the most recent 3-month period is at least 6.5% and at least 110% of the State rate for the corresponding 3-month period in either of the two preceding calendar years.
- **Food Stamp Trigger** (as determined by the Secretary of Agriculture) — the monthly average number of participants for the most recent 3-month period is at least 110% of the State's monthly average caseload for FY 1994 or FY 1995, whichever is less, had the immigrant and Food Stamp provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) been in effect in those years.

A State can predict whether it will qualify due to high unemployment using its own trends and projections of Food Stamp participants and unemployment rates. A State making such a determination with respect to the Food Stamp trigger should be sure to use the average of the most recent month and the two preceding months in comparison to the threshold for the most recent month.

### **Supervision**

The DFCS TANF staff or a contracted vendor provides supervision on a daily basis. Daily supervision does not necessarily mean daily contact, but it does mean that a responsible party has daily responsibility for oversight of the individual's participation. This may occur through direct face-to-face contact, telephone calls, e-mails, and/or faxes.

Through daily supervision the case managers and contracted vendors determine and ensure that the participants are appropriately engaged in Job Search and Job Readiness activities.

### **Community Service Programs**

Community Service Programs are structured programs and embedded activities in which TANF recipients perform work for the direct benefit of the community under the auspices of public or nonprofit organizations.

Community service programs must be limited to projects that serve a useful community purpose in fields such as health, social service, environmental protection, education, urban and rural development, welfare, recreation, public facilities, public safety, and childcare.

Community service programs are designed to improve the employability of recipients not otherwise able to obtain employment.

Counties must consider, to the extent possible, the prior training, experience and skills of a recipient in making appropriate community service assignments.

Community service programs may not include activities that meet the definition of another allowable TANF work activity. Community service programs must include structured activities that both provide a community service and also improve the employability of the participants.

It should be noted that when a person is able to perform job responsibilities, s/he must participate in structured work activities that will lead to employment.

The goals of this activity are to provide a service to the community while also developing the client's jobs skills. This is an activity that should be carefully assessed for its development of the client's skills and the motivation to progress in his/her job readiness level.

### **Guidelines for Community Service Programs**

Clients will not be allowed to perform community service activities that do not meet criteria listed above.

Examples of community service activities include but are not limited to the following:

- volunteering at a soup kitchen
- volunteering with a Meals-on-Wheels program
- volunteering at a shelter
- volunteering at a school
- volunteering at a church or other religious institution
- tutoring in a structured, supervised, environment.

The case manager must discuss the number of remaining months of potential TANF eligibility, and the impact community service programs may have on the client being able to achieve the goals established in the TFSP-Work Plan.

### **Requirements for Hours of Participation**

A community service participant is subject to FLSA guidelines. A participant is therefore restricted to a maximum number of hours per week of participation in this activity.

The maximum number of hours permitted is determined by dividing the amount of the AU's regular TANF cash assistance and the AU's FS allotment by the minimum wage.

The hours based on the cash assistance grant and the hours based on the FS allotment must be calculated separately. The composition of the TANF AU may be different than the FS AU. Staff should count the entire FS benefit toward the TANF work requirement unless a SNAP E&T work program requirement such as workfare is also being based on the FS benefit.

In that case, the benefits would be prorated with the FS Benefits of the TANF household counted toward the TANF work requirement and the FS benefits of the other members counted toward the SNAP E&T work requirement. Benefits would not be double counted toward both requirements.

When doing calculations, fractions of an hour are retained to 1/100<sup>th</sup> of a whole number and dropped after the TANF and FS hours are added together. Fractions of an hour cannot be rounded up.

The number of allowable hours must be reviewed monthly and recalculated whenever necessary.

The maximum number of hours that can be permitted in a month is the sum of the TANF hours and the FS hours. Refer to the example below:

Example:

TANF = \$280.00 per month ÷ \$7.25 = 38.62 hours per month

FS = \$526.00 per month ÷ \$7.25 = 72.55 hours per month

Total number of hours = 38.62 + 72.55 = 111.17

The FLSA hours of work activity permitted for the month in the above example would be 111 hours. If the participant misses some hours of participation in one week, the hours can be made up in another week of the same month not to exceed the FLSA limit.

If the averaged actual weekly hours of participation allowed under the FLSA calculation falls below the 20 core hours of participation per week, over the course of a month, the work eligible individual will be considered deemed meeting the 20 hours per week of participation for that FLSA activity.

However, if this participant is a pregnant woman or single custodial parent with no child under six, the participant must be engaged in an additional 10 hours of non-core or non - FLSA work activities in order to meet the full 30-hour federal participation guidelines.

In an AU in which more than one recipient has a work requirement, the total FLSA hours cannot exceed the number of allowable hours derived by using the formula above.

### **Sponsor Requirement**

A work site sponsor must agree to meet the requirements listed below in order for the case manager to approve the work site. The sponsor must:

- provide a description of the types of activities in which the participant will be involved,
- provide for the health and safety of the participant while on the work site,
- provide the participant with all supplies necessary for the performance of the assigned tasks,
- provide daily supervision of worksite activities and bi-weekly documentation of hours of participation for each participant,
- agree not to involve a participant in partisan political activity,
- not discriminate against any participant on the basis of race, color, religion, gender, age, national origin, or physical or mental disability, or
- agree not to allow the participant to work more hours than the total scheduled hours indicated on Form 516, the Record of Attendance and Performance Report.

### **Verification of Hours of Participation**

Verification of Hours of Participation in Community Service Program must be provided monthly to the TANF agency. Participant's sign in sheets, the provider's activity log or Form 516, Record of Attendance and Performance Reports can be accepted to verify hours of participation.

Documentation of Community Service Program hours in the case record is required monthly.



The case manager may choose to verify hours of participation on a weekly or bi-weekly basis.

## **Supervision**

The work site supervisor must provide supervision daily.

## **Termination of Community Service Programs**

When a community service program placement is terminated by the sponsor, the sponsor must complete the Placement Terminated information on Form 195, the Community Service Agreement and submit a copy of the form to the case manager within three business days of termination.

If DFCS must terminate a placement, the case manager must notify the sponsor in writing, providing notice as far in advance as possible.

## **Provision of Child Care to an Individual Participating in Community Service Programs**

Childcare for Community Service is providing childcare to enable another TANF recipient to participate in a community service program. The work eligible individual providing childcare services receives no pay. This activity must be a structured program designed to improve the employability of individuals who participate in this activity.

The client must provide childcare for the number of hours specified on Form 195, the Community Service Agreement. The participant is responsible for ensuring that Form 516, Record of Attendance and Performance Report is submitted to the case manager each month.

A client can be placed in the activity of providing childcare for another TANF recipient in community service programs only when other work activities are not available to the participant.

Childcare is not available for the client who is acting as a childcare provider. Transportation assistance can be provided only if the participant must travel to provide the service.

## **Support Services**

The client is responsible for making the arrangements necessary to become the childcare provider for another TANF recipient whose work activity is community service.

## **Guidelines for Provision of Child Care to an Individual Participating in Community Service Programs**

For a client who is approved as a childcare provider to another TANF recipient participating in a community service program, being a childcare provider for a TANF recipient becomes the client's community service activity. The TANF recipient for whom childcare is provided is the sponsor.

Placements are made via Form 195, the Community Service Agreement that specifies the placement begin date, the hours to be worked, and the name of the child being cared for and the duties of the participant. The case manager must approve the placement. When completing Form 195, the Community Service Agreement:

- note that the sponsor is the participant for whom childcare is being provided, and
- list the name of the child for who care is being provided.

## Verification of Hours of Participation

Verification of hours of participation is required on a monthly basis. The parent of the child is responsible for completing Form 516, Record of Attendance and Performance Report and the participant providing the childcare is responsible for submitting this form on a monthly basis to the case manager.

 The case manager may choose to verify hours of participation on a weekly or bi-weekly basis.

## Supervision

The parent of the child is responsible for monitoring the success of this activity daily. A DFCS staff person will complete an on-site visit once a week.


## Placement Termination

When the sponsor terminates a community service placement, the sponsor will complete the Placement Terminated information on Form 195, the Community Service Agreement and submit a copy of the form to the case manager within three business days of termination.

If DFCS must terminate the placement, the case manager must notify the sponsor in writing, providing as much advance notice as possible.

## Vocational Educational Training

Vocational educational training (not to exceed 12 months with respect to any individual) are educational programs that are directly related to the preparation of individuals in current or emerging occupations. This activity may also include a bachelor's degree, advanced degree program, associate degree program, instructional certificate program, industry skill certifications, and other post-secondary education activities.

 Education leading to a baccalaureate or advanced degree may also be assigned as a non-core activity under Job Skills Training, if it is directly related to a specific job or occupation. This activity may include both customized and general training to prepare an individual for employment, including literacy and language instruction.

Certain vocational rehabilitation programs incorporate educational components that would fit within the definition of vocational educational training.

For example, part of an individual's vocational rehabilitation program could be to complete a certificate in computer programming from a community college. Such a program would be part of an organized educational program and would be directly related to preparation for employment.

## Guidelines for Vocational Educational Training


Vocational educational training in excess of twelve months does not count toward the participation rate, but a participant may be supported in vocational education in combination with a countable work activity.

The twelve-month limit is cumulative, not consecutive.

The Participants in vocational educational training activities are required to maintain an average

of 2.0 GPA.

Verification of the GPA may be provided through grade reports, quarter/semester registration information, monthly attendance reports, or a certificate or diploma.

 The required 2.0 GPA is based on a 4-point grading system. If the participant is attending a school on a different grading system, require the grade that is equivalent to a “C”.

### **Verification of Participation in Vocational Education**

Form 516, Record of Attendance and Performance Report or Form 517, Record of School Attendance and Performance Report may be used to verify attendance and performance and is due to the case manager monthly.

The case managers may choose to call the school or provider to verify attendance and performance on a weekly or bi-weekly basis.

The case managers are required to document the name, title and telephone number of the person who provides hours of participation and performance if other attempts to get other documents have not worked.

### **Supervision**

The training instructor or other responsible staff of the institution must provide supervision daily.

### **Distance Learning**

Distance learning is not a new or a separate stand-alone work activity. It can be incorporated in other core or non-core activities. The Deficit Reduction Act of 2005 has allowed the use of distance learning or online education for work eligible TANF recipients who are experiencing some limitations to meet TANF work requirements. The purpose is to provide all possible support to enhance their strengths that will lead to their self-sufficiency and the family’s success.

Distance/on-line learning can be effectively used in vocational training, GED, or other educational activities, including but not limited to learning and developing the following skills:

- Resume writing
- Strategies for researching employers and careers
- Networking skills coaching
- Interview preparation
- Job Search Skills Workshops online
- Career Management Coaching
- Career Counseling skills
- Skills and Values Assessments

Hours of participation in distance learning programs can be monitored manually or electronically by the class instructor.




Form 516, Record of Attendance and Performance Report or Form 517, Record of School Attendance and Performance Report may be used to verify attendance and performance and is due to the case manager monthly.

If needed the DFCS case manager can contact the participating program provider to verify the attendance and performance of a participant. The case manager must document the name, title and telephone number of the persons who provides this verification.

### **Homework Time**

A client can receive credit for supervised homework time in some educational activities if the homework time can be monitored and verified (manually or electronically) by the class instructor. Total maximum homework time counted for participation cannot exceed the hours required or advised by an educational program.

 Study time is the time (expressed in hours) that a student is actively engaged to complete learning activities for a program of study. This can include monitored activities such as: study sessions, research, homework, and other activities completed outside of class for the course.

Form 516, Record of Attendance and Performance Report or Form 517, Record of School Attendance and Performance Report may be used to verify attendance and performance of the participant monthly. Attendance must be submitted to the case manager monthly.

If needed the DFCS case manager can contact the participating program provider to verify the attendance and performance of a participant. The case manager must document the name, title and telephone number of the persons who provides this verification.

 The case manager may choose to verify hours of participation on a weekly or bi-weekly basis.

## **Activity Descriptions, Requirements, and Guidelines for Countable Non-Core (Secondary) Work Activities**

### **Job Skills Training Directly Related to Employment**

Job skills training directly related to employment is training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace.

This activity may include both customized and general training to prepare an individual for employment, including literacy and language instruction.

This activity can also include bachelor's degree programs, advanced degree programs, associate degree programs, instructional certificate programs, industry skill certifications, and other post-secondary education activities.

Under the Deficit Reduction Act of 2005, this activity is classified as a non-core (secondary activity). Some vocational educational classes can be considered job skills training if they are directly related to a specific job or occupation. Job skills training is not subject to a durational limit but is only countable when combined with 20 hours a week of a core activity such as subsidized or unsubsidized employment, including work study.

### **Guidelines for Job Skills Training Directly Related to Employment**

The goal of such training is to place the client in a job for which s/he has been trained. The participant in job skills training must meet the standards established by the training provider.

### **Verification of Attendance in Job Skills Training Directly Related to Employment**

The contractor or the job skills training provider provides verification of actual hours of participation on Form 516, Record of Attendance and Job Performance Report, which is submitted to the case manager monthly.



The case managers may choose to call the school or provider to verify attendance and performance on a weekly or bi-weekly basis.

### **Supervision**

The training instructor or other institution staff must provide supervision daily.

### **Termination of Placement**

When the sponsor terminates a Job Skills Training placement, the sponsor will inform the case manager within three business days of termination. If DFCS must terminate the placement, the case manager must notify the sponsor in writing, providing as much advance notice as possible.

### **Education Directly Related to Employment**

Education directly related to employment in the case of a recipient who has not received a high school diploma, or a certificate of high school equivalency is education related to a specific occupation, job or job offer. This includes courses designed to provide the knowledge and skills for specific occupations or work settings but may also include adult basic education and English as a Second Language (ESL).

The goal of such training is not a diploma or certificate of equivalency, but employment.

### **Guidelines for Education Directly Related to Employment**

Under the Deficit Reduction Act of 2005, this activity is classified as a non-core (secondary activity).

A work eligible individual who is 20 years of age or older without a high school diploma or its equivalent and who participates in education directly related to employment activity can receive credit for classroom hours if s/he is also participating in countable core (primary) activities for an average of at least 20 hours per week during the month.

Case managers should use every opportunity to schedule 30 or more hours of work-related activities. In so doing, the case manager would assist the client in his/her progression towards sustained employment.

A single custodial parent head of household who is less than 20 years of age or a pregnant teen head of household without a high school diploma or its equivalent and who participates in education directly related to employment activity, will be considered as met if s/he participates for an average of at least 20 hours per week during the month.

Although participation in other work activities is not required for a single custodial parent head of household under 20 years of age or a pregnant teen head of household, and there is no penalty if the recipient does not participate in other work activities, the case manager may encourage the client to participate in other activities if doing so has no adverse effect on the recipient's school-work.

During breaks in the school year, there are no other work requirements for the single custodial parent head of household under 20 years of age or the pregnant teen head of household if the client intends to return to school when the new school year is scheduled to begin.

The number of hours credited to the client while school is in session continues to be credited during breaks, holidays and vacations.

The aforementioned client may choose to work during breaks in the school year or even during the school year but cannot be required to do so.

*Refer to distance learning and homework time in Section 1820, page 30 and 31 for consideration of work participation hours not spent in class.*

### **Verification of Participation in Education Related to Employment**

Form 517, the Record of School Attendance and Performance Report, or Form 516, the Record of Attendance and Performance Form may be used to verify attendance and performance and submitted to the case manager monthly.



The case managers may choose to call the school or provider to verify attendance and performance on a weekly or bi-weekly basis.

### **Supervision**

Daily supervision must be provided by the site instructors.

### **Satisfactory Attendance at Secondary School**

Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate means regular attendance, in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to a certificate of general equivalence, in the case of a work eligible individual who has not completed secondary school or received such a certificate.

This activity is designed to enable the student to earn a high school diploma. It can also enable the student to participate in a course of study leading to a certificate of general equivalence.

### **Guidelines for Satisfactory Attendance at Secondary Education**

Under the Deficit Reduction Act of 2005, this activity is classified as a non-core (secondary activity).

A pregnant woman or single custodial parent who is 20 years of age or older and has no high school diploma or its equivalent, and who attends secondary school or equivalency classes can receive credit for classroom hours if s/he is also participating in countable core (primary) activities for an

average of at least 20 hours per week during the month.

Case managers should use every opportunity to schedule 30 or more hours of work-related activities. In so doing, the case manager would assist the client in his/her progression towards sustained employment.

A single custodial parent head of household who is less than 20 years old or a pregnant teen head of household, and has no high school diploma or its equivalent, and who attends secondary education or GED classes is considered as met if he or she maintains satisfactory attendance at a secondary school or the equivalent during the month.

Although participation in other work activities is not required, and there is no penalty if the recipient does not participate in other work activities, the case manager may encourage the recipient to participate in other activities if doing so has no adverse effect on the recipient's schoolwork.

During breaks in the school year, there are no other work requirements for the single custodial parent head of household under 20 years of age or a pregnant teen head of household if the client intends to return to school or GED class when the new school year or next GED session is scheduled to begin.

The number of hours credited to the client while school is in session continues to be credited during breaks, holidays, and vacations.

The client must meet the attendance requirements established by the school. Meeting these requirements is a part of the client's TFSP-Work Plan.

If attending high school, the participant must obtain passing grades in order to remain in this activity. The school determines the standard for a passing grade. If attending GED classes, the participant must progress at least one grade per quarter in order to remain in this activity. This requirement may differ from requirements established by the school.

Refer to distance learning and homework time in Section 1820, page 30 and 31 for consideration of work participation hours not spent in class.

All support services can be provided as needed, though transportation can be provided only if it has been verified that needed transportation is not available through the school.

#### **Verification of Satisfactory Attendance at Secondary School**

Form 517, the Record of School Attendance and Performance Report, or Form 516, the Record of Attendance and Performance Form may be used to verify attendance and performance and submitted to the case manager monthly.



The case managers may choose to call the school or provider to verify attendance and performance on a weekly or bi-weekly basis.

#### **Supervision**

The training instructor or other designated staff must provide supervision daily.

# Activity Descriptions, Requirements and Guidelines for Other Non-Countable Activities

## English as a Second Language

English as a second language (ESL) is education designed to provide a client with skills in speaking, reading, or writing English that are consistent with the requirements of the client's employment goal. Due to changes in the Federal guidelines, ESL will now be included under the non-core (secondary) activity Education Directly Related to Employment.

All hours of participation must be entered under Education Directly Related to Employment activity for the participation hours to be considered as countable hours with another core (primary) activity with at least 20 average hours per week during a month.

Basic Education and English as a Second Language (ESL) can also be considered for a vocational educational assistance activity if it's necessary and a regular part of the training program.

### Guidelines for ESL

Assignment to this activity must only be made for a client whose ability to participate in countable work activities may be hampered by the client's lack of English proficiency. ESL is considered an "Other" non-countable activity.



Participation hours entered under English as a Second Language (ESL) will not count towards the Federal work participation.

### Verifications of Hours of Participation

Form 516, Record of Attendance and Performance Form or Form 517, Record of School Attendance and Performance Record may be used to verify attendance and performance and submitted to the case manager monthly.



The case managers may choose to call the school or provider to verify attendance and performance on a weekly or bi-weekly basis.

### Supervision

The training instructor or other designated staff must provide supervision daily.

## Addictive Disorders (AD) Counseling and/or Treatment

Addictive Disorders (AD) counseling or treatment is designed to help a client overcome a dependence on or addiction to drugs and/or alcohol.

Due to changes in the Federal guidelines, AD will now be included under the core (primary) activity – Job Search and Job Readiness Assistance for up to six weeks (or 12 weeks). All hours of participation must be entered under Job Search and Job Readiness Assistance activity in order for them to be considered as countable hours.



Participation hours entered under Addictive Disorders Counseling/Treatment activity are not countable and will not be applied to the Federal work participation.

## **Guidelines for Addictive Disorders Counseling and/or Treatment**

Assignment to this activity must only be made for a client whose ability to participate in countable work activities may be hampered by the client's dependence on or addiction to drugs or alcohol.

A client who is assigned to Addictive Disorders counseling or treatment instead of to a work activity must participate for the number of hours specified by the provider and adhere to all standards established by the provider for persons receiving counseling or treatment.

Support services, including transportation, childcare and payment for incidental expenses can be provided to the participant as long as participation in counseling or treatment continues.

### **Termination of Placement**

The provider must report termination of the participant from the program within three business days of termination.

The case manager must have the client sign a release of information prior to making a referral to the training provider. The original is sent to the provider, with copies being retained by the client and by the case manager. The case manager is responsible for ensuring that the client understands what signing a release means, and the release's implications.

### **Verifications of Hours of Participation**

Verification of hours of participation is required. The provider determines satisfactory progress on the part of the participant. Satisfactory or unsatisfactory progress is to be reported via Form 516, Record of Attendance and Performance Report, which is due to the case manager on a monthly basis following the month of participation.



The case managers may choose to call the school or provider to verify attendance and performance on a weekly or bi-weekly basis.

### **Supervision**

The treatment site vendor or other designated staff must provide supervision daily.

### **Life Skills Training**

Life skills training is intended to help a client develop the skills necessary to manage activities that typify what is considered as normal daily life, enabling the client to function in society. In the judgment of the case manager, the client may not possess the skills to sufficiently manage his/her household, finances, or time so as to benefit from participation in work activities.

Due to changes in the Federal guidelines, Life Skills Training will now be included under the core (primary) activity Job Search and Job Readiness Assistance for up to six weeks (or 12 weeks). All hours of participation must be entered under Job Search and Job Readiness Assistance in order for them to be considered as countable hours.



Participation hours entered under Life Skills Training activity are not countable and will not be applied to the Federal work participation.

### **Guidelines for Life Skills Training**

A client who is assigned to life skills training instead of to a work activity must participate for the number of hours specified by the training provider and adhere to all standards established by the provider for a trainee.

Support services, including transportation, childcare and payment for incidental expenses can be provided to the participant if training continues.

### **Verification of Hours of Participation**

Verification of hours of participation is required. The provider determines satisfactory progress on the part of the participant. Satisfactory or unsatisfactory progress is to be reported via Form 516, Record of Attendance and Performance Report which is due to the case manager on a monthly basis following the month of participation.



The case managers may choose to call the school or provider to verify attendance and performance on a weekly or bi-weekly basis.

### **Supervision**

The training provider or other institution staff must provide supervision daily.

### **Termination of Placement**

When the provider terminates a Life Skills Training placement, the sponsor will inform the case manager within three business days of termination.

If DFCS must terminate the placement, the case manager must notify the provider in writing, providing as much advance notice as possible.

### **Parenting Skills Training**

Parenting skills training is intended to help a client develop the skills necessary to effectively care for his/her child. Parenting Skills training is an 'Other' non-countable activity. In the judgment of the case manager, the client may not possess the skills necessary to adequately manage and care for his/her child. These skills must be regarded by the case manager as being so deficient that the client's participation in work activities is potentially detrimental to at least one child in the AU.

### **Guidelines for Parenting Skills Training**

A client who is assigned to parenting skills training instead of to a work activity must participate for the number of hours specified by the training provider and adhere to all standards established by the provider.

### **Verifications of Hours of Participation**

Verification of hours of participation is required. The provider determines satisfactory progress on the part of the participant. Satisfactory or unsatisfactory progress is to be reported on Form 516 - the Record of Attendance and Performance Report, which is due to the case manager monthly following the month that follows the month of participation.



The case managers may choose to call the school or provider to verify attendance and performance on a weekly or bi-weekly basis.

### Termination of Placement

The provider must report termination of the participant from the program within three business days of termination.

Support services, including transportation, childcare and payment for incidental expenses can be provided to the participant as long as training continues.

### Supervision

The training provider or other institution staff must provide supervision daily.

### Welfare to Work

Welfare-to-Work (WtW) is not a work activity. It is a funding stream through which services are provided by various agencies. The services provided through WtW are intended to assist a client in participating in federally recognized work activities for the requisite number of hours.

Use the following chart to determine which work activities count toward the federal work participation rate:


Chart 1820.1 - Work Activities

| Activity   | Designation   | Countable ? |
|--|---|-------------|
| Unsubsidized employment  | Core  | Yes         |
| Subsidized employment (private)  | Core  | Yes         |
| Subsidized employment (public)   | Core  | Yes         |
| Work experience  | Core  | Yes         |
| On-the-job training (paid training whether on-site or off-site)  | Core  | Yes         |
| Job search (JS) and Job Readiness (JR) Assistance (up to 4 weeks, with an additional 2 weeks not more than once in the preceding 12 months.) | Core  | Yes         |
| Community service programs   | Core  | Yes         |
| Vocational Educational Training (12-month lifetime limit)  | Core  | Yes         |
| Providing child-care services to an individual who is participating in a community service program   | Core  | Yes         |
| Job skills training directly related to employment   | Non-Core (countable if client is already participating in core (primary) activities for at least 20 hours per week and shows good or satisfactory progress. | Yes         |
| Education related to employment  | Non-Core (countable if client is already participating in core (primary) activities for at least 20 hours per week and shows good or satisfactory progress. | Yes         |
| Secondary school attendance or GED classes   | Non-Core (countable if client is already participating in core (primary) activities for at least 20 hours per week and shows good or satisfactory progress. | Yes         |



| Activity  | Designation | Countable ? |
|---|-------------|-------------|
| Assessments   | Other       | No          |
| Job search and job readiness assistance (after 6-week limit or 12-week limit is reached)                          | Other       | No          |
| Addictive Disorders or Mental Health Counseling and/or Treatment, (See section 1820 for countable considerations) | Other       | No          |
| Life skills training (See section 1820 for countable considerations)  | Other       | No          |
| Parenting skills training (See section 1820 for countable considerations)   | Other       | No          |
| Vocational educational training (after 12-month limit is reached)   | Other       | No          |
| Job readiness training independent from countable job search  | Other       | No          |
| English as a Second Language (ESL) classes  | Other       | No          |
| College (See section 1820 for countable considerations)   | Other       | No          |

## 1825 Subsidized Employment General Requirements

|  <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |  |                                   |       |
|--|--|-----------------------------------|-------|
| <b>Policy Title:</b>   | Subsidized Employment General Requirements |                                   |       |
| <b>Effective Date:</b>   | January 2020                               |                                   |       |
| <b>Chapter:</b>  | 1800                                       | <b>Policy Number:</b>             | 1825  |
| <b>Previous Policy Number(s):</b>  | MT 30                                      | <b>Updated or Reviewed in MT:</b> | MT-53 |

### Requirements

Subsidized employment is a countable work activity available to an assistance unit (AU) member with mandatory work requirements.

### Basic Considerations

#### Subsidized Employment

Subsidized employment is employment for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a TANF recipient.

A subsidized employment placement is intended to:

- encourage an employer to provide a job opportunity to an individual whose work history may be deficient but who appears to be job-ready,
- provide monetary compensation to an employer for providing the recipient with an opportunity to work.

Placement is defined as the date on which the client enters subsidized employment.

The subsidized employment can be:

- public sector employment, or
- private sector employment.

Subsidized employment programs are implemented in one of the three categories:

### 1. TANF Funds

Placement of TANF recipients in private or public sector employment for which the employer receives a subsidy from TANF or other public funds.

The subsidy can be paid through TANF grant diversion or cash reimbursement.

Refer to [1826 Subsidized Employment Grant Diversion](#) and [1827 Subsidized Employment Cash Reimbursement](#) of the policy manuals for details.

### 2. Private For-profit Third-party Contractor/Vendors

Placement of TANF recipients in private or public sector employment by a private, for-profit third-party contractor/vendor who serves as the employer of record during the subsidized period of employment of TANF participant.

A predetermined fee is paid to the third-party vendor/staffing agency, to cover salary, extra expenses and success in placing TANF recipients.

Refer to [1827 Subsidized Employment Cash Reimbursement](#) of the policy manual for details.

### 3. Supported Work Program

Subsidized employment in an integrated setting for recipients with disabilities with wages consistent with those paid to non-disabled workers with similar job functions. This program can be public or private sector subsidized employment.

## Subsidized Employment Agreement

A subsidized employment contract is negotiated with an employer for a maximum period of six months for each participant.

The Subsidized Employment Agreement (SEA) must be completed prior to the beginning of the participation period. The SEA must be approved in writing by the case manager's supervisor.

The written agreement must specify the following:

- beginning date of employment
- hourly wage
- number of hours of work scheduled per week
- the months for which the subsidy will be paid by DFCS


- the amount of the subsidy
- the reimbursement dates.

### Premature Termination of Subsidized Placement

If the subsidized employment placement ends prior to the date agreed upon in the SEA, the employer will be paid for the days worked by the client during the last calendar month of employment.

The amount of cash reimbursement or benefit diversion due to the employer is determined by dividing the reimbursement /diversion amount by thirty days, arriving at a daily rate, and multiplying the daily rate by the number of days worked by the client in the final month of employment.

An AU is subject to sanction if the AU member participating in subsidized employment fails to participate after having been referred to an employer.


 The voluntary quit policy and ineligibility period must be reviewed before the AU is approved for TANF.

The amount of the cash percentage or TANF benefit diverted to the employer is fixed beginning with the month of placement in subsidized employment. The amount remains unchanged for the duration of the client’s participation in the activity. The employer receives the same amount of cash reimbursement or cash assistance diversion for each month in which the client participates in subsidized employment.

### Fixed TANF Benefit Amount

If the ongoing benefit amount changes because of a change in the AU’s size and the change are known prior to the subsidized employment contract being finalized, then the new cash assistance amount is the amount to be diverted to the employer

## 1826 Subsidized Employment Grant Diversion

|   |  |                                       |                                   |       |
|---|--|---------------------------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                                       |                                   |       |
|   | <b>Policy Title:</b>   | Subsidized Employment Grant Diversion |                                   |       |
|   | <b>Effective Date:</b>   | January 2020                          |                                   |       |
|   | <b>Chapter:</b>  | 1800                                  | <b>Policy Number:</b>             | 1826  |
|   | <b>Previous Policy Number(s):</b>  | MT 30                                 | <b>Updated or Reviewed in MT:</b> | MT-53 |

### Requirements

The Georgia Division of Family and Children Services (DFCS) will divert the TANF assistance unit’s cash benefits to a public or private sector employer for employing a work eligible TANF recipient.

## **Basic Considerations**

Subsidized employment (SE) is a countable (core) work activity in which the employer receives a subsidy from TANF or other public funds as an incentive to hire and train TANF recipients or TANF-eligible individuals. SE participants will receive wages from employers for all hours of participation.

### **SE-Grant Diversion**

Subsidized employment-grant diversion means that the AU 's cash assistance benefit is diverted (paid) to the employer to offset some or all of the wages and costs of employing a TANF individual.

A third-party vendor may be used to place participants and to reimburse the employers.

Participants in the SE grant diversion program are regular employees and are subject to minimum wage and other Fair Labor Standards Act (FLSA) protections.

An SE grant diversion placement may begin at any time during the month. If a client begins participation before the 12th calendar day of a month, the cash assistance of the participating client's AU is to be diverted to the employer in the following calendar month.

If a client begins participation on or after the 12th calendar day of a month, the cash assistance must be diverted to the employer no later than the second month after employment begins.

Diversion of the cash assistance grant is possible only when the earnings from a job are enough to reduce the TANF grant to zero. If the wages received for a job will not reduce the grant to zero, no subsidy can be paid.

Prior to the client beginning employment, a trial budget must be computed that includes only the subsidized earnings to determine the AU's eligibility for cash assistance.

If the earnings from a job are enough to reduce the grant to zero, the entire amount of the grant will be paid to the employer.

### **Premature Termination of Subsidized Employment**

Once the initial determination of eligibility to participate in subsidized employment is made, the amount of the grant that is diverted to the employer remains the same throughout the duration of the client's participation period.

If the subsidized employment placement ends prior to the date agreed upon in the Form 200, Subsidized Employment Agreement (SEA), the employer will be paid for the days worked by the client during the last calendar month of employment.

The amount of reimbursement due to the employer is determined by dividing the grant amount by thirty days, arriving at a daily rate, and multiplying the daily rate by the number of days worked by the client in the final month of employment.

An AU is subject to sanction if the AU member participating in subsidized employment fails to participate after having been referred to an employer.



The voluntary quit policy and ineligibility period must be reviewed before the AU is approved for TANF.

### **Fixed TANF Benefit Amount**

The amount of the TANF benefit diverted to the employer is fixed beginning with the month of placement in subsidized employment. The amount remains unchanged for the duration of the client's participation in the activity.

The TANF benefit amount diverted to the employer is the TANF benefit amount the AU receives in the month of placement.



If the ongoing benefit amount changes because of a change in the AU's size and the change is known prior to the subsidized employment contract being finalized, then the new cash assistance amount is the amount to be diverted to the employer.

Participants in the grant diversion program are regular employees and are subject to minimum wage and other Fair Labor Standards Act (FLSA) protections.

### **Program Requirements**

The subsidized job must be full-time (minimum 30 hours weekly) and pay at least minimum wage. The maximum length of the grant diversion program is six months.

A Form 200, Subsidized Employment Agreement (SEA) must be completed for each participant.

At the end of the subsidy period, the employer is expected to retain the participant as a regular employee without receiving a subsidy.

Participants eligible for this program are considered "Near Job-Ready". That is, the participants who have:

- no high school diploma/GED and limited work experience
- a high school diploma/GED and limited work experience
- received TANF for more than 12 months
- low-functioning tendencies.

To learn more about general requirements of subsidized employment, please refer to [1825 Subsidized Employment General Requirements](#) of the policy manual.

### **Determination of Eligibility for Participation**

Follow the steps below to determine the client's eligibility for participation in subsidized employment:

- Step 1** Obtain a copy of the Form 200, SEA. The agreement includes the beginning date of employment, the salary the employee will receive, and the duration of the training period.

- Step 2** Determine the gross earned income the client will receive from subsidized employment earnings.
- Step 3** Subtract \$90.00 from the gross earned income in Step 2 to determine the net earned income. Compare the net earned income to the standard of need (SON) for the appropriate AU size.  
  
Proceed to Step 4 if the income equals or exceeds the SON. If it does, the client is eligible for participation and the employer is eligible to receive the grant amount the AU was receiving prior to subsidized employment participation.
- Step 4** Complete the Form 200, SEA indicating the grant diversion amount and the reimbursement dates based on the training period.
- Step 5** Scan a copy of the completed Form 200, SEA in the case record to serve as verification of wages and employment.
- Step 6** Make the necessary changes on the system to begin the grant diversion.

## Procedures

### Other Required Actions for SE-Grant Diversion

Complete the following after eligibility for participation in subsidized employment is established:

Do not add the subsidized employment wages to the TANF case budget. Create a task as a reminder to review the case in the client’s last month of participation in the subsidized employment.

Send a notice informing the AU of the termination of cash assistance and the months of participation in the program.

 In order to allow only adequate notice prior to terminating cash assistance to the AU, the client must complete Form 102, Waiver of Timely Notice Period.

Suspend any scheduled and/or existing claims for the subsidized employment period.

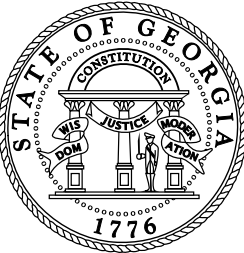
Follow the procedures below for clients participating in subsidized employment grant diversion program:

*Chart 1826.1 - Subsidized Employment Processing Procedures*

| IF  | THEN  |
|---|---|
| the client begins participation on or after the 12th of the month | <p>the first reimbursement payment must be made to the employer in the second month following the month in which subsidized employment began.</p> <p>To determine the actual months of participation in the activity, consider the first month of participation as the month after the individual begins work.</p> <p>Make the necessary changes on the system. Mail a copy of Form 200 to the AU and employer.</p> |

| IF   | THEN  |
|--|---|
| <p>participation terminates prior to the scheduled ending date</p>   | <p>remove the subsidized employment grant diversion coding information case for the ongoing month to ensure that the cash assistance is not diverted to the employer.</p> <p>Determine the reimbursement amount, if any, and issue the payment from employment services funds.</p> <p>Reimburse the employer on a prorated basis for the month of change. Reimburse the employer based on the number of days the client worked in the final month.</p> <p>Complete a review as soon as possible, but no later than the month following the final month of participation, to determine ongoing eligibility.</p> <p>Determine the cash assistance amount to which the AU is entitled to receive for the month of change by completing the following:</p> <ul style="list-style-type: none"> <li>• recalculate the budget for the month based on the AU's current situation, i.e., subsidized employment wages, other income, AU size, etc.,</li> <li>• allow all appropriate earned income deductions</li> </ul> <p>Determine if good cause exists and, if applicable, review continued eligibility.</p> <p>If eligible, issue a manual corrective for the new cash assistance amount calculated for the month of change.</p> |
| <p>notice of the termination of subsidized employment grant diversion is received too late to make the necessary system changes to avoid the payment to the employer</p> | <p>contact and notify the employer that the cash assistance issued for that month must not be accessed.</p> <p>Notify the employer that a prorated share, based on the number of days worked by the client, will be paid to the employer.</p>   |
| <p>participation in the subsidized employment grant diversion activity ends as scheduled</p>   | <p>complete a review in the final month of participation to determine ongoing eligibility for cash assistance.</p> <p>Remove the subsidized employment coding information from the TANF case.</p>   |

## 1827 Subsidized Employment Cash Reimbursement

|   |  |  |                                   |       |
|---|--|--|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |  |                                   |       |
|   | <b>Policy Title:</b>   | Subsidized Employment Cash Reimbursement |                                   |       |
|   | <b>Effective Date:</b>   | January 2020                             |                                   |       |
|   | <b>Chapter:</b>  | 1800                                     | <b>Policy Number:</b>             | 1827  |
|   | <b>Previous Policy Number(s):</b>  | MT 30                                    | <b>Updated or Reviewed in MT:</b> | MT-53 |

## Requirements

Georgia Division of Family and Children Services (DFCS) will develop supported work programs and provide public or private sector employment for which the employer will receive a subsidy from TANF funds to offset some or all of the wages and cost of employing a TANF recipient.

## Basic Considerations

Subsidized employment (SE) is a countable (core) work activity in which the employer receives a subsidy from TANF or other public funds as an incentive to hire and train TANF recipients or TANF-eligible individuals. SE participants will receive wages from employers for all hours of participation.

### SE Cash Reimbursement

The subsidized employment-cash reimbursement means that a predetermined percentage of the participant's salary is paid to the employer to offset some or all of the wages and costs of employing a TANF participant.

A third-party vendor may be used to place participants and to reimburse the employers.

Participants in the SE cash reimbursement program are regular employees and are subject to minimum wage and other Fair Labor Standards Act (FLSA) protections.

A subsidized employment-cash reimbursement placement may begin at any time during the month.

Cash reimbursement to the employer/contractor/vendor is possible only when the earnings from a job are enough to reduce the TANF grant to zero. If the wages received for a job will not reduce the grant to zero, no subsidy can be paid.

Prior to the client beginning employment, a trial budget must be computed that includes only the subsidized earnings to determine the AU's eligibility for cash assistance.

If the earnings from a job are enough to reduce the grant to zero, the predetermined percentage will be paid to the employer/vendor/contractor.

If the subsidized employment placement ends prior to the date agreed upon in the Form 200 Subsidized Employment Agreement (SEA), the employer will be paid for the days worked by the client during the last calendar month of employment.

### Premature Termination of Subsidized Placement

The amount of reimbursement due to the employer is determined by dividing the pre-determined percentage by thirty days, arriving at a daily rate, and multiplying the daily rate by the number of days worked by the client in the final month of employment.

An AU is subject to sanction if the AU member participating in subsidized employment fails to participate after having been referred to an employer.



The voluntary quit policy and ineligibility period must be reviewed before the AU is approved for TANF.



## Fixed Cash Reimbursement Amount

The cash reimbursement percentage reimbursed to the employer is fixed beginning with the month of placement in subsidized employment. The percentage remains unchanged for the duration of the client's participation in the activity.

## Program Requirements

Participants in the cash reimbursement program are regular employees and are subject to minimum wage and other Fair Labor Standards Act (FLSA) protections.

The subsidized job must be full-time (minimum 30 hours weekly) and pay at least minimum wage.

The maximum length of the cash reimbursement program is six months.

A Subsidized Employment Agreement (SEA), Form 200 must be completed for each participant.

At the end of subsidy period, the employer is expected to retain the participant as a regular employee without receiving a subsidy.

DFCS staff will follow the procedures listed below prior to referring an A/R to the SE cash reimbursement program:

- Assess the applicant/recipient's job readiness level.
- Review the job history to determine applicant's past job-related skills, experience and expertise.
- Assess the A/R's service needs.
- Discuss with the applicant the available support through the vendor/contractor, i.e. job coaching and monitoring.
- Explain SE program, procedures, the vendor/contractor's role and expected length of time.
- Discuss potential of career progression for excellent performance.
- Explain Voluntary Quit policy and TANF ineligibility period (waiting period).
- Arrange required support services including childcare.

## Procedures to Determine Eligibility for Participation


Follow the steps below to determine the client's eligibility for participation in subsidized employment:

- Step 1** Obtain a copy of the Form 200, SEA. The agreement includes the beginning date of employment, the salary the employee will receive, and the duration of the training period.
- Step 2** Determine the gross earned income the client will receive from subsidized employment earnings.

- Step 3** Subtract \$90.00 from the gross earned income in Step 2 to determine the net earned income. Compare the net earned income to the standard of need (SON) for the appropriate AU size. Proceed to Step 4 if the income equals or exceeds the SON. If it does, the client is eligible for participation and the vendor/ employer is eligible to receive the predetermined percentage for the placement of TANF participant in subsidized employment program.
- Step 4** If the earnings **do not cause** a loss of TANF eligibility, the client **is not eligible for participation in** subsidized employment.
- Step 5** Complete the Form 200, SEA, indicating the predetermined percentage and the employment dates based on the training period.
- Step 6** Scan a copy of the completed Form 200, SEA in the case record to serve as verification of wages and employment.

Make the necessary changes on the system and document.

## 1830 Employment Support Services

|  |   |                                   |       |
|--|---|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |       |
|  | <b>TANF Policy Manual</b>                               |                                   |       |
|  | <b>Policy Title:</b>                                    | Employment Support Services       |       |
|  | <b>Effective Date:</b>                                  | July 2023                         |       |
| <b>Chapter:</b>  | 1800  | <b>Policy Number:</b>             | 1830  |
| <b>Previous Policy Number(s):</b>  | MT 72   | <b>Updated or Reviewed in MT:</b> | MT-73 |

### Requirements

Support services are provided to assist TANF applicants and recipients to participate in work activities that will preserve months of potential TANF eligibility and lead to stable employment. Although Support Services are generally regarded as services directly financed through Department of Human Services (DHS), all available resources should be utilized.

### Basic Considerations

#### Support Services for Applicants

Support services are available to TANF applicants to assist them in the following situations:

- during job search,
- if the applicant accepts a job, during application process, that results in ineligibility and the AU demonstrates a need for Support Services.

#### Support Services for Recipients

Support services are available to TANF recipients in order to:

- promote full participation in all activities required in the TANF Family Service Plan (TFSP)
- accept or maintain employment and/or
- help in the transition from TANF to self-sufficiency.

### **Payment for Support Services**

Transportation, childcare, incidental expenses may be paid for up-front or reimbursed as needed to help clients meet the requirements of the TANF Family Service Plan (TFSP).

Upfront payments can be provided to the applicants/recipients in the form of a gift card, gas card or check. Upfront payments are provided to participants only if it is needed to meet the requirements of the TFSP or to start/maintain employment.

Participants must provide documentation to validate the need for upfront payments. The receipts and hardship statements must be documented in Integrated Eligibility System (IES) and scanned into WebCenter Enterprise Capture (WEC).

The case manager and the participant will be working together to determine the need for support services.

The cost of support services cannot exceed the amounts specified in this section. The case manager must approve in advance any reimbursement for allowable expenses.

Support services may be reimbursed, or payment may be made in advance for costs associated with employment or preparation for employment.

### **Support Services for Work Activities**

These include:

- childcare
- transportation to and from a place of employment or training and/or to and from a childcare provider
- clothing required for employment or training
- medical and dental services and medical equipment required for employment
- tools and supplies required for employment or to participate in training
- occupational licensing fees, and
- transitional medical and childcare services that are not covered by Medicaid and CAPS.

 Childcare paid through the Childcare and Parent Services (CAPS) program cannot be paid in advance.

Support services can be provided for any activity identified in the TFSP. The activity does not have to be countable towards the federal work participation rate. However, the activity must assist the AU to progress towards economic self-sufficiency.

 Support services can be provided for college if the participant is already meeting the required

number of hours per week in countable work activities and college attendance has been incorporated into the TFSP.

### **Provision of Support Services to TANF Applicants**


Support services are available to TANF applicants to assist them in becoming employed. However, an applicant is not eligible to receive support services for incidental expenses other than for auto repairs except when incidental expenses are incurred as the result of participation in activities specified in the TFSP.

Support services can be provided for an activity as long as the participant participates in the activity in accordance with the requirements of the TFSP and the activity helps the participant make progress towards economic self-sufficiency.

A month in which an applicant receives support services, including TANF childcare, but does not receive cash assistance, counts toward the applicant's TANF 48-month lifetime limit if the applicant is not employed in the same calendar month for which support services are provided.

A month in which an applicant receives support services, including TANF childcare, but does not receive cash assistance does not count toward the applicant's 48-month TANF lifetime limit if the applicant becomes employed in the same calendar month for which support services are provided.

A month in which only CAPS childcare services are provided does not count toward the client's 48-month TANF lifetime limit under any circumstance.

 TANF childcare is defined as that which is paid directly from TANF block grant money, and not from funds allocated to the CAPS program. TANF block grant money that is allocated to the CAPS program and is combined with money from other funding sources ceases to be identifiable as TANF funds.

### **Provision of Support Services to Exempt TANF Recipients**

A cash assistance recipient may receive any applicable support service for recipients listed in this section if the service is deemed necessary for the recipient to meet the requirements of the TFSP, to accept employment, or to maintain employment.

A participant who chooses to take the work requirement exemption is not eligible to receive support services. However, an exempt participant who subsequently chooses to participate in a work activity, or becomes employed during an exemption period, is eligible to receive support services. Form 196A of the TFSP must be completed in order to provide support services to an exempt recipient.

### **Priority for Receipt of Support Services**

If a county is unable to provide support services to all recipients who are otherwise eligible to receive them, support services are to be provided to clients in the following order of priority:

- an employed recipient,
- a parent less than 20 years of age who has not completed high school and is not enrolled in high school or an equivalent course,

- a recipient who has begun to participate in an allowable work activity,
- an adult in the AU who has received TANF for 18 months or more, whether the months are consecutive or not,
- a non-custodial, non-supporting minor parent who is included in the AU, and/or
- a recipient whose youngest child has just turned 3 months of age.

A recipient who is placed on a waiting list must be informed of other resources available in the community that may be accessed for education, training and employment needs while waiting for services to be provided through DFCS.

### **Guidelines for Support Services**

Transportation costs include the cost of operating a vehicle, bus tickets or tokens, taxi or other fares, and parking fees if free parking is unavailable.

### **Transportation**

Reimbursement of or payment for transportation is paid to the participant for the cost of transportation from the participant's residence to the place of employment/training or childcare provider and from the place of employment/training or childcare provider to the residence.

Transportation costs are reimbursed at a daily rate of \$7 per day. If higher routine costs can be documented for the area in which the client is participating, a higher daily rate may be paid.

Reimbursement of or payment for transportation costs cannot exceed \$350 per participant per month. Covered transportation costs include:

- operating expenses of the participant's own vehicle,
- public transportation,
- taxi fares, and
- parking (if free parking is unavailable)

This list is not intended to be all-inclusive but merely provides common examples of transportation costs.

 Car rental and related expenses are not covered expenses.

### **Child Care**

The case manager must assist a recipient in obtaining childcare services when childcare is necessary for them to meet TFSP requirements, gain or to maintain the employment.

Childcare is available through the Childcare and Parent Services (CAPS) program for:

- TANF applicants participating in job search
- TANF applicants who are employed at the time of application, are potentially eligible for a partial TANF check and decline TANF to preserve TANF months,

- TANF applicants who gain employment during application process, are potentially eligible for a partial TANF check, decline TANF to preserve TANF months and meet CAPS eligibility criteria,
- TANF applicants who gain employment during application process and become ineligible for on-going TANF benefits
- TANF recipients who require childcare while participating in activities specified in the TFSP
- TANF recipients who become ineligible for TANF cash assistance because of employment-related reasons and who remain employed

TANF recipients, who gain employment, remain eligible for a decreased check and close their on-going case to preserve TANF months may be eligible for seamless service provided by CAPS. Use closure code, 'Voluntary closure to save TANF months' so the childcare can be provided by CAPS if hours are less than 25.


 Refer to CAPS manual for details.

There is a 12-month time limit on Transitional Childcare. To be eligible for seamless services the former TANF clients must meet CAPS eligibility criteria at the expiration of 12-month period.

CAPS cannot pay childcare to support the personal responsibilities component (Form 196) of the TFSP or other activities that are not part of the work component (Form 196A) of the TFSP.

Childcare that is provided in order to support the client in meeting personal responsibility requirements apart from work requirements must be paid from a funding source other than those used to provide services through CAPS.

In counties where responsibility for employment services and childcare is assigned to different workers, it is essential to maintain communication. The childcare worker must be notified of changes in work activities and hours of participation, as well as of negative actions. Comprehensive policies and procedures for providing childcare are located in the CAPS manual.

 If the individual is a single custodial parent caring for a child who has not attained 6 years of age, and the individual proves a demonstrated inability to obtain needed childcare for one of more of the following reasons, good cause may exist:

- Unavailability of appropriate childcare within a reasonable distance from the individual's home or work site
- Unavailability or unsuitably of informal childcare by a relative or under other arrangements
- Unavailability of appropriate and affordable formal child-care arrangements.

### **Incidental Expenses**

During a recipient's participation in work activities that are a part of the TFSP, incidental expenses can be covered if given approval by the case manager before the expenses are incurred.

Specified limits on incidental expenses are as follows:

- Vehicle repairs, maintenance and related items, e.g., tires, tune-ups, batteries, etc. Reimbursement is limited to \$1000 per period of participation. The expenses can be paid only if an actual

invoice is submitted after the completion of repairs.

- Vehicle insurance. Reimbursement of or payment for vehicle insurance is limited to \$300 during any 12-month period.
- Vehicle operation expenses, e.g., drivers' licenses or emission inspections, needed to secure transportation to and from places of employment or training. Reimbursement is limited to \$50 per participant per period of participation.



No vehicle-related expenses may be reimbursed unless:

1. The vehicle is the sole source of transportation and is registered to the participant in a single-parent case or to either parent in a two-parent case,
2. The client has a valid driver's license

A copy of the title or tag registration verifying that the client is the owner of the vehicle must be secured for the case record prior to approval for reimbursement.

- Medical services that are unavailable through other resources but that are necessary for employment or participation in a work activity. Reimbursement is limited to \$500 per period of participation.
- Eyewear that is unavailable through other resources but that is necessary for employment or participation in a work activity. Reimbursement is limited to \$150 per period of participation.
- Dental services that are unavailable through other resources but that are necessary for employment or participation in a work activity. Reimbursement is limited to \$500 per period of participation.
- Clothing needed in order to accept or maintain employment or participation in a work activity. Reimbursement is limited to \$150 per period of participation.
- Tools, supplies and books that are unavailable through the employer or training site provider, but that are required to accept or maintain employment or to participate in a work activity. Reimbursement is limited to \$500 per period of participation.
- Occupational licensing fees required to accept or maintain employment. Reimbursement is limited to \$300 per period of participation.
- Childcare services can be provided as an incidental support service when care is needed for an applicant or a recipient who does not meet eligibility criteria for CAPS childcare or if CAPS childcare is not available.
- Payment for non-CAPS childcare can be made from TANF Employment Services funds. Reimbursement of or payment for this childcare is limited to \$450 (per child, per month, per participant).
- Tuition for short-term certificate training for which no financial aid is available, or for which the financial aid received by the participant is not sufficient to cover the full costs of tuition, per period of participation.
- Testing fees required to determine if a work activity is appropriate for a participant, or testing fees required a participant to obtain a GED, per period of participation.



A period of participation is defined as the period that begins with the date on which applica-

tion is made for cash assistance and that continues through the month in which the application is denied or the months during which an AU receives cash assistance. If an AU's eligibility for cash assistance ends and the AU reapplies and is subsequently approved for cash assistance, a new period of participation begins.

Verification of the amount of an expense must be provided before reimbursement of or payment for the expense can be paid.


A county may request a waiver to the maximum reimbursement amount.

## **Other Support Services**

Employment Intervention Services (EIS) for TANF applicants, or Transitional Support Services (TSS) and Transitional Shelter Assistance (TSA) for TANF recipients are available to assist customers in meeting the goal of becoming independent of the need for government assistance.

Employment Intervention Services (EIS) is available to an applicant if s/he:

- has a full-time job but is temporarily on unpaid leave due to a temporary illness and is scheduled to return to work within 4 months, and the AU meets the gross income ceiling (GIC) test.

 If an applicant is determined ineligible to receive TANF benefits ongoing, s/he will not be considered eligible to receive EIS.

EIS is non-recurrent, short-term assistance that is equivalent to four times the maximum grant amount for the AU size.

The availability of the EIS must be discussed with the client at application. EIS is available only once in a client's lifetime.

EIS can be used to pay for shelter costs (rent, utilities etc.) transportation costs, or other employment-related expenses needed to help the client accept and/or maintain employment.

The purpose of providing EIS is to assist employed applicants in maintaining employment and becoming self-sufficient.

Payment of EIS is tied to an individual and not to an AU.

In a two-parent AU in which each parent is employed, ineligibility for cash assistance and the subsequent eligibility for EIS can result from wages earned by one parent alone or by the combined wages from both parents.

Clients receiving EIS are not subject to certain ongoing TANF regulations such as, work requirements, lifetime limits and child support assignment.

EIS cash assistance is paid as a lump sum to the TANF AU. An AU that receives EIS is not eligible to receive TANF cash assistance for twelve months. The twelve-month count begins after the month in which the EIS payment is approved.



## Reapplication for TANF prior to Expiration of the 12-month Ineligibility Period


An AU may be eligible to receive ongoing TANF cash assistance prior to the expiration of a 12-month ineligibility period if they experience a loss of employment due to no fault of their own, (i.e., plant closure, company goes out of business, downsizing, lay off) and intensive monitored job search during applicant job search does not yield a job.

If the AU is approved for TANF cash assistance prior to the expiration of the 12-month period, then the EIS it previously received will count as 4 months toward the 48-month lifetime limit.

## Payment of Employment Intervention Services

The following guidelines apply to the payment of EIS:

- The client must have a full-time job at the time of application, is temporarily on leave without pay, intends to return to work within 4 months of the month of application and, based on income standards, is potentially eligible for TANF cash assistance.
- The Support Service to be provided must be necessary for the applicant to accept or maintain employment.
- The need for this assistance must be verified.
- The EIS payment must be pre-approved.
- The EIS is available only once in the client's lifetime.
- Mail Form 205, Disposition Notification Employment Intervention Services as notification of EIS eligibility.

 Childcare services may be available after employment begins. Refer to the CAPS manual for further guidance.

## Transitional Support Services

Transitional Support Services (TSS) can pay for or reimburse the cost of childcare, transportation, and incidental expenses to an applicant or a recipient.

 Refer to Section 1840 for more information concerning TSS.

## Transitional Shelter Assistance

Transitional Shelter Assistance (TSA) helps stabilize TANF families who are transitioning from TANF to employment.

 Refer to Section 1840 for more information concerning TSA.

## Provision of Services for Sanctioned clients

Support services can continue during the three-months 25% reduction sanction period if the following criteria apply:

- the client is participating in an activity identified on the TANF Family Service Plan and both the client and the case manager have agreed upon the activity, or

- the client volunteers to participate in any activity during the 3-month sanction period, and
- supervisory approval has been obtained.

It is the responsibility of the case manager to explain to the client when the receipt of support services will count toward the 48-month TANF lifetime limit. The client must decide whether receipt of these support services warrants the use of months of TANF eligibility.

Childcare may also be continued if the participant meets the eligibility criteria for another childcare funding source. Refer to the Childcare and Parent Services (CAPS) policy manual for guidance.

### Provision of Services for Lawbreakers


Due to the Deficit Reduction Act of 2005, Lawbreakers are now considered work eligible adults. According to TANF rules and regulations, certain lawbreakers are "ineligible" to receive federal TANF assistance. However, we will provide them with support services from state funds.

Support services will be provided to lawbreakers if the following criteria apply:

- the client is participating in an activity identified on the TANF Family Service Plan, and both the client and the case manager have agreed upon the activity, or
- employment obtained during applicant job search or when receiving TANF for children make the household ineligible, and, supervisory approval has been obtained.

**i** Lawbreakers are not eligible for TANF or any other cash assistance.

## 1835 Failure to Participate

| Georgia Division of Family and Children Services<br>TANF Policy Manual              |                                   |                        |                                   |       |
|---|-----------------------------------|------------------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Failure to Participate |                                   |       |
|   | <b>Effective Date:</b>            | January 2020           |                                   |       |
|   | <b>Chapter:</b>                   | 1800                   | <b>Policy Number:</b>             | 1835  |
|   | <b>Previous Policy Number(s):</b> | MT 33                  | <b>Updated or Reviewed in MT:</b> | MT-53 |

### Requirements

Refusal to participate in the development of the TANF Family Service Plan (TFSP) or to sign it, or refusal / failure to meet the requirements of the TFSP without good cause results in the imposition of a sanction against the AU.

### Basic Considerations

A sanction may be imposed against an AU when a recipient with a personal responsibility or work requirement fails, without good cause, to meet agreed upon personal responsibility or work requirement.

Failure to meet a personal responsibility or work requirement without good cause constitutes a

material violation.

A recipient may be participating in more than one activity at the same time, and a failure to meet the participation requirements in any one of the activities may result in the imposition of a sanction.

When a material violation has been committed, or if it is suspected that a material violation has been committed, the conciliation process must be followed so that a sanction may be avoided.

The conciliation process is available to TANF applicants and recipients only one time during the TANF life-time limit of 48-months.

Sanctions are imposed in a progressive two-step reduction/termination process. An AU will receive a 25% reduction in cash assistance for the first material violation without good cause, and a termination of cash assistance for a second material violation without good cause. If the AU reapplies after the initial termination period expires, the two-step process begins again with subsequent sanctions, but with a longer termination period.

There is no compliance process once a sanction has been imposed.

Refer to [1351 Sanctions](#) for complete information about the sanction process.

### **Participation Requirements**

The recipient must comply with the following participation requirements:

- participate at a level equal to full-time (40 hours per week) employment when it is determined by the agency to be possible;
- maintain employment,
- meet applicant job search requirements,
- complete the assessment and participate in the development of a TFSP,
- meet the satisfactory progress and hours per week requirements for assigned work activities on TANF Family Service Plan Work Plan - (Form 196A),
- fulfill the personal responsibilities as stated on the TANF Family Service Plan - (Form 196),
- cooperate in verifying attendance and provide documentation of progress in activities,
- cooperate with the case manager, training providers, and other appropriate staff,
- keep appointments, and
- respond to appropriate job referrals and accept bona fide job offers.

This list is not all-inclusive.

### **Types of Refusal to Participate**

An overt refusal is a written or oral statement by the client that s/he will not participate.


A de facto refusal is an action or pattern of behavior from which failure to participate can be inferred. Examples include but are not limited to the following:

- failing to keep appointments without good cause,
- refusing to report to an assigned activity,
- refusing to report for a job interview,
- refusing to accept a legitimate job offer, which pays equal to or more than minimum wage.
- refusing to accept suitable childcare, transportation or other support services,
- causing serious disruption at a work activity site,
- failing to meet hours per week requirements for assigned activities,
- quitting a work activity without prior consultation with the case manager,
- quitting a job without good cause.


## Voluntary Quit

For applicant and recipient who voluntarily and without good cause quits a job which involves:

- 30 hours or more per week **or**
- weekly earnings equivalent to the federal minimum wage multiplied by 30 hours **and**
- voluntarily quit is within 30 days of the date of application or anytime thereafter.

 Terminating a self-employment enterprise or resigning from a job at the request of the employer shall not be considered voluntary quit.

A notice of the minimum sanction period must be sent on all voluntary quit or voluntary reduction decisions.

 If the case remains active, the worker must enter a task to contact the AR to determine eligibility at the end of the minimum sanction period.

A determination of good cause is made prior to applying a sanction. Prior to applying a sanction, contact is made with the AU to determine if good cause exists.

An explanation of good cause policy is provided to the work eligible adult at the orientation/assessment appointment and documented on the work plan.

Refer to [1351 Sanctions](#) for information on sanctions and good cause.

Sanctions are not imposed if the case manager determines that the client has good cause for failing to participate in a required activity. If necessary, the case manager refers the recipient for resources that can help to overcome those barriers that prevent the client from fulfilling participation requirements. Good cause is temporary.

## Good Cause

Examples of good cause include but are not limited to the following:

- an illness or medical condition which is obvious or otherwise substantiated,
- a subpoena to appear in court,

- the unavailability of childcare, transportation or other needed services,
- the unavailability of custodial care for an incapacitated family member who resides with the client (the case manager should consider whether community service is appropriate for the client's work activity),
- the occurrence of a natural disaster,
- a family or personal crisis, including domestic violence,
- declining a job offer that pays less than the minimum wage,
- declining or quitting the job or training program that presents a risk to the client's health or safety,
- a previous mandatory participant now meets exemption criteria and wants to exercise that option.

Refer to [1351 Sanctions](#) for policies and procedures governing the determination of good cause, conciliation of a material violation, and the imposition of sanctions.

## **TANF Sanctions**

### **Conciliation of Work Requirements**

The following are applicable to the conciliation of a failure to meet requirements of work activities or of the TFSP:

- If the conciliation appointment is kept, and the participant has good cause for not meeting work requirements, the case manager must resolve with the participant the problems that prevent him/her from meeting those requirements.

After the resolution of the problems, the participant must be assisted to complete an updated TANF Family Service Plan (Form 196A) and return to work activities as quickly as possible.

- When good cause is established, the failure to meet work activity requirements is not a material violation, and there is no conciliation.
- If the conciliation appointment is kept, and the participant does not have a good cause for not meeting work requirements, but the matter is resolved, then the TFSP needs to be updated and the participant must return to an activity quickly. It is the responsibility of the case manager to explain and remind the participant of the lifetime limit. This is considered a conciliated material violation.


The case manager must inform the participant that a subsequent failure on the part of the participant to meet any TFSP requirement will result in the imposition of a sanction, with no opportunity to conciliate.

- If the conciliation appointment is kept, the participant does not have a good cause for not meeting work requirements, and the matter is not resolved, the case manager must take an action to impose a sanction. Refer to [1351 Sanctions](#).
- If the TANF eligibility worker is not the employment services case manager, the ES case manager must refer the case to the TANF worker to impose the sanction.

- If the sanction is a 25% reduction, the AU must be contacted in the third month of the reduction period to discuss and update the service plan and prepare the participant to start his/her activity at the beginning of the fourth month.
- If the conciliation appointment is not kept, the TANF case must be closed for failure to keep an appointment. Conciliation will remain in pending status until, and if, the client reappears.

If the conciliation appointment is kept and the participant currently meets the criteria for exemption from work requirements, she has never exercised the option to be exempt, and now wishes to exercise that option, the participant may be exempt. However, in an event that the client chooses to participate in a work activity, the case manager must explain to the client TANF lifetime limit, the time left on TANF for the client, and availability of Support Services, if needed to gain or maintain a job.

## 1840 Work Support Program

|  |  |  |                      |   |
|--|--|--|----------------------|---|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |  |                      |   |
|  | <b>Policy Title:</b>   |  | Work Support Program |   |
|  | <b>Effective Date:</b>   |  | February 2024        |   |
|  | <b>Chapter:</b>  |  | 1800                 | <b>Policy Number:</b> 1840              |
|  | <b>Previous Policy Number(s):</b>  |  | MT 72                | <b>Updated or Reviewed in MT:</b> MT-76 |

### Requirements

The Georgia Division of Family and Children Services (DFCS) will provide the necessary support for TANF applicants and recipients to achieve economic self-sufficiency and create a secure future for their families through stable employment, career development and the Work Support Program.

### Basic Considerations

#### Work Support Program

The Work Support Program provides Work Support Payments (WSP), Transitional Support Services (TSS), Transitional Shelter Assistance (TSA) and Job Coaching to working families. The WSP will assist the TANF applicant and former TANF recipients with additional work-related expenses and incidentals/support services available through TSS and TSA, which will facilitate a smooth transition from TANF dependency to self-sufficiency. The job-coaching component will provide one-on-one assistance on job-retention and conflict resolution skills while developing goals for career advancement.

The Work Support Program provides a time-limited cash supplement, TSS, TSA and Job Coaching to a TANF assistance unit (AU) that, because of employment, either becomes ineligible for TANF or experiences a reduction in its TANF benefit amount and declines ongoing TANF to stop the TANF clock. The goal is to remove barriers, assist the AU to becoming self-sufficient and preserve future months of potential TANF eligibility.

## Work Support Payments

The Work Support Payment (WSP) is available to TANF applicants or recipients for a period of twelve (12) months and twice in their lifetime receipt of TANF.

During WSP eligibility, the TANF applicant or recipient will be eligible to receive:

- a cash supplement of \$200.00 per month for a twelve (12) month period and
- transitional support services for that twelve (12) month period.

 The AU may remain eligible to receive childcare through CAPS if their TANF case is terminated based on an income closure.

The WSP is designed to assist the applicant or recipient in paying work-related expenses such as:


- Childcare expenses including assessed fees and transportation cost from the school to after-care programs, etc.
- Additional work-related transportation and incidental expenses above allowable limits.

This list is not all-inclusive.

## WSP Eligibility Criteria

WSP is available to a TANF applicant if they are eligible for at least one month of TANF cash assistance even if the TANF benefit is \$0.00. A TANF applicant or recipient can receive WSP if any of the following situations occur:

- the AU becomes totally ineligible for TANF solely as a result of wages earned through employment or
- the AU remains eligible for TANF, is working and the grant amount is reduced due to wages and the applicant or recipient chooses to terminate their TANF case in order to preserve months of future TANF eligibility.

 \*The reduced grant amount must have occurred due to a change in earned income. The change must cause a reduction in the TANF benefits from the previous month. For example: March benefits-\$219, April benefits-\$57.

The AU that remains eligible for a reduced TANF benefit must be given an option to choose between TANF and the WSP.

 **Lawbreakers are not eligible to receive Work Support Payments.** Refer to 1830-13 Provision of Support Services for lawbreakers.

If this applicant or recipient chooses to accept a WSP, they must continue receiving WSP for the entire 12-month period of WSP eligibility as long as they remain employed.

The applicant or recipient that receives WSP will not have an option to revert to TANF before expiration of the 12-month WSP eligibility period as long as the employed individual remains employed. However, they are subject to the involuntary loss of employment policy.

- i** Employment must be stable employment that will attain self-sufficiency. WSP can be offered if employment is temporary, and it is determined the job will be long term. Refer to Changes during 12-month WSP Eligibility Period in Chapter 1840.

### **WSP Eligibility During Special Circumstances**

The Work Support Payments may be approved in a special circumstance for the following:

- exempt from work requirements and becomes employed during exemption period
- in the 25% reduction sanction period or
- become employed during a hardship extension period and meets all other eligibility requirements for the program

- i** An applicant or recipient that has received the WSP twice during the 48-month lifetime limit will not be eligible to receive WSP during their hardship extension period even if they meet all other eligibility criteria.

### **Self-Employment and WSP Eligibility**

A self-employed individual may receive WSP if all eligibility requirements for the Work Support Program are met.

A self-employed individual's employment hours are determined by dividing the net income by federal minimum wage.

- i** Refer to Section 1540, Self-Employment, for instructions in how to determine a self-employed individual's net income for TANF budgeting purposes.

### **Subsidized Employment and WSP Eligibility**

TANF recipients participating in a Subsidized Employment (SE) are not eligible to receive WSP or TSS while their employment is subsidized.

When the participant in the SE activity successfully transitions to unsubsidized employment and the TANF case terminates due to earned income, the participant may be eligible for WSP, TSS, TSA or Job Coaching services.

An applicant or recipient can receive WSP once in twenty-four (24) calendar months and twice within the TANF 48-month lifetime limit.

### **Guidelines for Work Support Program**

The 12-month count for the WSP eligibility starts with the first month of ineligibility for cash benefits or the month after the TANF case closes due to employment.

A month in which an AU receives the WSP does not count towards the TANF 48-month lifetime limit.

WSP is tied to the individual, not to the AU.



WSP is not considered income in the TANF program and are therefore not subject to responsibility budgeting for the purpose of allocation or deeming.

## Two-Parent and WSP

In a two-parent household, if both parents are employed, both may be eligible for WSP.

Each parent in a two-parent AU may receive the WSP twice during their TANF lifetime limit, but not more than once in a twenty-four (24) month period, if each parent becomes employed and the AU meets the WSP eligibility criteria.

If both parents in a two-parent AU become employed in the same month, resulting in the termination of the TANF case, the AU can receive two (2) WSPs simultaneously, for a total of \$400 per month for twelve (12) months if the AU remains employed.

## Changes during 12-month WSP Eligibility Period

An AU is not eligible to receive TANF cash assistance until after the 12 months of WSP has been exhausted unless the employed individual experiences an involuntary loss of employment or an involuntary reduction in employment hours.



A WSP participant may be able to receive the remainder of the WSP if they become employed again.

An AU may be eligible to receive ongoing TANF cash assistance prior to the expiration of the 12-month ineligibility period if:

- the employed individual experiences a loss of employment or reduction in employment hours due to no fault of their own (e.g., place of employment closes, employer goes out of business, employer downsizes, layoffs, etc.)

If the WSP participant loses employment voluntarily or involuntarily and the twelve (12) month WSP eligibility period has not been exhausted, the WSP must be stopped immediately.

In the event the participant becomes employed again and becomes ineligible for TANF, the participant may continue to receive any remaining months of WSP, not to exceed the original twelve (12) month WSP period. See [Chart 1840.2](#).

At the initial approval of WSP, the employed participants must be informed of the **voluntary quit of employment and WSP** policy and its potential impact on the Food Stamps case.

The Work Support Program is designed to assist applicants and recipients with additional job-related expenses and to facilitate their smooth transition from TANF dependency to self-sufficiency.

## Support Services for WSP Applicants

Support services are available to TANF applicants to assist them in the following situations:

- During job search,
- If they accept employment during the application process and it results in ineligibility and they demonstrate the need for support services or

- If they find employment during the application process and choose to withdraw the TANF application, even if eligible for a partial TANF check, to preserve months of potential TANF eligibility.

### **Support Services for WSP Recipients**

Transitional Support Services (TSS) are available to former TANF clients for a twelve (12) month period of WSP eligibility. The twelve (12) month count begins the month after TANF ineligibility. TSS should run concurrently with the AUs twelve (12) months of WSP.

### **Post-Employment Job Coaching**

Following WSP approval, a job coach will be assigned to the AU. The job coach will provide the recipients with one-on-one assistance to increase job retention and career advancement. Job coaching services will be provided to TANF recipients obtaining employment for up to twelve (12) months.

### **Transitional Support Services**

Transitional Support Services (TSS) can pay for or reimburse the cost of childcare, transportation, and incidental expenses to an applicant or a recipient.

### **Eligibility Criteria for TSS**

TSS is available to:

- an applicant whose employment obtained during applicant job search causes the AU to become ineligible for cash assistance and who chooses to receive TSS,
- an applicant who voluntarily withdraws his/her TANF application because employment obtained during applicant job search has significantly reduced his/her potential TANF grant amount and the client wishes to stop the TANF clock and
- preserve months of potential TANF eligibility
- a recipient whose employment causes the AU to become ineligible for cash assistance,
- a recipient whose ongoing TANF case is closed due to loss of earned income disregards, or
- a recipient who voluntarily closes the TANF case because employment has significantly reduced the TANF grant amount and the client wishes to stop the TANF clock and preserve months of potential TANF eligibility.

TSS is available for a period of twelve months beginning with the first month of ineligibility for cash benefits or the month after the TANF case closes due to employment.

TSS payments for Transportation and Incidental expenses should be made directly to the provider of a service.

If an applicant's job begins in the month in which the TANF application is denied, receipt of the TSS will not count toward the applicant's TANF lifetime limit.

At the end of the twelve-month period of eligibility for TSS, the case manager should complete Form 207, Disposition Notification Work Support Payment and provide a copy to the client.

## **Purchase of Services**

DFCS may pay for needed services only when the services are unavailable through other sources or cannot be obtained at any cost to the participant. Duplication of payment is prohibited.

Payment for transportation, incidentals, and childcare must be coordinated with other service providers in order to prevent duplication of payment and services provided or purchased must not exceed the normal cost of such services in the local area.

 Payment for incidental expenses should be made directly to the provider of the service.

## **Transitional Shelter Assistance and WSP**

The purpose of the Transitional Shelter Assistance (TSA) is to help stabilize the TANF families who are eligible for WSP as they transition from TANF to employment. The TSA funds will be used to pay permanent housing deposits, utility deposits or other essential deposits. These funds will not cover cable, telephone or other non-essential utilities because they are not a necessity.

### **Transitional Shelter Assistance (TSA) Eligibility Criteria**

Participants leaving TANF will be eligible to receive TSA. They may be eligible if:

- rent is late and in danger of becoming homeless, need assistance to relocate to a new place in GA. The lease and utilities must be in the participant's name and
- the participant must show the ability to maintain monthly shelter payments based on income.

### **Transitional Shelter Assistance (TSA)**

The participants eligible for TSA may be eligible to receive up to \$1500.00 towards the payment of rental deposits and utility deposits. Payments will be made directly to the leasing agency or the utility company on behalf of the TANF participant.

### **TSA Documentation and Verification**

All verified information from the participant, rental office or utility company must be submitted to Regional Accounting, along with the request for payment.

A copy of all submitted information to Regional Accounting must be sent to the State Office and another copy must be scanned into the case record as well as documented in case notes.

Third-Party Verification Required:

- rent deposit amounts for new residence
- utility deposit amounts for new residence
- payment remittance information for each vendor
- verification of arrearages

## **Case Manager's Responsibility**

The TANF case manager will be the initial approving authority. When approving rental expenses:

- use UAS 528 Entitlement Code 48

When approving utility expenses:

- use UAS 528 Entitlement Code 14

If the payment is deemed to be expedited, the TANF Liaison will need to email a request to the Regional Accounting Field Operations Manager with the necessary attached documents. The originals should be hand delivered and the check available to be hand delivered to the vendors.

## **WSP Recipient's Responsibilities**

Following approval of the WSP, the recipient is expected to:

- participate in activities as needed or required,
- attend financial management classes and
- cooperate with job coaching requirements as needed or required.

If the recipient fails to meet post-employment participation requirements without good cause, the WSP and TSS will be stopped.

Some good cause reasons for failure to meet a requirement include, but are not limited to the following:

- a temporary medical condition or illness which is obvious or otherwise substantiated,
- a family crisis or personal crisis,
- domestic violence issues,
- a natural disaster or weather emergency,
- lack of transportation,
- lack of childcare or
- a court-required appearance

The Agency will make all possible efforts to accommodate the WSP recipient's hardship. If it has been determined that the recipient does not have good cause for non-compliance, a proper notice will be issued to the AU to allow adequate time for compliance.

## **Notification**

The case manager will complete Form 207, Disposition Notification Work Support Payment as notification in the following situations:

- approval of WSP
- termination of ongoing WSP

- approval of TSS
- termination of ongoing TSS

## **Documentation and Verification**

The employment status of TANF applicants and former TANF recipients participating in WSP must be verified and documented monthly on the Support Services screens in Gateway.

Documentation is used to support the WSP and TSS payments and track the recipient's period of eligibility.

When written communication is received for employment status, it must be scanned into the case record.

Verification of the amount of an expense must be provided before reimbursement of or payment for the expense can be paid. See **Purchase of Services** for more information on expenses TSS can pay.

## **Methods of Verification**

Job retention and advancement is the goal of the Work Support Program. Although monthly verification of employment is required, we do not want to intrude on the employer-employee relationship. The following methods of verification are acceptable:

- Documentation provided by the job coach
- Verification of income in other DFCS programs
- Pay stubs
- Copy of paycheck
- Form 809 (Wage Verification Form)
- Work Schedule
- Timecard log/summary

This list is not all-inclusive.

## **Case Manager's Responsibilities**

When approving WSP, the case manager must:

- explain the agency's beliefs, objectives and goals,
- explain job coaching and monitoring requirements,
- explain WSP,
- explain the provision of TSS
- explain the impact of voluntary quit on eligibility for WSP while participating in the program,
- explain the impact of WSP on Food Stamps (2<sup>nd</sup> tier of eligibility), Medicaid and childcare benefits during WSP eligibility

- explain reporting requirements and participation in post-employment activities with the job coach,
- refer the WSP recipient to a financial management counselor, if applicable

### Job Coach’s Responsibilities

The job coach will:

- initiate a minimum of one (1) contact per week during months 1-3 after becoming aware of the WSP recipient’s employment. The frequency of contact will be determined by the recipient’s situation and transitional skills.
- initiate a bi-weekly contact during months 4-6 of the WSP recipient’s employment and then a monthly contact during months 7-12.
- Frequency of contact can be determined by the recipient’s situation and transitional skills.
- monitor the WSP recipient’s participation in post-employment activities
- assist the WSP recipient in developing problem-solving skills for personal life situations that may constitute barriers
- assist the WSP recipient with employment-based conflict resolution skills and
- collaborate with employers to develop and explore career advancement opportunities and then assist the recipient in preparing for these opportunities.

This list is not all-inclusive.


Chart 1840.2 – Availability of the Work Support Payments

| IF  | THEN  |
|---|---|
| the AU becomes ineligible for TANF cash assistance due to employment related reasons and declines WSP,                              | the former TANF AU may request WSP within 60 days of TANF closure.  |
| the AU chooses to accept WSP,   | the AU must continue receiving it for the entire 12-month period of the WSP eligibility.  |
| the AU accepts cash supplement of the Work Support Program, declines TSS,<br><br><b>BUT</b><br><br>Three months later requests TSS, | the AU can receive TSS for the remaining months.  |
| the WSP recipient experiences an involuntary loss of employment, and regains employment within 30 days,                             | the AU may continue receiving WSP not to exceed 12 months.<br><br>Example: AU loses job involuntarily in the 4 <sup>th</sup> month of WSP. Begins working in 5 <sup>th</sup> month, no break in WSP.  |
| the WSP recipient experiences an involuntary loss of employment, and regains employment after 30 days but within 12-month period,   | the AU may receive the Work Support Program payments not to exceed 12 months.<br><br>Example: AU loses job involuntarily in the 4 <sup>th</sup> month of WSP. Begins working in 8 <sup>th</sup> month, the AU may be eligible to receive WSP for months 8, 9, 10, 11, & 12. |

| IF   | THEN  |
|--|---|
| the WSP recipient quits a job without good cause and the twelve (12) month WSP eligibility period has not been exhausted         | WSP must be stopped immediately.  |
| the AU that quit the job or voluntarily reduced employment hours and regains employment during the 12-month ineligibility period | <p>the AU may be eligible to receive the remaining months of WSP not to exceed 12 months.</p> <p>Example: AU member quits their job in Month 5, regains employment 3 months later. They would have been in their 8<sup>th</sup> month of WSP. This AU would be eligible for WSP for months 8, 9, 10, 11 &amp; 12.</p> |

# 1900 Issuance

## 1901 Issuance Overview

|   |  |                                   |                       |      |
|---|--|-----------------------------------|-----------------------|------|
|  | <b>Georgia Division of Family and Children Services<br/>TANF Policy Manual</b> |                                   |                       |      |
|   | <b>Policy Title:</b>   | Issuance Overview                 |                       |      |
|   | <b>Effective Date:</b>   | November 2023                     |                       |      |
|   | <b>Chapter:</b>  | 1900                              | <b>Policy Number:</b> | 1901 |
| <b>Previous Policy Number(s):</b>   | MT 52  | <b>Updated or Reviewed in MT:</b> | MT-75                 |      |

### Requirements

Issuance is the process by which cash assistance is made available to eligible assistance units (AUs)

### Basic Considerations

Cash assistance is issued via the Electronic Benefits Transfer Application System (EBTAS) process using a Way2Go Debit Mastercard.

Benefits are initially issued upon approval of an application for cash assistance and thereafter as required by policy.

Cash assistance is authorized via the Integrated Eligibility System (IES).

### Mailing of Way2Go Card

An authorized Way2Go card is mailed to one of the following:

- the AU's residential address
- the AU's mailing address, if different from the residential address
- a Post Office (P.O.) box if a residential address has been provided, and no more than three AUs receive benefits at the same P.O. box
- an address other than that of the AU if the AU has a valid reason which is documented in the case record.



General Delivery mail is not an option for Way2Go Debit Mastercard delivery. Also, a Way2Go card cannot be mailed in care of a third party unless the AU is homeless.

### Homeless AU


If an AU is homeless, the Way2Go card may either be mailed to the homeless shelter where the AU is staying if arrangements have been made with the shelter in advance, or the card may be mailed to the local county office.



## Undeliverable Way2Go Cards

Refer to Section 1910, Electronic Benefits Transfer regarding the steps necessary to have the Way2Go card received at the county office whenever a Way2Go card is returned to a county office as undeliverable.

## 1905 Issuance

|  Georgia Division of Family and Children Services<br>TANF Policy Manual |               |                                   |       |
|--|---------------|-----------------------------------|-------|
| <b>Policy Title:</b>   | Issuance      |                                   |       |
| <b>Effective Date:</b>   | November 2023 |                                   |       |
| <b>Chapter:</b>  | 1900          | <b>Policy Number:</b>             | 1905  |
| <b>Previous Policy Number(s):</b>  | MT 69         | <b>Updated or Reviewed in MT:</b> | MT-75 |

## Requirements

Cash assistance is issued in the form of an electronic payment using a Way2Go Debit Mastercard.

## Basic Considerations

### Types of Issuance

Cash assistance is issued in the following categories:

- initial payments
- ongoing payments
- corrective payments
- supplemental payments
- manually issued payments.

Cash assistance is issued in the name of the caretaker relative or payee unless the AU has a managed account. Refer to Section 1915, Managed Accounts.

Banking regulations do not release TANF benefits to a child or minor parent head of household under 13 years old. A parent or parent caretaker over 13 years of age must be named as the head of household for the benefits to be released.

### Out-of-State Mailing

A Way2Go card may be mailed to an AU that has moved to another state if one of the following exists:

- the AU lives in Georgia but has a mailing address in another state,

OR

- the AU moves out of the state, requests that the case be closed, but is entitled to an additional month of benefits.

### **Initial Issuance**


Following approval of an application for cash assistance, the Integrated Eligibility System (IES) will do the following:

- issue all benefits due the AU through the month of approval, including any prorated benefits, and
- issue benefits in the nightly processing cycle in which the case is brought to final and transfer this information to the Electronic Benefit Transfer Application System (EBTAS).

Initial benefits are posted to the AU's account after this information is then sent from EBTAS in an ACH file to the State's bank, Truist. Payments prepared and transmitted each day contain the Comerica Banking (Contractor's bank) routing and cardholder account information established in the State's EBT Service Provider's administrative terminal. The bank receives Automated Clearinghouse (ACH) files through the Electronic Payment Network (EPN) from Truist. Comerica Bank processes the ACH files in all six National Automated Clearing House Association (NACHA) processing windows and transmits the ACH file containing the cardholder account information to the State's EBT Service Provider for posting to the individual accounts.

### **Ongoing Issuance**

Ongoing benefits are available in the EBT account on the first calendar day of every month. If the first falls on a weekend or holiday, benefits are made available on the last business day of the prior month.

 If the TANF benefit amount prorates to \$0.00 for the application month and ongoing months, the TANF case will deny or close.

### **Ongoing Issuance and the Window Period**

The window period refers to the period that begins on the date on which IES authorizes benefits to be issued to an active case for the ongoing month and extends through the last calendar day of the current month.

The dates for each month's window period are established by the IES processing schedule. A change to affect the benefit amount for the ongoing month must be processed on IES prior to the first day of the window period.

Benefits are issued for the ongoing month in the amount determined by the last case action that processed on IES prior to the beginning of the window period.

### **Supplemental Issuance**

Supplemental benefits are issued when the following occur:

- the AU is eligible for an increase in its benefit level for the ongoing month, AND
- the change is made during the window period.

A supplemental issuance is posted to the AU’s account following IES processing and after this information is then sent from EBAS in an ACH file to the State’s bank, Truist. Payments prepared and transmitted each day contain the Comerica Banking (Contractor’s bank) routing and cardholder account information established in the Way2GO administrative terminal. The bank receives Automated Clearinghouse (ACH) files through the Electronic Payment Network (EPN) from Truist. Comerica Bank processes the ACH files in all six National Automated Clearing House Association (NACHA) processing windows and transmits the ACH file containing the cardholder account information to the State’s EBT Service Provider for posting to the individual accounts.

### Corrective Issuance

Corrective benefits are issued when the following occur:

- an application is denied in error
- a case is closed in error
- an issuance is canceled in error
- an underpayment occurs because of untimely action by the county
- a change in an AU’s circumstances that will result in an increase in benefits for the ongoing month cannot be made prior to the window period because of system limitations
- a recoupment error occurs
- an Administrative Law Judge directs the agency to issue a corrective




A corrective benefit can be paid only to an AU with an active case. If a corrective is authorized for an AU with a closed case, the corrective will pend until the case becomes active and the status of the corrective is manually changed.

Correct payments can be issued in the following ways:

- completion on IES of an historical change that causes an increase in the benefit level
- completion of an underpayment claim
- submission of a request for a manual issuance to the state office.

System-generated corrective payments are typically offset if an AU has an outstanding claim.

## 1910 Electronic Benefits Transfer

| Georgia Division of Family and Children Services<br>TANF Policy Manual              |                                   |                              |                                   |       |
|---|-----------------------------------|------------------------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Electronic Benefits Transfer |                                   |       |
|   | <b>Effective Date:</b>            | November 2023                |                                   |       |
|   | <b>Chapter:</b>                   | 1900                         | <b>Policy Number:</b>             | 1910  |
|   | <b>Previous Policy Number(s):</b> | MT 69                        | <b>Updated or Reviewed in MT:</b> | MT-75 |

## Requirements

Cash assistance is issued via Electronic Benefits Transfer (EBT).

## Basic Considerations

Cash assistance is issued when a case is approved through the Integrated Eligibility System (IES) or when benefits are added to an account manually. When a case is approved through IES that information is passed to the EBT Application System (EBTAS). EBTAS then sends that information to the State's EBT Service Provider. When a case is set up directly through EBTAS that information is also sent to the State's EBT Service Provider.

## Way2Go Card

When an account is set up via certification of the case on IES, a Way2Go Debit MasterCard is sent to the Applicant/Recipient(A/R). The card is accompanied by a card mailer and a training guide to explain how to use the card.

### General Way2Go Card Info

**Activation:** Upon receipt of the initial Way2Go card, the A/R must activate the card and select a PIN. This can be done either by calling Customer Service (1-800- 656-1347) or through the Way2Go website ([www.goprogram.com](http://www.goprogram.com)). This contact information is included on the back of the card and in the training guide. The A/R will need to provide their Date of Birth (DOB) and Social Security Number (SSN) to complete the activation process.



If the A/R's SSN in IES is unknown, not entered in the system, or listed in the system as all zeros, then the SSN field in the Way2Go administrative terminal will default to their Client ID Number. In this type situation, the A/R will need to provide their DOB and Client ID Number (if there is no SSN) in order to complete the activation process.

**Protective Payee Card Activation:** Protective Payees must activate their Way2Go card by contacting Customer Service (1-800-656-1347) or through the Way2Go card website ([www.goprogram.com](http://www.goprogram.com)) and providing the following information:

- Cases established prior to 5/2013 - Provide the A/R's DOB and SSN.
- Cases established in or after 5/2013 - Provide payee's DOB as 01/01/1990 and A/R's SSN.

**Replacement Cards:** When a Way2Go card is lost, stolen or damaged, the Customer can order a replacement card by calling Customer Service (1-800-656-1347) to request a replacement card. A customer may receive one free replacement card per year. A card replacement fee in the amount of \$5.00 will be assessed for each additional replacement card.

Replacement cards must be activated prior to use and the A/R must choose the same PIN or enter a new one.

### Other Way2Go card Facts

- Way2Go card have sixteen digits of which the first six digits (544679) are the Georgia identifier.
- The cardholder's IES/EBT Client ID is used as the Case Number in the Way2Go administrative

terminal.

- Only one Way2Go card per Client ID is created to access all EPC accounts.
- A Way2Go card is not created for subsequent cases with the same Client ID.

### **Personal Identification Number (PIN)**

PIN s are initially selected during the card activation process. If at any time the customer chooses to change their PIN, they can do so by calling Customer Service (1-800-656-1347) or going online ([www.goprogram.com](http://www.goprogram.com)). A newly assigned PIN is effective immediately.

Four incorrect PIN attempts will lock an Electronic Payment Card (EPC) account until midnight of the day the fourth attempt is made.

### **Access Sites**

The Way2Go card is accepted at merchants and bank locations nationwide everywhere the Debit MasterCard Acceptance Mark is displayed.

### **Appropriate Use of Way2Go Cards**

TANF cash assistance funds or the TANF Way2Go card may be used to purchase food or non-food items, such as diapers, sanitary items for women, soap, clothing, deodorant, gasoline, etc.

### **Inappropriate Use of the Way2Go Card**

It is strictly prohibited to use the TANF cash assistance funds or Way2Go card to withdraw cash or perform transactions at liquor stores, casinos, poker rooms, adult entertainment business, bail bonds, night clubs/salons/taverns, bingo halls, racetracks, gun/ammunition stores, cruise ships, psychic readers, smoking shops, tattoo/piercing shops, and spa/massage salons. Use of cash assistance funds or the TANF Way2Go card at these establishments or businesses will constitute an intentional program violation-fraud on the part of the benefit recipient.

 Refer to Section 1385 to learn more about Intentional Program Violations and penalties associated with non-compliance.

### **Surcharges and Transaction Fees**

An ATM owner may levy a surcharge or access fee for transactions. Surcharge fees must be posted.

The following transactions are provided at no charge: Deposit notification, Purchases (PIN or signature), Bank teller cash withdrawals, and ATM balance inquiries.

Way2Go card holders are responsible for the fees associated with the following transactions:

- ATM cash withdrawal ONLY at Money Pass and Comerica Bank Locations
  - Two free per deposit each month
  - One free per month if no deposit in that month
- A charge of \$1.50 per withdrawal is assessed after the free withdrawals are used. Free cash withdrawals expire at the end of the calendar month.

- ATM cash withdrawal at ATM, other than Money Pass and Comerica Bank Locations
  - \$1.50 per withdrawal - surcharge fee may apply
- Monthly account access via IVR (telephone)
  - Five free calls per month
  - A charge of \$0.50 each call is assessed after the free calls are used. Free transactions expire each month.
- International ATM Balance Inquiries - \$1.50 per inquiry
- International ATM Cash Withdrawal - \$1.50 per withdrawal plus 3% of the transaction amount. Also, a currency conversion fee will be added.
- Card Replacement - \$5.00 per replacement
- Expedited\* card delivery - \$15.00 per request (\*Two-day delivery; business days only)
- Instant mobile balance request (one free per deposit each month) A charge of \$0.10 each request is assessed after the free call is used.
- Card Inactivity Fee (after 12-months of no activity) - \$1.25 each month.

## **Expungement**

Once funds are deposited into an active account, they become the sole possession of the cardholder and therefore cannot be expunged. If funds are posted to an account that is not activated and remains inactive after a determined amount of time may be expunged as can funds that have gone through the escheatment procedures.

## **Escheat Process (Deceased Card Holders)**

Funds remaining in the account of a deceased card holder are subject to state probate laws and therefore must be indemnified by either the State or the administrator of the cardholder's estate before the account can be closed and funds disbursed by check to the authorized entity.

The card holder's Estate Executor can initiate the Escheat Process by calling Customer Service (1-800-656-1347) to make a customer service request and be assigned a "ticket". This ticket is assigned to a staff member who contacts the estate representative and requests the appropriate paperwork which the State's EBT Service Provider and Reconciliation Unit determines. The following documentation is required:

- Letters of Probate and Identification of the Estate Executrix.
- Death Certificate
- Court Order for Special Circumstances
- Exception Situations and Conditions

The State's EBT Service Provider is responsible for processing the Funds Request for deceased card holders. Comerica Bank issues and mails the check to the requesting entity.

## **Cards Received at the County Office**

Way2Go cards can be received at county DFCS offices for different reasons. For example:

- a lost card may be found in the community,
- A/R may return their card as they are no longer interested in participating in the program,
- A/R may not have a home address; therefore, their mail is delivered to DFCS,
- A/R may have difficulty receiving their mail at their home address; therefore, their mail is delivered to DFCS.

This list is not all-inclusive.

All Way2Go cards received at a DFCS office must be accounted for and secured properly. Counties must maintain the EBT Form 2, Control Log-County Office - EBT Cards for all Way2Go cards received at DFCS.

- Way2Go cards mailed to the DFCS office will be retained for at least 60 days. At the end of that time, if the A/R has not picked up the card, the card must be destroyed.
- Way2Go cards that are returned to the office (found, unwanted, etc.) must be logged in and then can be destroyed immediately upon receipt.

*The destruction of Way2Go cards requires a witness.*

EBT Form 4 - Control Log - Receipt of Card/PIN - Benefit Representative/Guardian must be maintained to document the receipt of Way2Go cards maintained at the county office in order that an agency representative can handle an A/R's financial dealings.

## **Accounts Accessed by Agency Employees**

Safeguards are in place for the protection of the EPC accounts as well as for agency staff if it becomes necessary for the agency to complete EPC transactions on behalf of the AU. To assure the safety of A/R's accounts and to protect workers, the following procedures must be followed:

1. The County Director (or designee) must complete an EBT Form 7-EBT Card/PIN Sign Out Authorization Form for each worker authorized to transact A/R 's accounts. This form is completed on a per case basis.
2. Way2Go cards maintained at the county office for A/R's must be logged in upon receipt and out/in whenever used on EBT Form 5 - Control Log. EBT Card Sign In/Sign Out - Benefit Representative/Guardian and EBT Form 16, Control Log - EBT PIN Sign In/Sign Out - Benefit Representative/Guardian.
3. Each time an agency employee completes an EPC transaction for an A/R they must complete an EBT Form 8 - Family Service Worker/Recipient Receipt and maintain a copy in the A/R's Social Service record.

The Way2Go card and PIN must be stored in a separate location in the county office.

## Manually Issued Benefits

Benefits can be manually issued to a cash account when one of the following occurs:

- benefits cannot be issued via IES due to system problems
- an administrative law judge directs the county to pay a corrective on a closed case.

The county will send the request for manual issuance to the OFI/TANF Unit at the State Office via EBT Form 9 – Request for Manual Issuance of Benefits for approval.

The State Office EBT Unit will process the manual issuance and email confirmation back to the county and the OFI/TANF Unit. The case should be brought to final in IES for the ongoing month at the time the manual issuance request is submitted, if appropriate. The amount and months of the manual issuance(s) will be entered in EBAS by the OFI Section at the State Office.

The case manager may have to code the system to prevent the issuance of duplicate benefits if reopening a previously closed case or approving a new application for a month for which cash assistance has been manually issued.

## Voiding Benefits

When appropriate for policy reasons, cash can be voided by the EBT unit from the time the cash benefit information is sent to EBAS and within 72 hours from the time the ACH deposit is released from the State's bank and sent to the State's EBT Service Provider, and prior to the deposit availability date indicated in the ACH deposit file.

Only full month's cash assistance amount can be voided.

Only ongoing monthly cash assistance can be voided. Initial payments, restorations, correctives and/or supplemental payments cannot be voided.

## Erroneous Benefits

EPC accounts are sometimes erroneously debited preventing an AU from accessing the benefits for which it is eligible due to system error. When this happens, the A/R must call Customer Service and file a claim. The A/R must provide the card number, the date the error occurred, the dollar amount of the erroneous debit, and the location where the error occurred. Erroneous debit claims must be resolved within 30 days.



The A/R is not eligible for restored benefits through Gateway because of an erroneous debit. The correction is made directly by the State's EBT Service Provider to the EPC account.

## EPC Skimming

Skimming involves the use of electronic equipment to capture a recipient's Way2Go card information without the recipient's knowledge.

Offenders can create a counterfeit card and steal the TANF recipient's benefits. Equipment used to capture the card information can be installed on ATMs or any third-party point of sale device.


If a TANF recipient believes that their TANF benefits have been stolen or skimmed, the recipient



must contact Customer Service at 1-800-656-1347 to file a claim. The A/R must provide verification of their identity and other information related to the incident as requested by Customer Service.

**i** The A/R is not eligible for restored benefits through Gateway because TANF benefits were skimmed. An investigation will be conducted by the State’s EBT Service Provider, and the A/R will be notified of the results of the investigation.

## 1915 Managed Accounts

|   |  |                  |                                   |       |
|---|--|------------------|-----------------------------------|-------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |                  |                                   |       |
|   | <b>Policy Title:</b>   | Managed Accounts |                                   |       |
|   | <b>Effective Date:</b>   | November 2023    |                                   |       |
|   | <b>Chapter:</b>  | 1900             | <b>Policy Number:</b>             | 1915  |
|   | <b>Previous Policy Number(s):</b>  | MT 72            | <b>Updated or Reviewed in MT:</b> | MT-75 |

### Requirements

A third party may be designated to manage an Assistance Unit’s cash benefits and therefore must be able to access those benefits.

### Basic Considerations

#### Protective Payee

A protective payee, personal representative or emergency payee may be designated to manage TANF recipient’s account.

A protective payee is designated in the following situations:

- the grantee relative is unable to manage the AU’s cash assistance benefits,
- the grantee relative mismanages the AU’s cash assistance by spending the benefits in such a manner that the health or well-being of the child is endangered,
- the grantee relative signs a request that a protective payee be established, or
- a minor parent receives cash assistance for his/her dependent child, regardless of the living arrangement of the minor parent.
- a pregnant minor receives cash assistance, regardless of the living arrangement.

A protective payee cannot be one of the following:

- a landlord
- a grocer
- any vendor of goods or services who deals directly with the AU.

There is a two-year limit for a protective payee appointed because of mismanagement of funds. If

the grantee relative is unable to resume the role of payee at the expiration of this period, a personal representative must be appointed.



The AU may request a hearing regarding the appointment of a protective payee and the termination of the protective payee's role as such.

When a protective payee is appointed, the AU must be notified of the following:

- the reason for the protective payee's assignment,
- the AU's responsibility for cooperating with reviews of its eligibility for cash assistance,
- the requirement that the AU must report all changes timely.

The protective payee must be notified of the following:

- the reason for the protective payee's assignment,
- that all correspondence must be mailed to the protective payee,
- the protective payee's responsibility for ensuring that the AU receives all mailed correspondence in a timely manner,
- the protective payee's responsibility for managing the AU's cash assistance funds.

### **Appointing an Agency Employee as a Protective Payee**

If the AU is not able to name a suitable protective payee, the aid of Social Services staff may be enlisted.

The following persons cannot be appointed as a protective payee:

- the worker to whom the Social Services case is assigned
- the county Director or any staff person involved in determining program eligibility or handling of any of the financial processes related to the AU.

### **Personal Representative**

A personal representative must be appointed when a determination is made that, because the grantee relative has demonstrated a continuing inability to manage the AU's cash assistance benefits, there is a need for a protective payee of a permanent nature.

### **Emergency Payee**

An emergency payee is assigned for a period of no more than three calendar months when, because of an emergency, a dependent child ceases to live with the grantee relative.

The emergency may include one of the following:

- abandonment of the child by the grantee relative,
- commitment of the grantee relative to a mental hospital,
- death of the grantee relative,

- imprisonment of the grantee relative, or
- any other situation in which parental control of the child is suddenly released to a non-relative.

If the AU no longer requires an emergency payee at any time during the three-month period, the emergency payee must be removed and the grantee relative reinstated as the AU's payee.

If, at the end of the three-month period, the emergency has not been resolved and a suitable grantee relative cannot be located, the case must be terminated.

 An emergency payee is not required to meet the degree of relationship.

### **Subsidized Employer**

Subsidized employment provides for an AU's cash assistance to be diverted to an employer as an incentive for the employer to hire and train a TANF recipient for a position that can lead to full-time unsubsidized employment.


### **Account Manager**

Protective payee, personal representative, emergency payee and subsidized employer information is entered in the system. The payee is designated as an account manager for benefits management purposes.

An account identifier, which is the grantee relative's Client ID with an added suffix, is automatically established for the account manager when information is received from the Integrated Eligibility System (IES).

The account manager is assigned his/her own EPC account and Way2Go card that is distinct from those assigned to the AU.

# Appendix A TANF Financial Standards

|   |  |                                   |                       |
|---|--|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |                                   |                       |
|   | <b>Policy Title:</b>   | TANF Financial Standards          |                       |
|   | <b>Effective Date:</b>   | March 2024                        |                       |
|   | <b>Chapter:</b>  | Appendix A                        | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT-71  | <b>Updated or Reviewed in MT:</b> | MT-76                 |

## TANF Financial Standards Income


| AU Size                | Gross Income Ceiling | Standard of Need | Family Maximum | TANF 160% FPL GRG Income Limits |
|------------------------|----------------------|------------------|----------------|---------------------------------|
| 1                      | \$435                | \$235            | \$155          | \$2008                          |
| 2                      | 659                  | 356              | 235            | 2725                            |
| 3                      | 784                  | 424              | 280            | 3443                            |
| 4                      | 925                  | 500              | 330            | 4160                            |
| 5                      | 1060                 | 573              | 378            | 4877                            |
| 6                      | 1149                 | 621              | 410            | 5595                            |
| 7                      | 1243                 | 672              | 444            | 6312                            |
| 8                      | 1319                 | 713              | 470            | 7029                            |
| 9                      | 1389                 | 751              | 496            | 7747                            |
| 10                     | 1487                 | 804              | 530            | 8464                            |
| 11                     | 1591                 | 860              | 568            | 9181                            |
| Each additional member | +44                  | +24              | +17            | +717                            |

## Resource

|         |              |
|---------|--------------|
| Each AU | \$1000 limit |
|---------|--------------|

# Appendix B Hearings

## Appendix B Fair Hearings

| Georgia Division of Family and Children Services<br>TANF Policy Manual            |                                   |               |                                   |       |
|---|-----------------------------------|---------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>              | Fair Hearings |                                   |       |
|   | <b>Effective Date:</b>            | February 2022 |                                   |       |
|   | <b>Chapter:</b>                   | Appendix B    | <b>Policy Number:</b>             | N/A   |
|   | <b>Previous Policy Number(s):</b> | MT 61         | <b>Updated or Reviewed in MT:</b> | MT-65 |

### Requirements

An applicant or recipient of cash assistance has a right to appeal an agency action and receive a hearing regarding such action. The hearing process entitles an applicant or recipient to an impartial hearing, upon his/her request. Applicant and recipient include individuals in the assistance unit (AU).

### Basic Considerations

A request for a hearing is a clear expression, made verbally or in writing by an applicant, recipient, or his/her protective payee to the effect that he or she wants the opportunity to present their case to a higher authority.

TANF cases involving an alleged intentional program violation (IPV) or suspected fraud are referred to the Office of Inspector General’s Benefit Integrity and Recovery Unit (BIRU) for investigation. OIG is responsible for ensuring the appropriate adjudication of these cases either through administrative disqualification hearings or referrals for prosecution. Administrative Hearings involving IPVs are held in accordance with the Office of State Administrative Hearings (OSAH) Administrative Rules of Procedure. See Ga. Comp. R. & Regs. r. 616-1-2-.01 et seq. See also OIG policies 1850, 1853, 1855.

### Notification of the Right to a Fair Hearing

Every applicant or recipient must be informed in writing of his/her right to a hearing, the methods of requesting a hearing and that he or she may be represented by a protective payee or other representative (designated in writing by the AU) such as legal counsel, relative, friend, other spokesperson, or he/she may represent himself/herself. If requested, assistance with the completion of the required forms will be provided. Client notices include hearing information.

The applicant or recipient must be informed of the right to a hearing at the following times:

- Application
- When any action is taken that affects benefits,
- When the applicant or recipient requests a restoration of lost benefits.

## **Request for a Fair Hearing**

DFCS must receive the applicant's or recipient's fair hearing request (orally or in writing) within 30 days of the date of a decision notice. When an oral request is made, Form 118, Request for Hearing, is completed by the staff who received the request. Upon receipt, workers must scan all Fair Hearing requests into WEC.

The Fair Hearing Coordinator team will complete an OSAH Form 1 for all hearing requests submitted by an applicant, recipient, or protective payee or other representative (designated in writing by the AU) for all timely and untimely requests. If at any time DFCS receives a Fair Hearing request that is based on the agency's failure to act, the Fair Hearing Coordinator team will complete an OSAH Form 1. If DFCS fails to forward a hearing request to OSAH within 30 days after DFCS receives such request, the applicant, recipient, or protective payee can file a petition for a direct appeal with OSAH.

For untimely requests received, the Fair Hearing Specialist supervisors are responsible for uploading completed Motions to Dismiss and all corresponding exhibits to the OneDrive folder that is designated by the Fair Hearing Coordinator team. For complete procedures for drafting and submitting motions to dismiss due to untimeliness, refer to, "Procedures for Submission of Motions to Dismiss due to Untimeliness" which are available on the TANF share-point site.

DFCS is prohibited from disclosing Personally Identifiable Information (PII) or Protected Health Information (PHI) to unauthorized individuals. Therefore, DFCS will not disclose, discuss, or allow access to the applicant's or recipient's PII or PHI without authorization. DFCS processes hearing requests that are submitted on behalf of an applicant or recipient when DFCS is provided valid legal authorization.

If requested, the county DFCS office must assist the applicant or recipient in completing the hearing request.

A qualified interpreter must be provided to assist customers who have limited English proficiency or who request an interpreter as a form of communication assistance due to a disability. Hearing procedures must be explained in the customer's preferred language.

A hearing request can be expedited for an applicant/recipient if the court deems it necessary to protect the interests of the parties or the public health, safety, or welfare.

OSAH is responsible for scheduling hearings and notifying the parties (the Petitioner and DHS/DFCS) of the date, time, and location of the hearing. An Administrative Law Judge (ALJ) from OSAH conducts hearings.

## **Continuation of Benefits**

The applicant or recipient may request that cash assistance continue at the level at which it was received prior to the action under appeal. Cash assistance is continued if the request is made within 14 days from the date of the decision notice.


Cash assistance is not continued or reinstated if the request for a hearing is received more than 14 days after the date of the decision notice unless good cause exists for making the late request. Refer to [Chart B.1](#).

If the applicant or recipient requested benefits to be continued and the OSAH decision is in the agency's favor, the applicant or recipient must repay any overpayment of cash assistance received as a result of the continuing benefits.

When a fair hearing request is pending, with a continuation of TANF benefits, and a change occurs to an applicant's or recipient's case that affects the TANF benefit amount, the reported change must be processed in accordance with policy (the "Subsequent Change"). If a fair hearing is requested on the Subsequent Change and continuation of TANF benefits are requested again, the agency must continue TANF cash assistance to the amount prior to the Subsequent Change.

### Processing a Fair Hearing Request

Follow the steps below when an applicant, recipient, or his/her representative requests a fair hearing:

1. Within three (3) business days of agency's receipt of a fair hearing request, review the record to determine the following:
    - Was the correct action taken? If not, correct the case and notify the applicant or recipient. S/he may choose to withdraw the request for a hearing.
    - Is the AU eligible on all points of eligibility other than the one at issue?
    - Is there enough information in the record to determine the correct amount of issuance? If not, the case worker will request the needed information and/or verification.
  2. Within three (3) business days of agency's receipt of a fair hearing request, DFCS will attempt to discuss and resolve the complaint with the AU or the representative.
    - If a mutually satisfactory decision can be reached, the AU may withdraw the hearing request, **in writing**. Update the case based on the changes agreed upon during client contact.
    - If during client contact, a mutually satisfactory solution cannot be obtained or if unable to contact the AU to discuss the complaint, electronically submit the following documents to OSAH within five working days:
      - original Form 118, Request for Hearing, or any written request for hearing presented by the applicant or recipient
      - Decision notice to the applicant or recipient of the action in dispute.
      - Original OSAH Form 1 - TANF.
-  Make sure that any available contact information, including phone numbers and an email address for the applicant or recipient are included on the OSAH Form 1 – TANF.
- It is the responsibility of the case manager to present the following documents at the hearing:
    - the application or renewal for assistance related to the matter(s) in dispute.
    - all records documenting or verifying facts, including records of telephone conversations, interviews, etc., which pertain to the action in dispute and any other materials that were made part of the case file in the normal course of business and on which the agency

relied for the action taken, including budgets;

- copy of all policy and regulation(s) relied upon in reaching the action in dispute. subpoenas for individuals and/or documents prepared for the ALJs. If subpoenas are required for documents, include the type of document, and the document custodian’s name and address.



A subpoena form must be completed. It must explain the relevance of the testimony and/or documents that are sought. The subpoena form must be issued and properly served in accordance with OSAH rules. **A copy of a subpoena form is available on OSAH’s website. Refer to OSAH’s rules regarding the proper procedures for issuing and serving subpoenas.**

3. Copy all documents submitted to OSAH and scan into the WebCenter Enterprise Capture (WEC).
4. Determine if the assistance unit (AU) is entitled to continued or reinstated cash assistance.
5. Allow the applicant, recipient, or protective payee the opportunity to examine documents and records that will be used in the hearing. If the applicant or recipient has named a representative other than a protective payee, allow the AU’s representative the opportunity to examine these documents if the Form 5459, Authorization for Release of Information, is signed. The AU’s representative may also review such records if legal authority is otherwise established (e.g., through a valid power of attorney).
6. Report any changes in the circumstances related to the hearing, including address changes, to OSAH.


Forward any subsequent documents received concerning the hearing to OSAH.

The following chart is used to determine whether to continue, reinstate or change cash assistance pending a hearing decision:

*Chart B.1 – Continuation of Cash Assistance Pending a Fair Hearing Decision*

| IF  | THEN   |
|---|--|
| the applicant or recipient requests a hearing prior to the expiration of the date of the timely notice and requests continuation of benefits, or does not waive the right to continued benefits | while the fair hearing decision is pending, cash assistance may be continued in an amount equivalent to that received by the AU prior to the change specified on the timely notice.  |
| the applicant or recipient requests a hearing within 14 days of the date of the adequate notice and requests continuation of benefits   | while the fair hearing decision is pending, cash assistance may be reinstated to the amount equal to what the AU received prior to the date of the adequate notice.  |
| the applicant or recipient requests a hearing and claims good cause for not appealing during the 14-day timely notice period  | while the fair hearing decision is pending, cash assistance may be reinstated only upon approval by the ALJ.   |
| the applicant or recipient requests a hearing and a change, other than a mass change, affecting eligibility occurs  | while the fair hearing decision is pending, the benefits are changed appropriately unless the applicant or recipient requests a hearing on the subsequent change and requests continuation of benefits.<br><br>Notify the ALJ. |




| IF  | THEN   |
|---|--|
| the applicant or recipient requests a hearing and a mass change is required | <p>while the fair hearing decision is pending, the benefits are changed appropriately and the ALJ is notified.</p> <p>Continuation or reinstatement following a mass change is appropriate only if the ALJ determines that the mass change was incorrectly applied.</p>                                      |
| the applicant or recipient requests a hearing for an IPV disqualification   | <p>Benefits are not reinstated at the level prior to the disqualification.</p> <p> The outstanding claim is pended, and benefits reinstated to the level prior to recoupment at the applicant's or recipient's request.</p> |

### Withdrawal, Cancellation or Postponement of the Fair Hearing

Prior to DFCS's submission of the OSAH Form 1, any withdrawal of a fair hearing request must be made in writing. After DFCS's submission of the OSAH Form 1, any requests for a withdrawal, cancellation, or postponement of a hearing must be made in writing, by DFCS or the petitioner, and must be forwarded to OSAH immediately. Upon receiving a petitioner's written request for a withdrawal, cancellation, or postponement of a fair hearing from the Fair Hearing Specialist, the Fair Hearing Coordinator will forward the written request to OSAH and copy the petitioner to all related correspondence.

## Appendix B Fair Hearing Responsibilities

|  | Georgia Division of Family and Children Services<br>TANF Policy Manual |                                   |       |  |
|---|--|-----------------------------------|-------|--|
|   | <b>Policy Title:</b>   | Fair Hearing Responsibilities     |       |  |
| <b>Effective Date:</b>  | February 2022  |                                   |       |  |
| <b>Chapter:</b>   | Appendix B   | <b>Policy Number:</b>             | N/A   |  |
| <b>Previous Policy Number(s):</b>   | MT 61  | <b>Updated or Reviewed in MT:</b> | MT-65 |  |

### Requirements

OSAH has specific duties regarding the requirements for and conduct of a hearing, which are consistent with Georgia's Administrative Procedure Act, other applicable laws, regulations, and OSAH's Administrative Rules of Procedure found at 616-1-2-.01 *et seq.*

#### Office of State Administrative Fair Hearings Responsibilities

OSAH initiates the following actions as needed:

- provides, at least ten days prior to the hearing, advance written notice to all involved parties in order to permit adequate preparation of the case.
- changes the time and/or location of the hearing upon its own motion or for good cause shown by the applicant, recipient, or protective payee.

- consolidating cases for which the sole issue is one of state and/or federal law, regulations, or policy.
- conducts a single hearing for multiple programs, if determined appropriate.
- determines numbers of persons who may attend the hearing.
- denies or dismisses a hearing request and grants continuances.
- utilizes only the facts and opinions that are evidence of record or which may be officially noticed and are, therefore, subject to the rights of objection, rebuttal, and/or cross examination by the involved parties.
- makes a decision within ninety days from the date of DFCS' receipt of the request for a fair hearing.
- mails the final hearing decision and related hearing notices to all involved parties.
- informs the Petitioner of his/her Superior Court appeal rights, if the Petitioner disagrees with the final decision.

Upon receipt of a hearing request, OSAH notifies the county DFCS office and the applicant or recipient of the date and time of the hearing. The hearing may be conducted in the county at the DFCS or other government office, at the OSAH office in Atlanta or by telephone.

State law prohibits the ALJ from providing legal advice to either party, including the state agency. As such, OSAH cannot assist the agency or the petitioning applicant or recipient in determining who should be present as witnesses at the hearing or what evidence is necessary to establish the case.

The basis for an applicant's or recipient's request for a fair hearing can include consideration of:

- an agency action (e.g., initial and subsequent eligibility determinations, amount of TANF cash assistance or change in work support payments);
- failure to act with reasonable promptness on a claim for financial assistance, which includes undue delay in reaching a decision on eligibility or in making a payment;
- refusal to consider a request for or undue delay in making an adjustment in payment;

The applicant, recipient, or the AU's representative have rights to examine the contents of the case record and documents, refer to Appendix B: Fair Hearings.

### **Rights and Responsibilities of Both Parties at the Fair Hearing**

Refer to Section 1002, Confidentiality, for additional information, including what cannot be released and penalties for unauthorized release.

The applicant, recipient, or the AU's representative also has the right to do the following:

- present the case with or without the aid of a representative, including legal counsel, a relative, friend or other spokesperson.
- request assistance from the agency for transportation to/from the hearing.
- present arguments without undue interference.

The applicant, recipient, and the agency present its case by (list is not exhaustive):

- bringing and/or requesting the appearance of witnesses by subpoena (if needed),
- establishing all pertinent facts and circumstances,
- questioning and refuting any testimony or evidence, including the opportunity to question and cross-examine adverse witnesses.

DFCS is responsible for the following:

- ensure the presence at the hearing of staff members with direct knowledge of the facts in dispute (See the *Procedures for Providing Policy Support for Fair Hearings which are available on the TANF share-point site.*),
- ensure that all relevant agency records and copies are legible and available as evidence, and
- ensure that non-agency witnesses and records are present, either voluntarily or by subpoena.

### **The Final Hearing Decision**

The final hearing decision is issued within ninety days from the date the written request for a hearing is received by DFCS, except in the event of a postponement or continuance. Hearing decisions are based on the evidence presented at the hearing.

An ALJ shall have all the powers of the ultimate decision maker in the agency with respect to a contested case. Hearing decisions specify the reason for the decision, which includes findings of fact, conclusions of law, and a disposition of the case.

The following shall be a part of the hearing record:

- a. all rulings, orders, and notices issued by the court.
- b. all pleadings and motions.
- c. all recordings or transcripts of oral hearings or arguments.
- d. all written direct testimony.
- e. all other data, studies, reports, documentation, information, other written material of any kind, and physical evidence submitted in the proceedings.
- f. a statement of matters officially noticed.
- g. all proposed findings of fact, conclusions of law, and briefs; and
- h. the Decision issued in the matter


OSAH maintains the official fair hearing record that meets criteria for its procedures.

The following chart is used to determine how to adjust cash assistance based on the outcome of OSAH's final decision:

*Chart B.2 – Adjustment of Cash Assistance Based on the Final Decision from a Fair Hearing*

| IF  | THEN  |
|---|---|
| cash assistance was continued or reinstated prior to the final decision from the ALJ and the decision is favorable to the AU,         | cash assistance is continued.   |
| cash assistance was not continued or reinstated prior to the final decision from the ALJ and the decision is favorable to the AU,     | cash assistance is approved retroactively, and corrective payments are issued as directed by the ALJ.   |
| cash assistance was continued or reinstated prior to the final decision from the ALJ and the decision is favorable to the agency,     | the Final Decision must be acted upon within ten (10) days of the agency's receipt of the Final Decision.<br><br>Corrective payments (overpayments or underpayments) may need to be established based on the decision received. |
| cash assistance was not continued or reinstated prior to the final decision from the ALJ and the decision is favorable to the agency. | no changes are made.  |

## Appendix B Appealing a Final OSAH Decision

|  | Georgia Division of Family and Children Services<br>TANF Policy Manual |                                 |                                   |       |
|--|--|---------------------------------|-----------------------------------|-------|
|  | <b>Policy Title:</b>   | Appealing a Final OSAH Decision |                                   |       |
|  | <b>Effective Date:</b>   | February 2022                   |                                   |       |
|  | <b>Chapter:</b>  | Appendix B                      | <b>Policy Number:</b>             | N/A   |
|  | <b>Previous Policy Number(s):</b>                                      | MT 38                           | <b>Updated or Reviewed in MT:</b> | MT-65 |

### Requirements

Both the applicant and recipient and DHS/DFCS have the right to motion to vacate a default, request a reconsideration, rehearing, or judicial review of a final OSAH decision.

### Basic Considerations

The applicant or recipient (the Petitioner) and DHS/DFCS (the Respondent) have the right to appeal a final hearing decision that is unfavorable to the respective party.

A motion for reconsideration or rehearing will be considered only if filed within ten (10) calendar days of the entry of the Decision. However, the time for filing such a motion may be extended by the Court for good cause.

Effective May 8, 2018, in accordance with O.C.G.A. Section 50-13-41(c), every decision by an OSAH ALJ is a final decision that may be appealed by filing a petition for judicial review, with proper service upon DHS in accordance with the applicable law, in the Fulton County Superior Court or in the Superior Court in the county of residence of the petitioner.

A review of TANF eligibility must be completed by the TANF Policy Unit to ensure the appeal request is accurate. The TANF Policy Unit notifies the Fair Hearing Specialist of the review decision. To request an appeal through the DHS/DFCS Office of General Counsel (OGC), the Fair Hearing Spe-

cialist must email the Form 136, Request for a Final Appeal (including all supporting documentation) to the Fair Hearing Coordinator Supervisor who will email all documents to OGC.

OGC will review the request to determine the validity of the appeal and submit all approved requests for appeal to the Office of Attorney General to request that a civil action be commenced by the filing of a petition for judicial review in the appropriate Superior Court.

Because the petition for judicial review must be filed in the appropriate Superior Court within 30 days after service of the final decision, timely notification to the OGC is essential.

### **Applicant/Recipient Appeals of the Final Hearing Decision**


A party has 30 days after service of the final decision to file a petition for judicial review. Service of the final decision is defined as the date the final decision was mailed, i.e., the date of the postmark or the date of the email (if delivered electronically).

OSAH’s Final Decision must include instructions on how to file an appeal of the Final Decision.

The Superior Court reviews the applicant’s or recipient’s appeal, renders a final decision, and notifies all parties (applicant, recipient, AU’s representative, and DHS/DFCS).


The following chart is used to determine whether to continue, reinstate or change benefits pending an appeal of a final decision:

*Chart B.3 – Continuation of Cash Assistance Pending an Appeal of a Final Hearing Decision*

| IF   | THEN  |
|--|---|
| <p>the applicant or recipient files a petition for judicial review of the final decision within 30 days after the date of service of such decision and requests continuation of benefits in the applicant’s or recipient’s petition for judicial review,</p> <p> A request for continuation of benefits on a petition for judicial review by the applicant or recipient can only be given if continuation of benefits was granted from the original fair hearing request.</p> | <p>while the appeal of the final decision is pending, cash assistance may be continued at the previous amount pending the hearing decision.</p>       |
| <p>the applicant or recipient files a petition for judicial review of the final decision and any change occurs that affects eligibility,</p>   | <p>while the appeal of the final decision is pending, the benefits are changed as needed and OGC notified.</p>  |
| <p>the agency files a petition for judicial review of the final decision within 30 days after the date of the service of such decision that was not in the agency’s favor,</p>   | <p>the agency will not take any action on the final decision until a superior court order is issued on the agency’s petition for judicial review.</p> |

DHS/DFCS is required to act timely on the decision issued by the superior court on a petition for judicial review, which may result in corrective payments (i.e., overpayment or underpayments).

# Appendix D Case Record Document Management

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Case Record Document Management   |                       |
|   | <b>Effective Date:</b>                                  | May 2023                          |                       |
|   | <b>Chapter:</b>   | Appendix D                        | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 61   | <b>Updated or Reviewed in MT:</b> | MT-72                 |

## Requirements

The Web-Center Enterprise Capture (WEC) system, used to scan and upload documents directly into the Integrated Eligibility System (IES), must be maintained in such a way that it is readily accessible and contains the documents necessary to support all actions taken regarding the case.

## Basic Considerations

This section outlines statewide business processes to add, search, and view documents in WEC. Georgia's new IES maintains an electronic case file of all scanned information for the AU, eliminating the need for a hard copy case record.

A document gets scanned to WEC or is uploaded directly to IES using the Document Management module.

## Permanent Verification Section

A case has three sections as outlined below:

- permanent verification
- benefits support
- claims

All documents that verify information that does not change must be filed in WEC. When needed, the following items must be filed:

- documents verifying age, identity, and citizenship,
- copies of Social Security cards,
- other legal documents such as a marriage license, divorce decree, verification of death, and custody or guardianship papers,
- most current HIPAA Form,
- Form 138, Form 194,

- any other documents considered permanent verification by the county department

## Application and Annual Review

The following types of information related to an initial application for assistance must be filed in WEC:

- Form 297, Application for TANF, Food Stamps and Medical Assistance
- Form 297A, Rights and Responsibilities
- Form 354, Expense Statement
- all verification provided for the application process other than permanent verification
- copies of all communications with the AU that are not maintained in the system
- all paperwork completed and/or signed by the AU

## Interim Change

The following types of information related to interim changes must be filed in WEC:

- copies of written referrals
- all verification provided for the processing of the interim change
- copies of all communication with the AU that are not maintained in the system
- all paperwork completed or signed by the AU.

Employment Services (ES) information must be maintained in WEC.

## Employment Service Records

- Form 196A, The TANF Family Service Plan -Work Plan
- All attendance sheets for participation in all work activities
- All documents related to Assessments, Referrals, 30-day reviews, Conciliations, and Sanctions

Once the documents are scanned and/or saved workers can follow these steps to add the documents to IES:

1. Select **Add Documents** from the **Document Management** module located in **Others** module
2. Select the type of document to add from the **Document Type** drop-down menu. (This is a mandatory field)
3. Enter the case or application number into the **Case#** or **Application#** field.
4. Select the client's name from the **Client ID** drop-down field. (This is a mandatory field)
5. Select the **Browse** button from the **Path of the file** field to navigate through the computer to find the document that you want to add.
6. Click the **ATTACH** button. A results page displays with the documents in a list.
7. Repeat steps 2-6 until the added the desired number of documents is done.

8. Click the **SUBMIT** button. The **View Documents Details** page displays.
9. Make note of the numbers logged in the **Document#** and **Transaction#** fields for future reference.

## Searching for Documents

When searching for documents, be sure to attempt both **Case** and **Other Criteria** to ensure that all options have been exhausted to find documents related to the customer's case or application.

### Case

1. Select **Search Documents** from the **Document Management** module.
2. Select the **Case** radio button to search on a known case number.
3. Populate the necessary fields to find documents on the case or client.
4. Click the **SEARCH** button.
5. Review the results that display and take action as needed.

### Other Criteria

1. Select **Search Documents** from the **Document Management** module.
2. Select **Other Criteria** radio button to search criteria other than information on the case.
3. Populate the necessary fields to find documents on the client.
4. Click the **SEARCH** button.
5. Review the results that display and take action as needed.

The **View Document Details** page displays the document details of the applicant group's searched document on file. This page displays **Case** or **Application #**, **Client ID**, **Document Type**, **Document #**, **Transaction #**, and **View/Download Document**.

From the Gateway home page:

1. Select **Search Documents** in DIS.
2. Start with the client ID and try a case or application number. If that does not work, use other parameters.
3. Select Search - do not select enter.
4. Stroll down and click on the eyeglasses to the right.
5. Select view document, **View Document Details** page.
6. A popup page with the documents is displayed.

Select **Validate** at the bottom of the page to validate the document information.

### Link

The **Link** and **Delink** page provide detailed information about the document that was searched.



From this page workers link the document to another case or individual.

Also, from this page workers can delink the document from a prior case or individual if needed. Select **Link** and **Delink** at the bottom of the page to link or delink the document to a case or client.

1. Populate the **Case #**, **Application #**, or **Client** fields in the **Link Documents to Case/Application/Client** section as needed to link them to the document.
2. Click the **Link** button.

### **Delink**

1. Review the list of cases, applications, or individuals that are currently linked to the document.
2. Select the **Delink** option from the link table for the desired record.

## **Retention of Materials for Active cases, Inactive cases, and Claim Files**

### **Retention of Materials for Active Cases**

Materials associated with and relevant to the most recent application for assistance and ES support services must be retained indefinitely.

Materials in case records relative to the establishment of eligibility must be retained for three years. All material three years and older may be destroyed, with the following exceptions:

- materials associated with and relative to the most recent application,
- notice of abandonment,
- all reports, forms and medical information used in establishing disability or incapacity,
- any verification used to establish eligibility factors on which current eligibility is based.
- ES files including record of the payment of all support services

The forms and/or materials listed above must be retained in the case record until they are no longer applicable to current eligibility or until the case record is destroyed in the same manner as an inactive case record.

Case record material must be retained if a Federal or State audit of the case record is in progress, or if the case is involved in a fraud investigation or in a hearing.

Inactive case record material must be retained for a period of three years dating from the calendar month in which the most recent activity took place. Case material may be purged or destroyed when no activity has taken place for a period of 36 consecutive calendar months.

### **Retention of Materials for Inactive Cases**

All claims in open or suspended status in Georgia Gateway must have a file. Closed Claim files must be retained for 3 years and through one county fiscal audit.

## **Claim Files Retention**

IPV disqualification documents must be kept permanently. Documents include:

- Disposition information
- Court order/consent agreement
- Hearing decision/Waiver of Disqualification Hearing (WDH)

Office of Inspector General (OIG) claim information other than the disqualification documents may be purged according to program policy.

## **Computer Generated Reports**

Computer-generated reports are considered case record material and therefore must be retained for a period of three years from the month in which the last activity took place. Documentation for any computer-generated report must also be retained for three years.

# Appendix E Glossary

## ACRONYMS / ABBREVIATIONS

|          |  |
|----------|--|
| ACF      | Administration for Children and Families                   |
| ADA      | Americans With Disabilities Act                            |
| ADH      | Administrative Disqualification Hearing                    |
| AE       | Agency Error   |
| AFB      | Apply for Benefits   |
| AFDC     | Aid to Families with Dependent Children (Replaced by TANF) |
| AFDC-UP  | AFDC-Unemployed Parent (Replaced by two-parent household)  |
| ALJ      | Administrative Law Judge                                   |
| AP       | Absent Parent  |
| APO      | Adult Probation Office                                     |
| AR       | Appeals Reviewer   |
| A/R      | Applicant/Recipient  |
| ARM      | AFDC-Related Medicaid                                      |
| ASVI     | Alien Status Verification Index                            |
| AU       | Assistance Unit  |
| BAD      | Begin Authorization Date                                   |
| BEERS    | Beneficiary Earnings Exchange Record System                |
| BENDEX   | Benefit Data Exchange System                               |
| BC       | Birth Certificate  |
| BG       | Budget Group (also referred to as EDG)                     |
| CAA      | Community Action Agency                                    |
| CAPS     | Childcare and Parent Services                              |
| CDR      | Caseworker Distribution Report                             |
| DOL      | Department of Labor  |
| DRS      | Division of Rehabilitative Services                        |
| DRS      | Disqualified Recipient Subsystem                           |
| DV       | Domestic Violence  |
| E&R      | Evaluation & Reporting                                     |
| E&T      | Employment and Training                                    |
| EBT      | Electronic Benefits Transfer                               |
| EDC/EDD  | Estimated Date of Confinement/Estimated Date of Delivery   |
| EIS      | Employment Intervention Services                           |
| EITC/EIC | Earned Income Tax Credit/Earned Income Credit              |
| EMA      | Emergency Medical Assistance                               |
| EPSDT    | Early and Periodic Screening Diagnosis and Treatment       |

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| ESL      | English as a Second Language   |
| ESS      | Economic Support Services  |
| EV       | Equity Value   |
| EW/CW/CM | Eligibility Worker/Caseworker/Case Manager   |
| FC       | Foster Care  |
| FAST     | Free and Secure Trade Card   |
| FEMA     | Federal Emergency Management Agency  |
| FMV      | Fair Market Value  |
| FNS      | Food and Nutrition Service   |
| FPL      | Federal Poverty Level  |
| FRP      | Family Resettlement Program  |
| FS       | Food Stamps  |
| FSP      | Food Stamp Program   |
| FVO      | Family Violence Option   |
| GA       | General Assistance   |
| GED      | General Educational Development Certificate  |
| GIC      | Gross Income Ceiling   |
| GRG      | Grandparents Raising Grandchildren   |
| HIPAA    | Health Insurance Portability and Accountability Act  |
| HIPP     | Health Insurance Premium Payment Program   |
| HUD      | Housing and Urban Development  |
| IDA      | Individual Development Account   |
| IEI      | Intake Eligibility Investigator  |
| IEVS     | Income and Eligibility Verification System   |
| IES      | Integrated Eligibility System  |
| IHE      | Inadvertent Household Error  |
| INA      | Immigration and Naturalization Act   |
| INS      | Immigration and Naturalization Service(obsolete)   |
| IPV      | Intentional Program Violation  |
| IRS      | Internal Revenue Service   |
| IT       | Information & Technology   |
| JOBS     | Job Opportunities and Basic Skills   |
| JTPA     | Job Training Partnership Act   |
| LPR      | Lawful Permanent Resident  |
| LSO      | Legal Services Office  |
| MAO      | Medical Assistance Only  |
| MH/DD/AD | Mental Health, Developmental Disabilities and Addictive Diseases, Division of (formerly, the Division of MH/MR/SA) |
| MEO      | Medicaid Eligible Only   |
| MIS      | Management Information Systems   |

|          |   |
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| MH/MR/SA | Mental Health/Mental Retardation/Substance Abuse, Division of                 |
| MMC      | Merchant Mariner's Credential   |
| MN       | Medically Needy   |
| MNIL     | Medically Needy Income Level  |
| MPG      | Maintenance, Physical Care and Guidance                                       |
| MR       | Monthly Reporting   |
| MSP      | Monthly Subsidy Payment   |
| NLA      | Newly Legalized Alien   |
| NVRA     | National Voter Registration Act   |
| OFA      | Office of Fraud and Abuse   |
| OI/OP    | Over-issuance/Overpayment   |
| OIS      | Office of Investigative Services (formerly, the Office of Fraud and Abuse)    |
| OJT      | On-the-Job Training   |
| ORR      | Office of Refugee Resettlement  |
| OSAH     | Office of State Administrative Hearings                                       |
| PA       | Public Assistance   |
| PAC      | Prosecuting Attorney Consent Agreement  |
| PCET     | Pending Case Entry Transaction  |
| PHASE    | Encompasses job readiness levels  |
| PIC      | Private Industry Council  |
| PRUCOL   | Permanently Residing Under Color of Law                                       |
| PRWORA   | Personal Responsibility and Work Opportunity Reconciliation Act               |
| NCP      | Non-custodial Parent  |
| PRP      | Personal Responsibility Plan (Included in TANF Family Service Plan Section A) |
| PWP      | Personal Work Plan (replaced by TANF Family Service Plan)                     |
| QC       | Quality Control   |
| RAW      | Replenishment Agricultural Worker   |
| RCA      | Refugee Cash Assistance   |
| RFW      | Ready for Work  |
| RMB      | Renew my Benefits   |
| RMC      | Report my Change  |
| RRP      | Refugee Resettlement Program  |
| RSDI     | Retired, Survivors, Disability Insurance                                      |
| RSM      | Right from the Start Medicaid   |
| SAVE     | Systematic Alien Verification for Entitlements                                |
| SAW      | Special Agricultural Worker   |
| SENTRI   | Secure Electronic Network for Travelers Rapid Inspection                      |

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| SFU  | Standard Filing Unit  |
| SMEU   | State Medical Evaluation Unit   |
| SON  | Standard of Need  |
| SOP  | Standard of Promptness  |
| SSA  | Social Security Administration  |
| SSI  | Supplemental Security Income  |
| SSN  | Social Security Number  |
| SSW  | Social Service Worker   |
| SVES   | State Verification and Exchange System  |
| TANF   | Temporary Assistance for Needy Families   |
| TCC  | Transitional Child Care   |
| TCN  | Transaction Control Number  |
| TFSP   | TANF Family Service Plan  |
| TMA  | Transitional Medical Assistance   |
| TPL  | Third Party Liability   |
| TPR  | Third Party Resource  |
| TSS  | Transitional Support Services   |
| TSA  | Transitional Shelter Assistance   |
| UCB  | Unemployment Compensation Benefits  |
| USDA   | United States Department of Agriculture   |
| USCIS  | United States Citizenship and Immigration Services  |
| VA   | Veterans Administration   |
| VR   | Vocational Rehabilitation Program   |
| WDH  | Waiver of Disqualification Hearing  |
| WEC  | WebCenter Enterprise Capture  |
| WIA  | Workforce Investment Act  |
| WIC  | Women, Infants and Children program   |
| WSP  | Work Support Payments   |
| WTW  | Welfare to Work   |
| Absent Parent (see non- custodial parent)      | A parent whose continued absence from the home interrupts or terminates the parent's ability to provide maintenance, physical care, or guidance for the child.  |
| Adequate Notice                                | A written communication provided by the agency to the AU no later than the date on which the action is taken. The notice must specify the action taken, the effective date of the action, and a manual reference as a basis for the action.                   |
| Administration for Children and Families (ACF) | The federal agency that administers and provides funding for TANF, child support, childcare, Head Start, child welfare, and other programs relating to children and families.<br><br>ACF is a part of the U.S. Department of Health and Human services (HHS). |

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| Administrative Law Judge (ALJ)                | The legal officer responsible for dismissing a hearing request or conducting a hearing and issuing a decision based on the hearing findings.   |
| Adoption Assistance                           | A cash subsidy paid to adoptive parents for children who meet the DHR definition of special needs. The income is excluded for TANF budgeting purposes.   |
| Aid to Families with Dependent Children       | <p>State-administered cash assistance program for low-income families with minor dependent children. The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 eliminated the AFDC program and its open-ended entitlement.</p> <p>The PRWORA created the Temporary Assistance to Needy Families (TANF) block grant. However, some AFDC policies and procedures continue to be used in Medicaid classes of assistance.</p> |
| Alien   | An individual residing in the United States who is not a U.S. citizen.   |
| Allocated Income                              | A portion of the total income of the TANF caretaker or eligible adult, set aside for the purpose of meeting the needs of individuals ineligible for inclusion in the TANF AU.  |
| Allocation Budget                             | A budget computed to show the amount to deduct from the total income of the TANF caretaker or eligible adult as the allocated share for an ineligible household member for whom the caretaker or adult is financially responsible.   |
| Americans with Disabilities Act of 1990 (ADA) | Federal legislation giving civil rights protections to individuals with disabilities. These protections are similar to those provided to individuals on the basis of, for example, race, color, gender, age and religion.  |
| Applicant/Recipient (A/R)                     | The applicant for or recipient of TANF, Food Stamps or Medical Assistance.   |
| Application                                   | <p>A written request for assistance.</p> <p>OR</p> <p>The action by which an individual indicates in writing a desire to receive assistance. The date of an application is the date on which a local DFCS office receives a signed application.</p>  |
| Arrears                                       | Unpaid child support payments for past periods owed by a parent who is obligated to pay.   |
| Assistance                                    | Cash payments, vouchers, and other forms of benefits that are paid for with TANF funds and are designed to meet a family's ongoing basic needs (for food, clothing, shelter, utilities, household goods, etc.), including support services such as transportation and childcare provided to families who are not employed. Some TANF requirements apply when federal TANF or state MOE funds pay for "assistance" provided under the TANF program.   |
| Assistance Unit (AU)                          | A group of individuals who are eligible to receive TANF. These individuals may be members of the standard filing unit or may be non-SFU individuals who are related to and living with the grantee relative.   |

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| Assistance Unit Delay                     | A delay in the disposition of a case action beyond established timeliness standards that is caused by the AU's failure to report a change, keep an appointment, or provide requested information.   |
| Assistance Unit ID Number                 | A unique nine-digit number assigned by the system to each AU.   |
| Asylee                                    | <p>An alien who is seeking entry into or who may already be in the U.S., and who seeks asylum in the U.S. because of an inability or unwillingness to return to his/her country of nationality, or to seek the protection of that country because of persecution or a well-founded fear of persecution.</p> <p>Persecution or the fear thereof must be based on the alien's race, religion, nationality, membership in a particular social group, or political opinion.</p> <p>Asylum status and refugee status are closely related, differing only in the place where a person asks for the status. Asylum status is requested in the U.S., while refugee status is asked for outside of the U.S. In order to be granted asylum, a person must meet the definition of a refugee.</p> |
| Authorized Representative (Auth Rep)      | Someone who you choose to act on your behalf, like a family member or other trusted person. Some authorized representatives may have legal authority to act on your behalf.   |
| Beneficiary Data Exchange System (BENDEX) | A file that contains RSDI benefit information on individuals who are current or past recipients of public assistance.   |
| Blended Family                            | A family comprised of two parents with at least one mutual child, with at least one of the parents also having a child from another relationship.   |
| Boarder                                   | An individual to whom lodging and meals are furnished and who pays a reasonable compensation in exchange for the lodging and meals.   |
| Bona fide effort to sell                  | An effort made in good faith and without an intent to deceive or commit fraud, to sell real or personal property that would otherwise be a countable resource. The property is an excluded resource while an AU is making a bona fide effort to sell it.  |
| Budget Group (BG)                         | A term that refers to all AU members and the financially responsible parents who live with them.  |
| Capital Gains                             | A profit realized from the sale of financial assets, whether they be stocks, goods or equipment.  |
| Caretaker                                 | An individual who meets the specified degree of relationship for TANF, and who is included in the AU as a recipient of cash assistance. A parent living with a child for whom TANF is requested must be included as a caretaker, unless ineligible, penalized or disqualified. A non-parent can be included or not included in the AU. The caretaker receives cash assistance in his/her name.  |
| Cash Surrender Value (CSV)                | The equity value, or the amount of money an owner of a life insurance policy will receive upon cashing the policy. The CSV may or may not be an excluded resource.  |
| Cash Value                                | The value of a liquid resource.   |



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| Child   | <p>A person less than 18 years of age or considered to be a minor under State law, including a fetus with a detectable human heartbeat.</p> <p>OR</p> <p>An individual who is neither married nor the head of household and is (1) under the age of 18, or (2) under the age of 20 and a student regularly attending a school, college, or university or a course of vocational or technical training designed to prepare him/her for gainful employment.</p>  |
| Child-Only Case   | A TANF case in which no eligible adult is included in the AU.  |
| Children’s Health Insurance Plan (CHIP)                           | CHIP was established by the Balanced Budget Act of 1997 and enacted by adding Title XXI to the Social Security Act and amending the Medicaid statute. CHIP provides funds to enable states to initiate and expand the provision of child health assistance to uninsured, low-income children.  |
| Citizen   | An individual born in one of the fifty states, the District of Columbia, Puerto Rico, Guam, or the U.S. Virgin Islands; was born abroad to two U.S. citizens; who has fulfilled the requirements and completed the process of naturalization. See section 1310 in the policy manual for additional citizenship criteria.   |
| Civilian Health and Medical Plan for Uniformed Services (CHAMPUS) | Health insurance available to veterans of the armed services and their dependents.   |
| Claim   | An overpayment of benefits that has been scheduled for recovery.   |
| Collateral Contact  | A written or verbal confirmation of an AU’s circumstances by an individual who is not a part of the AU but who is knowledgeable of the AU and its circumstances.   |
| Commingled Funds  | <p>The inclusion or combination of both excluded and countable assets within a single financial account.</p> <p>OR</p> <p>State funds that are spent within the TANF program and are commingled with federal funds. These expenditures may count toward both the State’s maintenance-of-effort (MOE) and are subject to federal TANF rules.</p>  |
| Common-Law Marriage   | <p>A marriage that exists by mutual agreement without benefit of a religious or civil ceremony in which two adults live together, consider themselves to be married to each other, present themselves to the community as husband and husband, wife and wife or husband and wife, and are legally free to marry.</p> <p>As of 1997, Georgia law does not recognize new common-law marriages. Relationships that met common-law marriage criteria prior to the change in Georgia law continue to be recognized as such.</p> |

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| Community Action Agency (CAA)               | <p>A nonprofit organization, which can be either private or public, that is part of a network of entities established under the Economic Opportunity Act of 1964 for the purpose of combating poverty.</p> <p>Funded by the Federal government, CAAs are approved by the Governor’s Office and administered locally. The programs and services provided by CAAs may differ from one local agency to another. Services can include Head Start, employment services, emergency assistance, transportation, home weatherization, and assistance with utility bills.</p> |
| Compliance                                  | The act of successfully completing a requirement that the client had previously failed to fulfill, that failure having resulted in the commission of a material violation and the application of a first sanction.   |
| Conciliation                                | The process by which, irrespective of the existence of good cause, the case manager and the client reconcile the reason the client committed a material violation.   |
| Conciliated Material Violation              | A first material violation of a PRP or PWP that has been successfully reconciled, so that no sanction is applied.  |
| Continued Absence                           | A basis of deprivation, whereby the absence of a parent from the home is of an indefinite duration and has been found to interrupt the parent’s ability to function as a parent.   |
| Conversion Factor                           | <p>The numerical factor used to convert income received more frequently than monthly to a monthly amount.</p> <p>For income received weekly, multiply by <math>4\frac{1}{3}</math> or 4.3333</p> <p>For income received biweekly (every two weeks), multiply by <math>2\frac{1}{6}</math>, or 2.1666.</p> <p>For income received semimonthly (twice a month), multiply by 2.</p>   |
| Core (Primary) Activities                   | Core Activities count towards the Federal Work Participation Rate.   |
| Cost of Living Adjustment (COLA)            | <p>A scheduled increase in federal benefit amounts, based on a formula that accounts for various economic factors.</p> <p>Changes are typically effective in January of a new calendar year.</p>   |
| Court Order                                 | A legally binding edict issued by a court of law. An order related to child support can dictate how often, how much, what kind of support a non-custodial parent is to pay, how long he or she is to pay it, and whether an employer must withhold support from their wages.   |
| Crisis Intervention Service Payment (CRISP) | A one-time cash payment that is available to a grandparent, who is exercising care and control of his/her grandchild and who needs this assistance to meet the extra expenses associated with the grandchild (ren)'s living in the home.   |

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| Cuban/Haitian entrant                  | A status accorded to 1) Cubans who entered illegally or were paroled into the U.S. between 4/15/80 and 10/10/80, and 2) Haitians who entered illegally or were paroled into the country before 1/1/81. Cubans and Haitians meeting these criteria and who have lived continuously in the U.S. since before 1/1/82 may attain permanent residence status under a special provision. |
| Current Market Value (CMV)             | The resale value of a non-liquid resource. Also, refer to Equity Value (EV).   |
| Custodial Parent                       | The parent who lives in the home and cares for his/her child.  |
| Custody Order                          | A legally binding determination that establishes with whom a child shall live.   |
| Deduction                              | An amount of money subtracted from an AU's countable gross income in order to determine the AU's countable net income.   |
| Deeming                                | The budget process by which the income of a non-AU member is considered available to the AU to meet the financial needs of an AU member for whom the non-AU member has financial responsibility. Income is deemed from a stepparent or a parent of a minor caretaker.  |
| Deemed Income                          | The amount of income of a stepparent or a parent of a minor caretaker that is counted as unearned income in the TANF AU's budget.  |
| Deemed Meeting                         | A special provision that allows certain TANF clients to meet federal work requirements by averaging fewer than thirty hours per week in countable work activities.   |
| Department of Community Health (DCH)   | The agency responsible for maximizing Georgia's health care resources, planning health coverage for uninsured Georgians, coordinating health planning for state agencies, and insuring individuals under the State Health Benefit Plan and various Medicaid programs and DCH initiatives.  |
| Department of Human Resources, Georgia | The Georgia state agency responsible for the delivery of Health and Social Services. One of the largest agencies in state government, it serves Georgia through regulatory inspection, direct service and financial assistance programs.   |
| Department of Medical Assistance (DMA) | The division under DCH that is responsible for administering the Medicaid program in Georgia.  |
| Dependent Care                         | Expenses paid by an AU for the care of a child or incapacitated household member.  |
| Depreciation                           | A decrease in the value of business property.  |
| Deprivation                            | A condition that must exist in order for a child to be potentially eligible for TANF. Deprivation can be caused by the following factors: a parent's absence from the home, death, incapacity, or recent connection to the workforce.  |

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| Disability                                      | <p>A physical or mental condition that, as defined by the ADA, is relevant to TANF policy and practice. The ADA defines a person with a disability as one who:</p> <ul style="list-style-type: none"> <li>• has a physical or mental impairment that substantially limits one or more of that person’s major life activities.</li> <li>• has a record of such impairment.</li> <li>• is regarded as having such impairment.</li> </ul> <p>An individual with a disability is not necessarily disabled.</p>   |
| Disability Adjudication Section (DAS)           | <p>A part of the Division of Rehabilitative Services (see below), DAS staff make decisions on disability claims filed with the Social Security Administration (SSA). Persons who have limited income and resources may file Supplemental Security (SSI) disability claims for consideration by the same medical standards as used for the SSA insured worker. The SSA provides the rules and regulations that govern the decision-making process, the appeals process, and all funding.</p>  |
| Disabled  | <p>A disabled individual is one with a physical or mental impairment that limits the individual’s ability to engage in gainful employment making it impossible for the disabled individual to support him/herself.</p>   |
| Disqualification                                | <p>The consequence of an action taken to remove the needs of an individual from the assistance unit for an adjudicated intentional program violation or adjudicated misrepresentation of residency.</p>  |
| Division of Child Support Services (DCSS)       | <p>A division within DHS that administers the child support enforcement program that federal law requires all states to operate in order to enforce an absent parent’s obligation to support his/her child.</p> <p>The federal office was created by Title IV-D of the Social Security Act in 1975 and is responsible for the administration of the child support program and for the development of child support policy. Federal DCSS is part of the Administration for Children and Families (ACF), which is within the Department of Health and Human Services (DHHS).</p> |
| Division of Family and Children Services (DFCS) | <p>A division within the Georgia Department of Human Services, DFCS is responsible for the TANF, Food Stamp, and Medicaid programs. The division is also responsible for child and adult protective services, foster care, adoption assistance and other social services intended to assist families in crisis.</p>  |
| Division of Rehabilitative Services (DRS)       | <p>The Division of Georgia Vocational Rehabilitation Agency (GVRA) operates a variety of programs for persons with disabilities. One of the largest programs is the Vocational Rehabilitation (VR) program.</p> <p>The VR Program is intended to assist people with disabilities to work and to provide employers with dependable, qualified employees.</p> <p>DRS also operates the Disability Adjudication Section (DAS) and Roosevelt Warm Springs Institute for Rehabilitation.</p>  |

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| Domestic Violence Assessor (DVA)                               | <p>A trained individual who meets with a family for the purpose of completing an assessment of the family's circumstances if someone in that family which is applying for or receiving TANF is suffering from domestic violence.</p> <p>The DVA develops a service plan, makes referrals for the family as needed, and makes recommendations to the DFCS case manager in order to assist the family in extricating itself from its dangerous situation.</p> |
| Earned Income  | Money received in exchange for services rendered by the individual who receives the money.  |
| Earned Income Tax Credit (EITC), or Earned Income Credit (EIC) | A refundable Federal income tax credit for low-income working individuals and families. Originally approved in 1975, the EITC was intended to help offset the burden of social security taxes and to provide an incentive to work. For a qualified individual, the credit reduces the amount of Federal income tax owed and can also result in a cash payment for a working person who does not earn enough to pay any income tax.                          |
| Employment Intervention Services (EIS)                         | Used to assist TANF recipients in meeting the goal of becoming independent of the need for government assistance. It is available to applicants who have full-time jobs but are temporarily on unpaid leave due to a temporary illness, scheduled to return to work within 4 months and the AU meets the gross income ceiling (GIC) test.   |
| Electronic Benefit Transfer (EBT)                              | The method used to distribute benefits to eligible assistance units (AU) A debit card and PIN are issued to the AU. The AU uses the card and PIN at points of sale to purchase food.  |
| Eligibility Determination                                      | The process of determining, based on the correct application of policies and procedures, whether an AU and/or member of an AU are eligible to begin or continue to receive assistance.  |
| Emergency Medical Assistance (EMA)                             | A class of assistance that provides medical coverage to individuals who meet all requirements for a Medicaid COA except for citizenship/alienage and enumeration requirements and who require or have received an emergency medical service.  |
| Emergency Payee  | An individual, acting on behalf of an AU in an emergency, to whom TANF benefits are made payable for a period not to exceed three months.   |
| Enumeration  | The process by which a Social Security number (SSN) is obtained and validated.  |
| Estimated Date of Delivery (EDD)                               | The date estimated by a qualified medical professional to be the date on which a pregnant woman will give birth.  |
| Equity Value (EV)  | The fair market value of a resource less encumbrances or legal debts.   |
| Expunged Benefits  | Benefits that have not been accessed by an AU are eventually deleted from the AU's EBT account. For TANF benefits, expungement occurs 270 days from the last debit. Correctly expunged benefits cannot be returned to the AU.   |
| Face Value (FV)  | The amount of money payable to the beneficiary of a life insurance policy.  |

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| Fair Hearing                               | A request by an AU to have an opportunity to dispute an action taken by the agency.   |
| Fair Market Value                          | The amount of money for which an item can sell on the open market.  |
| Family                                     | A group of one or more custodial parents and their child(ren), or a child(ren) living with an adult caretaker relative, or a pregnant individual.   |
| Family Maximum                             | The maximum amount of monthly cash assistance that can be paid to an AU based on the number of individuals in the AU.   |
| Family Medicaid (FM)                       | The maximum amount of monthly cash assistance that can be paid to an AU based on the number of individuals in the AU. Comprised of a variety of COAs, each with its own specific eligibility criteria, it provides Medicaid benefits for a low-income family or for an individual who is not receiving SSI or any ABD Medicaid COA.   |
| Family Resettlement Program (FRP)          | A program that can provide housing assistance to a TANF AU (including an AU whose cash assistance has been recently closed) that is already homeless or in immediate danger of becoming homeless.   |
| Family Violence Option (FVO)               | <p>The Family Violence Option permits a state to waive program requirements for a victim of domestic violence if complying with the requirements would make it more difficult for the victim to escape domestic violence or would unfairly penalize the individual. Under the FVO, a state must also develop a system to screen for victims of domestic violence and refer them to appropriate counseling and supportive services.</p> <p>Georgia has elected to exercise the FVO.</p>  |
| Federal Benefit Rate (FBR)                 | The maximum SSI benefit based on an individual's living arrangement and marital relationship. The FBR is used as the income limit in determining eligibility for SSI and some ABD COAs.   |
| Federal Countable Income (FCI)             | Net income, consisting of gross income less income exclusions and deductions, used to determine eligibility when employing the FBR as the income limit.   |
| Federal Emergency Management Agency (FEMA) | FEMA is an independent federal agency that reports to the President. It often works in partnership with other organizations that are part of the nation's emergency management system. These partners include state and local emergency management agencies, as well as other federal agencies and the American Red Cross.  |
| Federal Poverty Level (FPL)                | <p>The Federal Government's official income level for establishing poverty, called the Federal Poverty Guidelines or the Federal Poverty Level. The benefit levels of many low-income assistance programs are based on these poverty figures. The FPL is updated in February of each year.</p> <p>Official poverty data are collected by the Census Bureau, which uses a set of income thresholds that vary by family size and composition to determine who the government will regard as poor. Poverty thresholds are updated annually for inflation using the Consumer Price Index.</p> |

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| Federal Tax Refund Offset Program | <p>A program that collects past due child support amounts from non-custodial parents through the interception of their Federal income tax refund, or an administrative payment, such as Federal retirement benefits.</p> <p>The cooperation of states in the submittal of cases for tax interception is mandatory. The program is operated in cooperation with the Internal Revenue Service, the U.S. Department of Treasury’s Financial Management Service (FMS), the U.S. Department of State, and the Division of</p> <p>Child Support Services (DCSS) Agencies.</p>         |
| Food and Nutrition Service (FNS)  | <p>The agency that administers the nutrition assistance programs of the</p> <p>U.S. Department of Agriculture. These programs include the Food Stamp Program, the National School Lunch and School Breakfast programs, the Child and Adult Care Food Program, and the Special Supplemental Program for Women, Infants and Children (WIC).</p>   |
| Fetus/Fetuses                     | An unborn child or children.  |
| Food Stamp Program                | <p>The Food Stamp Program is administered by the U.S. Food and Nutrition Service and is intended to enable low-income families to buy nutritious food via Electronic Benefits Transfer (EBT) cards. A food stamp recipient can spend benefits to buy eligible food in authorized retail food stores.</p> <p>The FS Program provides crucial support to needy households and to those making the transition from welfare</p>   |
| Food Stamp Disaster Plan (DSNAP)  | A written plan for the State of Georgia that provides policy and procedures for issuing food stamp benefits during times of declared state and federal disasters.   |
| Foster Care                       | A Federal-State program that provides financial support to a person, family, or institution that is raising a child or children that are not their own.   |
| The Free and Secure Trade (FAST)  | <p>The Free and Secure Trade (FAST) program is a federal program. It is commercial clearance designed to ensure safety and security while expediting legitimate trade across the Canada–U.S. border.</p> <p>The United States citizens who wish to become members of FAST must verify their citizenship and identity prior to approval of their request. After approval, they can use their FAST membership card as an alternative to their passport when entering the United States by land or water or when verifying their identity or citizenship for any other reason.</p> |
| Gap Budgeting                     | Budgeting that allows for a filling of the gap that exists between the standard of need and the family maximum grant amount for an AU.  |

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| Gap Payment                                 | <p>The amount of child support that is paid by DCSS to a TANF-eligible child and that is limited to the difference between the AU's standard of need and its maximum grant amount.</p> <p>When an absent parent pays child support to DCSS for a child who receives TANF, DCSS retains the child support received that exceeds the gap amount and it is reimbursed to the state.</p>     |
| Georgia Benefit Amount (GBA)                | The amount of cash assistance an AU receives based on the AU's circumstances while residing in Georgia and using Georgia's standard of need, income limits, and family maximum.  |
| Good Cause                                  | The inability of an AU, for reasons outside of the control of the AU, to provide requested information or meet deadlines.  |
| Good Cause (DCSS-specific)                  | <p>A legal reason for which a TANF recipient is excused from cooperating with the child support enforcement process.</p> <p>Valid reasons include past physical harm by the child's parent, situations in which rape or incest resulted in the conception of the child, and situations in which a parent is considering placing her child for adoption.</p>                              |
| Grantee Relative                            | An individual who meets the specified degree of relationship for TANF, assumes responsibility for the children for whom TANF is requested, and receives cash assistance in his/her name on behalf of the children. The grantee relative may be included in the assistance unit as a caretaker, or may be a payee only, or a pregnant woman or pregnant minor with no dependent children. |
| Gross Income Ceiling (GIC)                  | A number, based on a percentage of the federal poverty level for an AU size, which if exceeded by an AU's gross income causes the AU to be ineligible for assistance.  |
| Gross Income Ceiling test                   | A budget procedure by which an AU's gross income is compared to a percentage of the federal poverty level to determine eligibility.  |
| Hardship Waiver                             | A temporary waiver to the TANF lifetime limit, based on the existence of a hardship as defined by the State, that has been or continues to be a barrier to an AU's attainment of self-sufficiency.   |
| Health Care Financing Administration (HCFA) | The section within the Department of Health and Human Services (HHS) which has the primary administrative responsibility for the Medicaid program.   |



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| <p>Health and Human Services (HHS), U.S. Department of</p>         | <p>The U.S. government's principal agency charged with protecting the health of Americans and providing essential human services, particularly for those with low income and financial resources.</p> <p>Divisions within HHS include the:</p> <ul style="list-style-type: none"> <li>• Administration on Aging (AoA)</li> <li>• Administration for Children and Families (ACF)</li> <li>• Centers for Disease Control and Prevention (CDC)</li> <li>• Food and Drug Administration (FDA)</li> <li>• National Institutes of Health (NIH)</li> </ul>   |
| <p>Health Insurance Portability and Accountability Act (HIPAA)</p> | <p>The HIPAA, passed by the U.S. Congress in 1996, is designed to protect health insurance coverage for workers and their families when they change or lose their jobs.</p> <p>HIPAA is also intended to ensure patient confidentiality for all health care related information, the act's requirements applying to any entity storing and/or transmitting patient identifiable information on electronic media.</p> <p>Another intent of HIPAA is the reduction of health care costs by transferring administrative and financial transactions from paper to electronic media. Simplification efforts mandate the establishment of standards for safeguarding the transmission and storage of private medical information.</p> <p>A failure to comply with the mandates contained in the HIPAA can result in civil and criminal penalties.</p> |
| <p>Health Insurance Premium Payment Program (HIPP)</p>             | <p>A Medicaid program that can pay for the cost of private health insurance premiums when doing so can enable DMA to shift some of the cost of medical care to a third party.</p>   |
| <p>Hearing</p>   | <p>A formal, legal investigatory session conducted by an Administrative Law Judge who evaluates testimony provided by DFCS and AU members and/or representatives of the AU to determine whether correct policies and/or procedures were implemented in the course of actions having been taken on a case.</p>   |
| <p>Home-Place</p>  | <p>The dwelling in which an AU lives and the surrounding land and outbuildings.</p>   |
| <p>Integrated Eligibility System (IES)</p>                         | <p>Eligibility system that integrates multiple programs such as TANF, Food Stamps, Medical Assistance, Peach care, Child-care, Low Income Home Energy Assistance Program (LIHEAP) and WIC.</p>  |

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| IV-A Case                                | A child support case in which a caretaker, or custodial parent, and a child are receiving public assistance benefits under Georgia’s IV-A program, which is funded under Title IV-A of the Social Security Act; i.e., TANF. Applicants for assistance from IV-A programs are automatically referred to Georgia’s IV-D agency, i.e., Child Support Enforcement (DCSS), in order to identify and locate the absent, or non-custodial, parent, establish paternity and/or a child support order, and/or obtain child support payments. This allows Georgia to recoup or defray some of its public assistance expenditures with funds from the non-custodial parent.   |
| IV-B Case                                | A child welfare IV-B case refers to Title IV-B of the Social Security Act, a small but integral part of State social service systems for families who need assistance in order to stay together. IV_B are directed to accomplish the following purposes: protect and promote the welfare of all children; prevent the neglect, abuse or exploitation of children; support at-risk families through services which allow children, where appropriate, to remain with their families or return to their families in a timely manner; promote the safety, permanence and well-being of children in foster care and adoptive families; and provide training, professional development and support to ensure a well-qualified workforce.                  |
| IV-D Case                                | A child support case in which either the custodial parent (CP) or the non-custodial parent (NCP) has requested or received IV-D services from the IV-D agency (DCSS). An IV-D case is composed of a custodial party, non-custodial parent, or putative father, and at least one dependent child. IV-D refers to Title IV-D of the Social Security Act, which requires that each state create a program to locate non-custodial parents, establish paternity, establish and enforce child support obligations, and collect and distribute support payments. All TANF recipients must be referred to (DCSS). Applications from families who do not receive public assistance must be accepted, if requested, to assist in collection of child support. |
| IV-E Case                                | A foster care case. Title IV-E of the Social Security Act established a Federal-State program known as Foster Care that provides financial support to a person, family, or institution that is raising a child or children that is not their own. The funding for IV-E Foster Care programs is primarily from Federal sources.   |
| Immigration and Naturalization Act (INA) | Created in 1952, the INA collected and codified many existing provisions and reorganized the structure of immigration law. Though amended many times over the years, the Act still constitutes the basic body of immigration law.  |
| Incapacity                               | A condition in which a parent’s ability to support or care for his/her child is eliminated or substantially reduced because of the debilitating nature of a mental or physical impairment.   |
| Income                                   | As defined by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), income is any periodic form of payment to an individual, including wages, salaries, commissions, bonuses, worker’s compensation, disability, pension, or retirement program payments and interest.   |

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| Income Based on Need                          | Payments based on financial need that are paid either in entirety or in part from federal funds, or from private charitable organizations, such as TANF, SSI and VA pensions.   |
| Income Eligibility Verification System (IEVS) | A federally operated system through which government agencies request personal data and wage and benefit information from other state and federal agencies on applicants for and recipients of federal means-tested assistance programs.  |
| Incompetent                                   | A person regarded as being incapable of managing his/her affairs including, but not limited to, the process of applying for assistance, caring for dependents or managing one's finances.   |
| Ineligible individual                         | An individual who lives in the home with AU members, and who may be a member of the SFU, but who does not meet one of the essential TANF eligibility criteria.  |
| Intentional Program Violation (IPV)           | A deliberate action by an individual in which false or misleading information is provided or information is withheld for the purpose of establishing or maintaining eligibility when eligibility does not exist or establishing or maintaining benefits at a level higher than policy requires.       |
| Interface                                     | The process which one computer database matches with another computer database in order to compare information  |
| Internal Revenue Service (IRS) match          | An interface system that provides data on leads for investigating unreported unearned income and/or undisclosed resources.  |
| Intervening Months                            | A period beginning in the month in which an application for assistance is filed, extending through the month in which the application is dispositioned.   |
| Job Readiness Level                           | An assessment result that establishes a TANF client's current job-readiness level. The three levels are 1) not job-ready, 2) near job-ready and, 3) job-ready.  |
| Jointly Owned Resource                        | A resource owned by an AU member and a non-AU member.   |
| Lawbreaker                                    | An individual who cannot be included in a TANF AU because s/he has been convicted of certain crimes, is fleeing to avoid prosecution for a felony, is fleeing to avoid being taken into custody or being confined due to a felony conviction, or who is violating a condition of parole or probation. |
| Legal Guardian                                | An individual granted authority by a court to provide parental care daily for another individual.   |
| Legal Father                                  | The man married to a woman at the time the woman gives birth.   |
| Legal Services Office (LSO)                   | The office within DHS that is responsible for receiving and processing all hearing requests.  |
| Lifetime Limit                                | A reference to the time-limited period during which an AU may receive cash assistance.  |
| Liquid Resources                              | Property in the form of cash, saving account, checking account, money readily available that has been entrusted to others, stocks, bonds, IRA and/or money market certificates, deferred compensation plan accounts, etc., that are convertible to cash.  |

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| Low Income Medicaid (LIM)     | A Medicaid class of assistance that provided benefits to minor and adults who do not receive SSI.   |
| Lump Sum                      | Nonrecurring income that exceeds the federal poverty level.   |
| Maintenance                   | Financial support paid directly to a child's AU or substantial in-kind contributions enough to meet the pro rata share of the child's monthly needs.  |
| Maintenance of Effort (MOE)   | The minimum amount of money Georgia must spend every year for qualified expenditures on behalf of families who meet the eligibility criteria under Georgia's TANF plan. The state must spend 80% of the amount of money it spent in FY 1994 (75% if it meets work participation requirements) under title IV- A (which included AFDC) and title IV-F (which included JOBS). |
| Managed Account               | An EBT account that has been made accessible to a third party (protective payee, emergency payee, or personal representative) designated to manage the AU's benefits.   |
| Master Benefits Record (MBR)  | The MBR is the SSA response to a DFCS query card request for verification of a client's RSDI benefits. The MBR contains data not available on either BENDEX or SDX.   |
| Material Violation            | A failure by a client, without good cause, to meet a personal responsibility, work requirement, or the requirement to report the absence of a child from the home.  |
| Meaningful Access             | The ADA requires that persons with disabilities must be afforded meaningful access to the TANF program. To provide meaningful access means that individuals with disabilities must be given the opportunity to benefit from all available resources, services, and activities to the same extent as that given to persons without disabilities.                             |
| Medicaid                      | A jointly funded, federal-state health insurance program for certain low-income and needy individuals and families.<br><br>Medicaid was established under Title XIX of the Social Security Act and became law in 1965.  |
| Medicaid Number               | A number assigned to each Medicaid recipient that must be presented to Medicaid providers for the submission of claims. Each number has a unique identifier at the end that confirms the type of Medicaid coverage and whether the number was generated by IES or DMA. Refer to Appendix C, Medicaid Issuance.  |
| Medical Assistance Only (MAO) | Public assistance that provides benefits to recipients only in the form of medical, rather than financial, assistance.  |
| Medicare                      | A federal health insurance program administered by the SSA for people 65 or older and certain disabled people.<br><br>Part A – Hospital insurance. There is no premium for this coverage for persons who have adequate credits for work under Social Security.<br><br>Part B – Supplemental medical insurance. Eligible persons must pay a monthly premium.                 |

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| Mental Health, Developmental Disabilities and Addictive Diseases, Division of (DBHDD) | The Division of Behavioral Health and Development/Disabilities (DBHDD) provides treatment to people who suffer from mental illness or substance abuse problems. (DBHDD) also provides substance abuse prevention services and support services for people with developmental disabilities. (DBHDD) was previously known as the Division of Mental Health, Mental Retardation and Substance Abuse (MH/MR/SA).   |
| Merchant Mariner Credential or MMC  | The Merchant Mariner Credential or MMC is an allowable document to verify the TANF applicants/recipients' identity. The MMC credential is issued by the United States Coast Guard in accordance with the standards of Training; The process begins with the U.S. Transportation Security Administration (TSA). The TSA verifies a mariner's identity, takes fingerprints and a photograph, The information is sent electronically to the Coast Guard for use in processing the MMC application. The MMC also contains professional qualification information listed on a merchant mariner license or Certificate of Registry as an officer |
| Middle Class Tax Act  | Prohibits the use of cash assistance funds or TANF Debit Card to withdraw cash or perform transactions at casinos, liquor stores, adult-oriented entertainment facilities, poker rooms, bail bonds, night clubs/salons/taverns, bingo halls, racetracks, gaming establishments, gun/ammunition stores, cruise ships, psychic readers, smoking shops, tattoo/piercing shops, and spa/massage salons. The use of cash assistance funds or the TANF Debit Card at these businesses will constitute an intentional program violation (fraud) on the part of the recipient.   |
| Minor   | A child under the age of eighteen years old.   |
| Minor Parent  | A parent under the age of eighteen years old.  |
| Monthly Subsidy Payment (MSP)   | Monthly Subsidy is cash assistance available for Grandparents, who are 50 years of age and older, or any age and disabled, and are raising their grandchild(ren) on a fixed income in their homes.   |
| Month of Authorization  | The month in which all programs are approved for assistance.   |
| Net Income  | An AU's total countable income after all allowable deductions have been applied in the budget process. The AU's gross income less all applicable deductions.   |
| NEXUS Card  | The NEXUS card is an approved form of document that can be used to verify identity in the TANF program. It has been approved as an alternative to the passport for the US and Canadian citizens. The holders of the Nexus card may travel by air, land, and sea into the United States under the Western Hemisphere Travel Initiative. The Nexus card includes a photo-identification and the proximity Radio Frequency Identification (RFID) of the holder.   |
| Non-Core (secondary) Activities   | Non-Core Activities are the activities that do not count towards the first 20 hours of the Federal Work Participation.   |
| Non-Custodial, Non-Supporting Parent of a Minor Child                                 | A parent who receives TANF in one AU while his or her minor child is living with and receiving cash assistance in another AU, and who does not support his/her child, as established by DCSS.  |

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| Non-Custodial Parent (see absent parent) | The parent who does not have primary care, custody, or control of a child, and who has an obligation to pay child support.  |
| Non-Financial Criteria                   | Factors not related to income and/or resources that are used in the determination of eligibility for assistance.  |
| Non-Immigrant                            | An alien who seeks temporary entry to the United States for a specific purpose. The alien must have a permanent residence abroad and qualify for the non-immigrant classification sought.   |
| Non-Liquid Resources                     | Personal possessions that, while sellable, are not readily convertible to cash.   |
| Non-Parent                               | An adult in the home who is not a biological, adoptive, or legal parent of a child.   |
| Office of Inspector General (OIG)        | A unit within the Department of Human Services, OIG investigates fraud in public assistance programs.<br><br>OIG was formerly known as the (OIS) and the Office of Fraud and Abuse (OFA) when it was established in 1979.   |
| Ongoing Month                            | The month that follows the current month.   |
| Other Eligible Adult                     | An adult, in addition to the caretaker, who is eligible to be included in the AU and has a child included in the AU.  |
| Overpayment                              | Benefits paid to an AU for which the AU was not eligible.   |
| Parent                                   | Biological, adoptive, or legal mother or father of a child.   |
| Parolee                                  | An alien who would otherwise not be admissible into the U.S., but who is allowed into the country for urgent humanitarian reasons or because the alien's entry is determined to be of significant public benefit.<br><br>The granting of parolee status does not constitute a formal admission to the U.S. but confers temporary status only, requiring parolees to leave when the conditions supporting their parole cease to exist. |
| Paternity Establishment                  | The legal determination of fatherhood by court order, administrative order, acknowledgment, or other method provided for under state law.   |
| Payee                                    | An individual who accepts responsibility for receiving cash assistance and spending the funds on behalf of the AU. A payee may or may not be an AU member.  |
| Payee Only                               | A payee who is not included as an AU member.  |
| Penalty                                  | An action taken to remove the needs of an individual from the assistance unit for failure or refusal to comply with a non-financial eligibility requirement.  |
| Periodic Review                          | A review due once annually and covering all potential points of eligibility of an AU's continuing eligibility for TANF.   |


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| Permanent Resident Alien   | <p>An alien admitted to the United States as a lawful permanent resident. Lawful permanent residents are legally accorded the privilege of residing permanently in the United States.</p> <p>A permanent resident alien may also be known as a “permanent resident”, “lawful permanent resident”, “resident alien permit holder”, or a “green card holder”.</p>   |
| Personal Representative (PR)   | A person who is in a position to know the financial and non-financial circumstances of a client, but who is not necessarily “financially responsible” for the client. A PR may make an application for a client.  |
| Personal Responsibility Plan (PRP) (See also TFSP)                       | A PRP is developed for each TANF family. Every parent with children receiving TANF and every caretaker relative who receives TANF on behalf of children in the home must complete his or her own PRP. The plan defines the individual’s personal responsibilities, emphasizes the contractual nature of assistance, and focuses on the goal of attainment of self-sufficiency. (see also TFSP)  |
| Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) | The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Public Law 104-193) eliminated the open-ended entitlement of AFDC. The PRWORA created a block grant for states to provide time-limited cash assistance for needy families, with work requirements for most recipients. The law also made significant changes to childcare, the Division of Child Support Service program and benefits for legal immigrants. |
| Personal Work Plan (PWP) (See also TFSP)                                 | A PWP must be developed for each recipient who has a work requirement. Section B of TFSP specifies the recipient’s employment goal and the steps necessary for the achievement of the goal. TFSP specifies the responsibilities of both the recipient and agency in achieving the goal. (see TFSP) The form 196A is used to document the work plan.   |
| Phase  | It refers to job readiness level. When the client completes one level and moves to another level, a phase is completed and documented.  |
| Pregnant Individual  | A pregnant adult or pregnant minor.   |
| Prior Month  | Any one of the three months prior to the month of application for SSI, ABD Medicaid or Family Medicaid.   |
| Pro-Rata Share   | The amount of household expenses divided by the number of people in the household.  |
| Protective Payee   | A third party designated to manage the AU’s cash assistance when the grantee relative is unable, unwilling, or not allowed by policy to do so.  |
| Qualified Alien  | An immigrant alien who meets certain criteria established by the U.S. government. An alien must be a qualified alien in order to be potentially eligible for TANF.  |
| Qualified Individual   | As defined by the ADA, a person with a disability who meets legitimate skill, experience, education, or other requirements for a specific job that s/he holds or seeks.   |
| Railroad Retirement (RR)   | A benefit paid to disabled or retired employees of the railroad. The surviving spouse of a former railroad employee may also qualify for RR.  |

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| Ready-for-Work (RFW)               | <p>A program that is intended to put hard-to-place TANF recipients to work. RFW participants often have drug and alcohol problems, no work history, and no job skills.</p> <p>Consequently, many participants are admitted to residential treatment facilities to begin treatment programs that may last several months.</p>   |
| Reasonable Accommodation           | <p>What must be provided, under the ADA, to a TANF applicant or recipient with a disability so that the individual is able to fully participate in all programs and receive all the benefits or services provided by the agency for which the individual is otherwise eligible.</p> <p>If, because of the existence of a disability, a client cannot receive benefits and services or participate in all programs for which s/he would be otherwise eligible, then reasonable accommodations must be provided to make full participation and full receipt of benefits possible. Reasonable accommodation is not defined by the ADA but can take many forms as procedures and/or policies are modified.</p> |
| Recent Connection to the Workforce | <p>The sole basis of deprivation in a two-parent family in which both parents are able-bodied. At least one parent must have a recent connection to the work force as defined by policy in order for the AU to be potentially eligible for cash assistance.</p>  |
| Recoupment                         | <p>The process by which a part of a regular monthly cash assistance benefit is withheld from the AU in order to repay an overpayment received in a previous month.</p>   |
| Refugee                            | <p>A person living outside of his/her country of nationality who is unable or unwilling to return to that country because of actual persecution or a well-founded fear of persecution.</p> <p>Persecution or the fear thereof must be based on the alien's race, religion, nationality, membership in a particular social group, or political opinion.</p> <p>Asylum status and refugee status are closely related, differing only in the place where a person asks for the status. Asylum status is requested in the U.S., while refugee status is asked for outside of the U.S. In order to be granted asylum, a person must meet the definition of a refugee.</p>                                       |
| Repatriation                       | <p>The final step in a process by which U.S. citizens who are living overseas are returned to the U.S. because of war, natural disasters or other conditions that place Americans at risk.</p> <p>State and local governments have operational responsibilities, providing temporary assistance to U.S. citizens who are destitute or without access to their personal resources.</p>  |
| Resident Alien                     | <p>An alien currently residing in the United States.</p>   |
| Resource                           | <p>Cash, property, or assets owned by members of the family that are available to be converted into cash to meet financial obligations.</p>  |



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| Restricted Access   | <p>A term indicating that the signatures of all co-owners of a checking or savings account are required for each co-owner to withdraw funds.</p> <p>Restricted accounts are not countable resources unless the only co-owners are spouses or parents and their minor children.</p>   |
| Retirement, Survivors, and Disability Insurance (RSDI)            | <p>The program of cash benefits administered by the Social Security Administration. Entitlement is based upon the individual's employment history or the employment history of the recipient's spouse or parent.</p> <p>For an individual with enough Social Security credits, benefits are payable at full retirement age or sooner if the individual has a severe physical or mental impairment. Benefits can also be paid to the spouse and certain family members of an RSDI recipient. RSDI payments are not means-based.</p> <p>Benefits are commonly referred to as Social Security.</p>  |
| Right from the State Medicaid (RSM)                               | <p>A class of Medicaid provided to eligible children through the month in which the child turns 19 years of age and to pregnant women who meet all RSM eligibility criteria.</p>   |
| Right to Same Day Filing  | <p>The right of an individual to file an application for benefits on the same day a request for assistance is made.</p>  |
| Sanction  | <p>The application of a 25% reduction or the termination of cash assistance for the commission of a material violation by an individual without good cause.</p>  |
| School  | <p>A government school, private school, vocational school, technical or adult education school, alternative school program, valid home school study program registered with the local government school system or a course of study granting a GED.</p>  |
| Secure Electronic Network for Travelers Rapid Inspection (SENTRI) | <p>SENTRI is another form of document that can be used to verify identity of the TANF applicants/recipients. The SENTRI card is issued to holders of a U.S. Passport Book or Card, the Enhanced Driver's License (EDL), the Enhanced Tribal Card (ETC), Trusted Traveler Cards; NEXUS and FAST cards, the new Enhanced Permanent Resident Card (PRC) or new Border Crossing Card (BCC).</p>  |
| Separate State Program (SSP)                                      | <p>An assistance program funded completely with state money.</p> <p>Eligible families assisted through a separate state program are not generally subject to TANF requirements, including work participation requirements, child support collection requirements, and the time limit on receipt of assistance.</p> <p>By operating an SSP, a state has more flexibility to use the funds available in these programs to help eligible families. Money spent in an SSP can be applied toward meeting a state's MOE, and a state can avoid federal data collection and reporting requirements.</p> |
| Social Security Administration (SSA)                              | <p>The federal agency responsible for administering and providing RSDI, SSI, and Medicare to eligible individuals.</p>   |

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| Social Security Numbers               | <p>Social Security numbers were introduced by the Social Security Act of 1935. Beginning in 1936, it was required that an SSN be issued to every employed person covered by the Social Security program.</p> <p>A 1943 Executive Order required federal agencies to use the number when creating new record-keeping systems, and in 1961, the IRS began to require every taxpayer to provide the number as a means of identification. The Privacy Act of 1974 required authorization for government agencies to use SSNs in their databases and required disclosures when government agencies request the number.</p> <p>The Tax Reform Act of 1976 gave authority to state or local tax, welfare, driver's license, or motor vehicle registration authorities to use the number in order to verify a person's identity. The provision of an SSN is an eligibility requirement for all AU members.</p> |
| Standard of Need (SON)                | An amount of money, established by the Georgia General Assembly, that is a compilation of the cost of basic needs indexed to the number of persons in the SFU.   |
| Standard of Promptness (SOP)          | A specified period of time established for the completion of a particular case action. Standards may be established at the federal, state, or local levels.  |
| Standard Work Expense Deduction       | A \$250.00 deduction applied to the earned income of any employed AU member. There is no time limit for this deduction.  |
| State Data Exchange (SDX)             | An SSA interface system that provides information about SSI transactions. Information is provided through Federal SDX tapes and is available through IES inquiry.  |
| State Medical Eligibility Unit (SMEU) | A unit responsible for making a determination of a disability for an applicant for ABD Medicaid who is under the age 65 if the determination is not made by the Disability Adjudication Section.   |
| Stepparent                            | The current or former spouse of a child's mother or father.  |
| Supplemental Payment                  | An additional cash assistance benefit issued to an AU for the ongoing month when a change that causes an increase in benefits is processed in the window period.   |
| Supplemental Security Income (SSI)    | <p>Monthly payments to persons with low income and few assets and who are 65 years of age or older or are disabled. SSI benefits are financed by general tax revenues. They are not paid from the Social Security trust fund and are not based on the recipient's past earnings. Instead, SSI benefits are financed by general tax revenues and ensure a minimum monthly income for elderly and disabled persons.</p> <p>SSI payments are means-based and are regarded as a form of public assistance.</p>   |
| Support Order                         | A judgment, decree, or order, whether temporary, final, or subject to modification, issued by a court or an administrative agency, for the support and maintenance of a child. Support orders can include various forms of support, including monetary support, health care and payment of arrearages.   |


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| Support Service                                 | A service or tangible item that is intended to assist a TANF applicant or recipient in meeting the requirements of the work plan, in obtaining employment and in helping a client make the transition from TANF to self-sufficiency  |
| TANF- (Temporary Assistance for Needy Families) | <p>Time-limited public assistance payments made to needy families, based on Title IV-A of the Social Security Act. TANF replaced AFDC, otherwise known as welfare, when the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) was signed into law in 1996.</p> <p>TANF provides parents and other able-bodied adult recipients with job preparation, work, and support services to help them become self-sufficient. TANF applicants are referred to a state's IV-D agency in order to establish paternity and child support for their children from the non-custodial parent, allowing the government to recoup or defray some of its public assistance expenditures with funds from the non-custodial parent.</p> <p>TANF replaced AFDC as a cash assistance program for needy families.</p>  |
| TANF Clock                                      | Refers to 48-month lifetime limit for TANF recipients.   |
| TANF Disaster Plan (DTANF)                      | A written plan for the State of Georgia that provides policy and procedures for issuing TANF benefits during times of declared state and federal disasters.  |
| TANF Family Service Plan (TFSP)                 | <p>TANF Family Service Plan is used to document the TANF client's participation in work activity(ies) and movement from government assistance to self-sufficiency.</p> <p>Form 196 defines personal responsibilities of all adult TANF recipients. Every parent with children receiving TANF, and every caretaker relative who receives TANF on behalf of children in the home.</p> <p>Form 196A is designed to document work requirements of all mandatory TANF adults. It specifies:</p> <ul style="list-style-type: none"> <li>• job readiness levels</li> <li>• employment goals</li> <li>• any barriers towards achievement of these goals and their resolution(s)</li> <li>• available support services during Applicant Job Search and post-employment progress reviews</li> <li>• the contractual nature of assistance and focuses on the attainment of self-sufficiency.</li> </ul> <p>All mandatory TANF clients must complete form 196, sign and date.</p> <p> Only work eligible individuals should have a work plan.</p> |

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| Third Party Resource / Third Party Liability | A category under which the state pays the difference between the amount of a medical bill and the amount paid by an insurance company. This can only occur when a public assistance recipient has medical insurance separate from the coverage provided by the public assistance program  |
| Timely Notice                                | A 14-day advance notification to advise recipients that benefits will be decreased or terminated. Timely notice must include all information required for an adequate notice.<br><br>If the AU appeals a negative action prior to the expiration of timely notice, benefits can be continued at the current level at the AU's request.  |
| Timely Reporting                             | A report of a change made by an AU within ten days of the date on which the change occurred.  |
| Title XIX                                    | The section of the Social Security Act that provides grants to states for establishing medical assistance programs for low-income individuals and families.   |
| Transitional Child Care (TCC)                | Childcare assistance that is available to former TANF recipients who become ineligible for cash assistance because of the receipt of earned income.   |
| Transitional Medical Assistance (TMA)        | A Medicaid category that provides continued coverage for up to 12 months for an AU that becomes ineligible for Low Income Medicaid because of an increase in countable earned income.   |
| Trial Budget                                 | A budget completed, after a change in circumstances, to determine if eligibility will continue for the ongoing month.   |
| Transitional Shelter Assistance (TSA)        | The purpose is to help stabilize the TANF families who are eligible for WSP as they transition from TANF to employment. The TSA funds will be used to pay permanent housing deposits, utility deposits or other essential deposits  |
| Transitional Support Services (TSS)          | A support payment, which is available to an applicant or a recipient whose employment causes the AU to become ineligible for cash assistance, or who voluntarily, chooses to close the TANF case to preserve TANF months because employment has significantly reduced the AU's TANF benefits. The TSS consists of Transportation, Child Care and all other relevant incidental expenses. It is available for three months period after TANF eligibility ends.<br><br>Participants may be eligible for TSS once in a 12- month period. |
| Two-Parent Assistance                        | An assistance unit that includes two able-bodied parents.   |
| Underpayment (Supplement)                    | Benefits paid to an AU that are less than the amount for which the AU is eligible.  |
| Unearned Income                              | Income received which is not for services rendered. Examples include SSI, RSDI, TANF, unemployment compensation, or capital gains or dividends paid on stock  |
| Unreimbursed Public Assistance (UPA)         | Money paid in the form of public assistance (for example, TANF or older AFDC expenditures) that has not yet been recovered from the non-custodial parent.   |

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| <p>USCIS (United States Citizenship and Immigration Services)</p> <p>Formerly known as Immigration and Naturalization Services (INS)</p> | <p>An agency of the Department of Justice, it is responsible for enforcing the laws regulating the admission of foreign-born persons to the United States and for administering various immigration benefits, including the naturalization of qualified applicants for U.S. citizenship. The USCIS also works in the admission and resettlement of refugees.</p> <p>The USCIS is headed by a commissioner who reports to the Attorney general</p>  |
| <p>Veterans Affairs, Department of (Veterans Administration)</p>   | <p>One of the Cabinet departments, it superseded the Veterans Administration and is responsible for providing federal benefits to veterans and their dependents.</p>   |
| <p>Way2Go Debit Card</p>   | <p>The State of Georgia has implemented a convenient Electronic Payment Card (EPC) for TANF recipients called the Way2Go Debit Card. The debit card will include an EMV chip “smart chip” to increase safeguards for TANF customers against credit card fraud. Under this payment option money is deposited in the recipient’s account on the first calendar day of the month. The recipient has immediate access to his or her funds because the funds are electronically loaded to the EPC Branded MasterCard.</p>   |
| <p>Welfare-to-Work (WtW)</p>   | <p>Welfare-to-Work grants provide a funding stream to states and local communities to finance job readiness, employment and job placement activities, post-employment services, job retention, and support services that are designed to move hard-to-employ TANF recipient into unsubsidized employment. Local communities are given flexibility in the design of programs that fit their needs.</p>  |
| <p>Window period</p>   | <p>The period that begins on the date on which IES authorizes benefits to be issued to an active case for the ongoing month, and which extends through the last calendar day of the current month. The dates for each month’s window period are established by the IES processing schedule. A change to affect the benefit amount for the ongoing month must be processed on IES prior to the first day of the window period.</p> <p>Benefits are issued for the ongoing month in the amount determined by the last case action that processed on IES prior to the beginning of the window period.</p> |
| <p>Women, Infants, and Children (WIC)</p>  | <p>Provides food, nutrition counseling, and access to health services for low-income women, infants, and children. WIC is administered at the Federal level by the Food and Nutrition Service (FNS) of the U.S. Department of Agriculture.</p>   |
| <p>Work Activity</p>   | <p>An activity in which a TANF recipient with a work requirement must participate. Countable work activities are defined as either primary or secondary. Primary and secondary activities are specified in the federal TANF regulations.</p>   |
| <p>Work Eligible Individual</p>  | <p>A work eligible individual is an adult (or minor child head-of- household) receiving assistance under TANF or a Separate State Program (SSP) or a non-recipient parent living with a child receiving cash assistance.</p>   |

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| Workforce Innovation and Opportunity Act (WIOA) | WIOA supersedes The Workforce Investment Act (WIA) of 1998 and was passed into law July 22, 2014 to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with skilled workers.                                       |
| Work Support Program                            | The Work Support Program provides post-employment support to former TANF recipients in the form of cash payments, transitional support services and job coaching/ job monitoring for up to 12 months.   |
| Work Support Payments (WSP)                     | Work Support Payment is a time limited cash supplement that is provided to employed TANF recipients who become ineligible for TANF because of employment, or who voluntarily closes his/her TANF case after becoming gainfully employed and remaining eligible for a reduced check up to 12-months. |

# Appendix F Forms

|   |  |                                   |                       |
|---|--|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b><br><b>TANF Policy Manual</b> |                                   |                       |
|   | <b>Policy Title:</b>   | Forms Table of Contents           |                       |
|   | <b>Effective Date:</b>   | May 2024                          |                       |
|   | <b>Chapter:</b>  | Appendix F                        | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 76  | <b>Updated or Reviewed in MT:</b> | MT-77                 |

## TANF PROGRAM MANUAL

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#### Appendix F Forms

#### Voter Registration Information:

**\*For a copy of the Voter Registration Application Form and information on how to apply to register to vote, visit website: [www.sos.ga.gov](http://www.sos.ga.gov)**

Also, refer to Form #VRA-95.

| FORM#  | NAME OF FORM                                       | REVISION DATE | SOURCE/ORDER INFORMATION   |
|--------|--|---------------|--|
| VRA-95 | Voter Registration Application Form                |               | Secretary of State<br><a href="http://www.sos.ga.gov">www.sos.ga.gov</a> |
| 1      | OSAH FORM 1 - TANF                                 | 10/23         | <a href="http://osah.ga.gov">osah.ga.gov</a>                             |
| SS     | Application for a Social Security Card             | N/A           | <a href="http://www.ssa.gov">www.ssa.gov</a>                             |
| 102    | Waiver of Timely Notice Period                     | 02/09         | State Office/PAMMS   |
| 104    | Statement of Child Care Expense                    | 06/16         | PAMMS  |
| 104SP  | Declaración de costos de guardería                 | 06/16         | PAMMS  |
| 114    | TANF Hardship Waiver Case Staffing Worksheet       | 01/11         | State Office/PAMMS   |
| 118    | Request for Hearing                                | 1/26/22       | PAMMS  |
| 121    | Interim Review of Eligibility                      | 09/05         | PAMMS  |
| 126    | Self-Employment Work Calendar                      | 06/16         | PAMMS  |
| 126SP  | Calendario De Trabajo Del Empleo Por Cuenta Propia | 06/16         | PAMMS  |
| 130    | TANF and Family Medicaid Child Support Letter      | 06/16         | State Office/PAMMS   |

| FORM#   | NAME OF FORM   | REVISION DATE | SOURCE/ORDER INFORMATION |
|---------|--|---------------|--------------------------|
| 130SP   | TANF y Medicaid Familiar, Carta de ayuda infantil y médica   | 06/16         | State Office/PAMMS       |
| 136     | County Request for a Final Appeal  | 02/10         | PAMMS                    |
| 138     | Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement and Third Party Resource Requirements | 06/16         | State Office/PAMMS       |
| 138 SP  | Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement and Third Party Resource Requirements | 06/16         | State Office/PAMMS       |
| 139     | Contribution Statement   | 06/16         | State Office/PAMMS       |
| 139 SP  | Declaracion Contributiva   | 06/16         | State Office/PAMMS       |
| 173     | Verification Check List  | 06/10         | State Office/PAMMS       |
| 173 SP  | Lista de Verification  | 11/09         | State Office/PAMMS       |
| 173A    | Appointment Letter   | 06/16         | State Office/PAMMS       |
| 173A SP | Carta De Cita  | 06/16         | State Office/PAMMS       |
| 188     | Social Data Report   | 06/16         | PAMMS                    |
| 188SP   | Informe de Datos Sociales  | 06/16         | PAMMS                    |
| 190     | TANF Conciliation/Material Violation Staffing  | 12/22         | PAMMS                    |
| 190SP   | Conciliacion / Dotacion del Personal por incumplimiento sustancial de TANF   | 12/22         | PAMMS                    |
| 191     | Disposition Notification TANF Hardship Waiver  | 07/23         | State Office/PAMMS       |
| 191 SP  | Notificacion De Disposicion De Revocatoria De Dificultad De TANF   | 07/23         | State Office/PAMMS       |
| 192     | Disposition Notification TANF Lifetime Limit Termination or Denial   | 07/23         | State Office/PAMMS       |
| 192 SP  | Terminacion Del Limite De Vida O Negativa De Dificultad De Asistencia Temporal Para Familias   | 07/23         | State Office/PAMMS       |
| 193     | TANF Prenatal Care Verification  | 06/16         | State Office/PAMMS       |
| 193 SP  | Verificacion de Cuidado Prenatal de  | 06/16         | State Office/PAMMS       |



| FORM#   | NAME OF FORM   | REVISION DATE | SOURCE/ORDER INFORMATION |
|---------|--|---------------|--------------------------|
| 194     | TANF Assessment for Domestic Violence, Sexual Assault, Sexual Harassment, or Stalking  | 08/22         | State Office/PAMMS       |
| 194 SP  | EVALUACIÓN SOBRE VIOLENCIA DOMÉSTICA, AGRESIÓN SEXUAL, ACOSO SEXUAL O ACOSO DEL PROGRAMA DE ASISTENCIA TEMPORAL PARA FAMILIAS EN NECESIDAD (TANF, en inglés) | 08/22         | State Office/PAMMS       |
| 195     | TANF Community Service Agreement   | 06/16         | State Office/PAMMS       |
| 196     | TANF Family Service Plan-Personal Responsibility Plan  | 09/20         | State Office/PAMMS       |
| 196 SP  | PLAN DE SERVICIO FAMILIAR DE TANF  | 09/20         | State Office/PAMMS       |
| 196A    | TANF Family Service Plan-Work Plan   | 09/20         | State Office/PAMMS       |
| 196A SP | Plan De Servicio Familiar De Tanf Plan De Trabajo  | 09/20         | State Office /PAMMS      |
| 197     | TANF Sanction /Panel REVIEW GUIDE  | 09/05         | State Office/PAMMS       |
| 197A    | Guide for TANF Sanction Home Visit   | 09/05         | PAMMS                    |
| 199     | TANF ES Case Staffing Form   | 02/19         | PAMMS                    |
| 200     | TANF Subsidized Employment Agreement   | 09/07/2022    | State Office/PAMMS       |
| 205     | Disposition Notification Employment Intervention Services  | 03/21         | State Office/PAMMS       |
| 205 SP  | Notificacion Disposicion Servicios De intervencion EnEl Empleo   | 03/21         | State Office/PAMMS       |
| 207     | Disposition Notification Work Support Payment  | 07/23         | State Office/PAMMS       |
| 207 SP  | Notificacion De Disposicion Pagos De Apoyo Al Trabajo  | 07/23         | State Office/PAMMS       |
| 239     | TANF Budget Sheet  | 10/18         | PAMMS                    |
| 281     | GRG Monthly Subsidy/ CRISP Payments  | 11/16         | State Office/PAMMS       |
| 282     | Disposition Notification Grandparents Raising Grandchildren (GRG) Crisis Intervention Services Payment (CRISP)   | 04/26/21      | State Office/PAMMS       |

| FORM#      | NAME OF FORM  | REVISION DATE | SOURCE/ORDER INFORMATION |
|------------|---|---------------|--------------------------|
| 282 SP     | Notificaci'ón de la Disposici'ón de los abuelos a los nietos (GRG) Pago de los servicios de intervenc'ion de crisis (CRISP) | 04/26/21      | State Office/PAMMS       |
| 297        | Application for TANF, Food Stamps and Medical Assistance For voter registration information, refer to * on page 1.          | 07/23         | State Office/PAMMS       |
| 297 LP     | Application for TANF, Food Stamps or Medical Assistance (Large Print)   | 07/23         | State Office/PAMMS       |
| 297 SP     | Application for TANF, Food Stamps or Medical Assistance (Spanish) For voter registration information, refer to * on page 1. | 07/23         | State Office/PAMMS       |
| 297 SP LP  | Application for TANF, Food Stamps or Medical Assistance (Spanish Large Print)   | 07/23         | State Office/PAMMS       |
| 297A       | Rights and Responsibilities For voter registration information, refer to * on page 1.                                       | 07/23         | State Office/PAMMS       |
| 297A LP    | Rights and Responsibilities (Large Print)   | 07/23         | State Office/PAMMS       |
| 297A SP    | Rights and Responsibilities (Spanish) For voter registration information, refer to * on page 1.                             | 07/23         | State Office/PAMMS       |
| 297A SP LP | Rights and Responsibilities (Spanish Large Print)   | 07/23         | State Office/PAMMS       |
| 329        | Disposition Notification -TANF First Sanction   | 07/23         | State Office/PAMMS       |
| 329 SP     | Notificaci'ón De Sanciónde Tanf   | 07/23         | State Office/PAMMS       |
| 351        | Grg Msp/Crisp Work Sheet  | 04/16         | PAMMS                    |
| 354        | Expense Statement   | 08/20         | State Office/PAMMS       |
| 354 SP     | Declaraci'ón De Gastos  | 08/20         | State Office/PAMMS       |
| 373        | SimplifiedReapplication Process   | 02/15         | PAMMS                    |
| 482        | Work Experience Agreement   | 06/16         | State Office/PAMMS       |
| 482 SP     | Contrato ParaObtener Experiencia DeTrabajo  | 06/16         | State Office/PAMMS       |
| 486        | Claims Repayment Agreement  | 09/20         | State Office/PAMMS       |

| FORM#     | NAME OF FORM  | REVISION DATE | SOURCE/ORDER INFORMATION |
|-----------|---|---------------|--------------------------|
| 486 SP    | Acuerdo De Reembolso Por Sobre pago   | 04/04         | State Office/PAMMS       |
| 489       | TANF Work Requirement Exemption   | 06/16         | State Office/PAMMS       |
| 489 SP    | Formulario De Exención De Requisito De Trabajo De Tanf  | 06/16         | PAMMS                    |
| 490       | TANF Family Assessment  | 01/16         | State Office/PAMMS       |
| 490 SP    | Evaluación de Empleo de Servicios del Solicitante   | 06/12         | PAMMS                    |
| 491A      | TANF Work Readiness Assessment – ADA Addendum   | 03/03         | State Office/PAMMS       |
| 491A SP   | EVALUACIÓN FAMILIAR DE SERVICIOS DE EMPLEO  | 06/12         | State Office/PAMMS       |
| 495       | Job Search Record   | 08/22         | State Office/PAMMS       |
| 495 SP    | Historial De Búsqueda De Trabajo  | 08/22         | State Office/PAMMS       |
| 508       | Food Stamps, Medicaid, TANF Renewal Form For voter registration information, refer to * on page 1.                      | 07/23         | State Office/PAMMS       |
| 508 LP    | Food Stamps, Medicaid, TANF Renewal Form  | 07/23         | State Office/PAMMS       |
| 508 SP    | Formulari ode Renovacion de Cupones De Alimentos Medicaidanf. For voter registration information, refer to * on page 1. | 07/23         | State Office/PAMMS       |
| 508 SP LP | Food Stamps, Medicaid, TANF Renewal Form (Spanish Large Print)  | 07/23         | State Office/PAMMS       |
| 516       | Record of Attendance and Performance Report   | 10/22         | State Office/PAMMS       |
| 516 SP    | Registro De Asistencia e Informe De desempeño   | 10/22         | State Office/PAMMS       |
| 517       | Record of School Attendance and Performance Report  | 09/23         | State Office/PAMMS       |
| 517 SP    | Registro De Asistencia Escolar E Informe De   | 09/23         | State Office/PAMMS       |
| 522       | “What Every Person Needs to Know” (Domestic Violence)   | 07/23         | State Office             |
| 522 SP    | “Lo Que Toda Persona Necesita Saber Folleto Sobre Violencia   | 07/23         | State Office             |
| 523       | Family Violence Option Assessment Report  | 08/22         | State Office/PAMMS       |

| FORM#   | NAME OF FORM  | REVISION DATE | SOURCE/ORDER INFORMATION               |
|---------|---|---------------|--|
| 524     | TANF Community Outreach Services                                    | 11/15         | State Office                           |
| 524 SP  | Departamento de Recursos Humanos de Georgia                         | 11/15         | State Office                           |
| 525     | Authorization to release DV Indicator                               | 10/11         | PAMMS                                  |
| 713-CS  | OCSS/DFCS Communication Form  | 09/20         | State Office                           |
| 785     | Family Planning Services Referral                                   | 06/16         | State Office/PAMMS                     |
| 785 SP  | Remisión a Los Servicios De Planificación Familiar                  | 06/16         | State Office/PAMMS                     |
| 806     | Medical Statement   | 06/16         | State Office/PAMMS                     |
| 806 SP  | DECLARACIÓN MÉDICA  | 06/16         | State Office/PAMMS                     |
| 809     | Verification of Earned Income                                       | 06/16         | State Office/PAMMS                     |
| 809 SP  | Formulario de Verificación de Empleo                                | 06/16         | State Office/PAMMS                     |
| 846     | Change Report Form  | 10/22         | State Office/PAMMS                     |
| 846 SP  | Formulario para Modificar el Informe                                | 10/22         | State Office/PAMMS                     |
| 1215    | Federal Tax Information–Secured Verification Letter                 | 2012          | PAMMS                                  |
| 5459    | Authorization for Release of Information                            | 07/16         | State Office                           |
| 5459 SP | Autorización Para Ceder Información                                 | 07/16         | State Office                           |
| 5460    | Notice of Privacy Practices   | 12/23         | State Office/PAMMS                     |
| 5460 SP | Notificación de prácticas de privacidad de HIPAA                    | 12/23         | State Office/PAMMS                     |
| 5667    | Request for Investigation   | 10/18         | Office of Investigative Services (OIS) |
| 5706    | TANF/Family Medicaid Child Support Enforcement Compliance Agreement | 01/07         | State Office/PAMMS                     |

## OSAH FORM 1 - TANF

### Form 102 Waiver of Timely Notice Period

### Form 104 Statement of Child Care Expense

**Form 104 SP Declaración de Costos de Guardería (Spanish)**

**Form 114 TANF Hardship Waiver Case Staffing Worksheet**

**Form 118 Request for Hearing**

**Form 121 Interim Review of Eligibility**

**Form 126 Self-Employment Work Calendar**

**Form 126 SP Calendario de Trabajo del Empleo por Cuenta Propia (Spanish)**

**Form 130 TANF and Family Medicaid Child Support Letter**

**Form 130 SP TANF y Medicaid Familiar, Carta de ayuda Infantil y Médica (Spanish)**

**Form 136 County Request for a Final Appeal**

**Form 138 Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement and Third Party Resource Requirements**

**Form 138 SP Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement and Third Party Resource Requirements (Spanish)**

**Form 139 Contribution Statement**

**Form 139 SP Declaracion Contributiva (Spanish)**

**Form 173 Verification Check List**

**Form 173 SP Lista de Verification (Spanish)**

**Form 173A Appointment Letter**

**Form 173A SP Carta De Cita (Spanish)**

**Form 188 Social Data Report**

**Form 188 SP Informe de Datos Sociales (Spanish)**

**Form 190 TANF Conciliation / Material Violation  
Staffing**

**Form 190 SP Conciliacion / Dotacion del Personal por  
Incumplimiento Sustancial de TANF (Spanish)**

**Form 191 Disposition Notification TANF Hardship  
Waiver**

**Form 191 SP Notificacion de Disposicion de  
Revocatoria de Dificultad de TANF (Spanish)**

**Form 192 Disposition Notification TANF Lifetime Limit  
Termination or Denial**

**Form 192 SP Terminacion del Limite de Vida o  
Negativa de Dificultad de Asistencia Temporal Para  
Familias (Spanish)**

**Form 193 TANF Prenatal Care Verification**

**Form 193 SP Verificación de Cuidado Prenatal de TANF (Spanish)**

**Form 194 TANF Assessment for Domestic Violence, Sexual Assault, Sexual Harassment, or Stalking**

**Form 194 SP Evaluación Sobre Violencia Doméstica, Agresión Sexual, Acoso Sexual o Acoso del Programa de Asistencia Temporal para Familias en Necesidad (Spanish)**

**Form 195 TANF Community Service Agreement**

**Form 196 TANF Family Service Plan-Personal Responsibility Plan**

**Form 196 SP Plan de Servicio Familiar de TANF (Spanish)**

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**Form 197 TANF Sanction / Panel Review Guide**

**Form 197A Guide for TANF Sanction Home Visit**

**Form 199 TANF ES Case Staffing**

**Form 200 TANF Subsidized Employment Agreement**

**Form 205 Disposition Notification Employment Intervention Services**

**Form 205 SP Notificación de Disposición Servicios de Intervención Laboral (Spanish)**

**Form 207 Disposition Notification Work Support Payment**

**Form 207 SP Aviso de Dictamen Pagos de Apoyo Laboral (Spanish)**

**Form 239 TANF Budget Sheet**

**Form 281 GRG Monthly Subsidy / CRISP Payments**

**Form 282 Disposition Notification Grandparents Raising Grandchildren (GRG) Crisis Intervention Services Payment (CRISP)**

**Form 282 SP Notificación de Disposición Pagos por Servicios de Intervención en Crisis (CRISP) para Abuelos que Crían a sus Nietos (GRG) (Spanish)**

**Form 297 Application for TANF, Food Stamps and Medical Assistance**

**Form 297 LP Application for TANF, Food Stamps or Medical Assistance (Large Print)**

**Form 297 SP Application for TANF, Food Stamps or Medical Assistance (Spanish)**

**Form 297 SP LP Application for TANF, Food Stamps or Medical Assistance (Spanish) (Large Print)**

**Form 297A Rights and Responsibilities**



**Form 297A LP Rights and Responsibilities (Large Print)**

**Form 297A SP Rights and Responsibilities (Spanish)**

**Form 297A SP LP Rights and Responsibilities (Spanish)  
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**Form 329 Disposition Notification - TANF First  
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**Form 329 SP Aviso de Dictamen Sanciones de la  
Asistencia Temporal para Familias Necesitadas  
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**Form 351 GRG MSP/CRISP Work Sheet**

**Form 354 Expense Statement**

**Form 354 SP Declaración de Gastos (Spanish)**

**Form 373 Simplified Reapplication Process**

**Form 482 Work Experience Agreement**

**Form 482 SP Contrato para Obtener Experiencia de  
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**Form 486 Claims Repayment Agreement**

**Form 486 SP Acuerdo de Reembolso por Sobre pago  
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**Form 489 TANF Work Requirement Exemption**

**Form 489 SP Formulario de Exención de Requisito de  
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**Form 490 TANF Family Assessment**

**Form 490 SP Evaluación de Empleo de Servicios del Solicitante (Spanish)**

**Form 491A TANF Work Readiness Assessment - ADA Addendum**

**Form 491A SP Evaluación Familiar de Servicios de Empleo (Spanish)**

**Form 495 Job Search Record**

**Form 495 SP Historial de Búsqueda de Trabajo (Spanish)**

**Form 508 Food Stamps, Medicaid, TANF Renewal**

**Form 508 LP Food Stamps, Medicaid, TANF Renewal Form (Large Print)**

**Form 508 SP Formulario de Renovacion de Cupones de Alimentos (SNAP/Medicaid/TANF) (Spanish)**

**Form 508 SP LP Formulario de Renovacion de Cupones de Alimentos (SNAP/Medicaid/TANF) (Large Print)**

**Form 516 Record of Attendance and Performance Report**

**Form 516 SP Registro de Asistencia e Informe de Rendimiento (Spanish)**

**Form 517 Record of School Attendance and Performance Report**

**Form 517 SP Registro de Asistencia Escolar e Informe de Desempeño (Spanish)**

**Form 522 What Every Person Needs to Know (Domestic Violence)**

**Form 522 SP Lo Que Toda Persona Necesita Saber Folleto Sobre Violencia (Spanish)**

**Form 523 Family Violence Option Assessment Report**

**Form 524 TANF Community Outreach Services**

**Form 524 SP Departamento de Recursos Humanos de Georgia (Spanish)**

**Form 525 Authorization to Release DV Indicator**

**Form 713-CS OCSS/DFCS Communication**

**Form 785 Family Planning Services Referral**

**Form 785 SP Remisión a Los Servicios De Planificación Familiar (Spanish)**

**Form 806 Medical Statement**

**Form 806 SP Declaración Médica (Spanish)**

**Form 809 Verification of Earned Income**

**Form 809 SP Formulario de Verificación de Empleo (Spanish)**

**Form 846 Change Report**

**Form 846 SP Formulario para Modificar el Informe  
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**Form 1215 Federal Tax Information - Secured  
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**Form 5459 Authorization for Release of Information**

**Form 5459 SP Autorización para Ceder Información  
(Spanish)**

**Form 5460 Notice of Privacy Practices**

**Form 5460 SP Notificación de Prácticas de Privacidad  
de HIPAA (Spanish)**

**Form 5667 Request for Investigation**

**Form 5706 TANF/Family Medicaid Child Support  
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# Appendix G Manual Transmittal Cover Letters

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**MT 7 Cover Letter**

**MT 6 Cover Letter**

**MT 5 Cover Letter**

**MT 4 Cover Letter**




**MT 3 Cover Letter**

**MT 2 Cover Letter**

**MT 1 Cover Letter**


# Appendix H TANF Subsidized Employment Program (TSEP)

|   |   |                                   |                       |
|---|---|-----------------------------------|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |                                   |                       |
|   | <b>TANF Policy Manual</b>                               |                                   |                       |
|   | <b>Policy Title:</b>                                    | Appendix H                        |                       |
|   | <b>Effective Date:</b>                                  | January 2024                      |                       |
|   | <b>Chapter:</b>   | Appendix H                        | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 62   | <b>Updated or Reviewed in MT:</b> | MT-76                 |

## Appendix H

|  |
|--|
| TANF Subsidized Employment Program Policy (TSEP) |
| TSEP Acknowledgement Statement                   |
| TSEP Application and Eligibility Worksheet       |
| TSEP Fact Sheet                                  |
| TSEP Memo  |

# TANF Subsidized Employment Program Policy (TSEP)

|   |   |   |                       |
|---|---|---|-----------------------|
|  | <b>Georgia Division of Family and Children Services</b> |   |                       |
|   | <b>TANF Policy Manual</b>                               |   |                       |
|   | <b>Policy Title:</b>                                    | TANF Subsidized Employment Program (TSEP) |                       |
|   | <b>Effective Date:</b>                                  | July 2023                                 |                       |
|   | <b>Chapter:</b>   | Appendix H                                | <b>Policy Number:</b> |
| <b>Previous Policy Number(s):</b>   | MT 72   | <b>Updated or Reviewed in MT:</b>         | MT-73                 |

## Requirements

Effective 7/1/2021, the TANF Subsidized Employment (SE) program will be renamed the TANF Subsidized Employment Program (TSEP). TSEP provides an environment where TANF eligible staff may gain work experience and job skills.

## Basic Considerations

Of the four purposes of TANF, Georgia TSEP meets TANF Purpose 2 which states, “end the dependence of needy parents on government benefits by promoting job preparation and work.”

TSEP positions are full-time, time-limited positions lasting no more than 24 months. Eligibility criteria must be maintained during the 24-month period. TSEP staff should make active attempts to apply for regular, full-time positions after successful completion of training and once proficiency

has been obtained. Staff who have not transitioned into a regular, full-time position within the 24-month period will not be eligible to continue employment.

### **Eligibility Requirements of TANF Subsidized Employment Program (TSEP)**

TSEP staff must meet the following eligibility criteria:

- Household Income under 300% Federal Poverty Limit.
  - A household is defined as: All family unit household members, to include applicant, second parent (if applicable), and child(ren).
  - FPL is updated annually, effective March.
- Minor child living in the home:
  - Child has not attained 18 years of age.
  - Child has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training).
- Georgia resident
- U.S. Citizen or legally authorized to work in the U.S.
- Ability to pass a background check.
- Satisfactory completion of required training
- Satisfactory performance ratings

Ongoing TSEP employment is dependent upon:

- Continuing to meet eligibility requirements,
- Successfully completing all new worker training. If training is not successful, the employee will be terminated and
- Satisfactory job performance.

Once approved for TSEP, the employee will remain eligible for 12 months.

If a change occurs that leaves the household without a minor child, the household is no longer eligible for TSEP.

The change **must be reported within 10 days** of the occurrence. The eligibility for TSEP employment will end the last business day of the month in which the child turns 18 and is not enrolled in school, child turns 19, or the child moves out.

**Example:** The TSEP Employee is hired in January but acknowledges that his or her only child turns 19 in August. Participation in TSEP would end the last business day of August.

If a change becomes known to the agency that a TSEP employee is no longer eligible for TSEP, the agency is required to act per the Department of Human Resources procedures.

## Hiring Process

- The TANF Subsidized Employment Program Application must be completed by the applicant.
- The TANF Subsidized Employment Program eligibility worksheet (last page of application) must be completed by the Office of Family Independence (OFI) hiring authority.
- All income must be verified. For income verifications:
  - Previous four weeks income (may be obtained through The Work Number, STARS, or any other available interfaces (BENDEX, Department of Labor (DOL), etc.)
  - If verified through an interface, the income should be documented on the eligibility worksheet. Otherwise, the verification may be attached to the eligibility worksheet.
    - Applicants will be screened through Gateway during the TSEP application process to ensure the eligibility and TSEP household information are consistent, to reduce the occurrence of red flags
- The applicant's statement may be accepted for all other points of eligibility.
  - The department reserves the right to verify the applicant's eligibility information upon request.
- TSEP staff must sign an acknowledgement statement saying once eligibility criteria are no longer met, TANF Subsidized employment will be terminated. All TSEP staff should actively apply for regular, full-time positions for which they qualify, during their, 24-month tenure.
- The completed application, eligibility worksheet, and the acknowledgement statement will be directed to State Resource Management (SRM) along with the hiring packet by the District hiring authority.
- SRM will forward TSEP eligibility paperwork to TANF State Office at

Email [TANF-SE@dhs.ga.gov](mailto:TANF-SE@dhs.ga.gov) to maintain and provide ongoing oversight.

- Applicable retention schedule will be followed for personnel records.

TSEP Staff are hired as:

- Customer Service Associate 2, Paygrade E

TSEP Staff are eligible upon date of hire for:

- Health insurance
- Flex benefits and accrued leave
- Georgia State Employee's Pension and Savings Plan

TSEP Staff are:

- Paid from State Office payroll;
- Must complete time sheets on a weekly basis;
- Must have Performance Management Plans established and completed timely.

TANF Subsidized Employees are hired with the expectation of transitioning into a DHS funded posi-

tion as appropriate positions become available within 24 months of hire date.

### **Redetermination for TANF Subsidized Employment Program (TSEP)**

The TANF State Office monitors and provides oversight for continued eligibility for all TSEP staff, to include: hire date, renewal date, and child(ren)s date(s) of birth and school status (if necessary), and expiration of the 24-month TSEP period.

A review will be performed effective the month prior to the original hire date.

- One month prior to the 12-month renewal, TANF state office staff will notify the District hiring authority of the upcoming renewal.
- The hiring authority will request TSEP staff complete a new TANF Subsidized Employment Program Application and eligibility worksheet (last page of TANF Subsidized Employment Program Application) for the next 12-month period. (TSEP earnings are excluded income and should not be counted on the eligibility worksheet.)
- Upon completion, the TANF Subsidized Employment Program Application and eligibility worksheet should be forwarded to the TANF Subsidized Employment Program mailbox: [TANF-SE@dhs.ga.gov](mailto:TANF-SE@dhs.ga.gov), to be maintained by TANF State Office.

**Example:** If a staff person is hired 7/1/2021, the first annual review will be due by 6/30/2022. If the staff person is ineligible for ongoing employment, their last date of employment will be 6/30/2022.

Age eligibility is determined by the youngest minor in the home. If the youngest child ages out prior to the 12-month renewal period, TSEP eligibility will end the last day of the month the child ages out or school enrollment ends. Refer to Eligibility Requirements in Appendix H of the TANF manual.

If a staff person successfully gains employment with the Division of Family and Children Services (DFCS) but does not pass training, he/she will be reassigned to TSEP. A new TSEP application must be submitted and eligibility redetermined. If eligible, the TSEP period will start over with a new participation period and the individual will be eligible for an additional 24-month period. If the TSEP period has been exhausted, the staff person is not eligible for an additional 24-month period.

### **Changes During a TSEP Period**

All TSEP eligibility requirements must continue to be met throughout the 24-month period. Employees are required to report any change that occurs causing TSEP ineligibility. Any change causing TSEP ineligibility must be reported no later than 10 days after the change occurred and should be effective the first day following the month of report. If the change is not reported timely, it should be acted on immediately once known to the hiring manager.

### **TSEP Denial or Termination**

The following procedures have been developed and should be followed when TSEP eligibility is denied at application or when a change occurs that causes TSEP ineligibility:

- If an individual fails to meet all TSEP eligibility requirements when an application is submitted, the TSEP Denial/Termination notice must be mailed to communicate the results.
- If a change is reported during recertification of the TSEP program and that change causes TSEP

ineligibility, the TSEP Denial/Termination notice must be mailed to communicate the ineligibility reason and the effective date of termination from the program.

- When a change is reported or when the agency becomes aware of changes in the family's household circumstances, TSEP eligibility is re-evaluated. If that change causes TSEP ineligibility, the TSEP Denial/Termination notice must be mailed to communicate the ineligibility reason and the effective date of termination from the program.

TSEP evaluations for eligibility must be completed timely by the Office of Family Independence (OFI) hiring authority.

### **TANF Subsidized Employment Program (TSEP) Records Maintenance**

Eligibility documentation must be maintained for 3 years after the employment ends.

State Office TANF Staff will maintain all eligibility paperwork for TSEP staff and provide ongoing oversight.

Applicable retention schedule will be followed for personnel records.

## **TSEP Acknowledgment Statement**

## **TSEP Application and Eligibility Worksheet**

## **TSEP Fact Sheet**

## **TSEP Memo**