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**TEMPORARY ASSISTANCE FOR
NEEDY FAMILIES STATE PLAN RENEWAL**

October 1, 2008-September 30, 2011

ACCESS Program Office

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Executive Summary

Temporary Assistance to Needy Families State Plan Renewal October 1, 2008-September 30, 2011

Florida prepared the Temporary Assistance to Needy Families (TANF) State Plan renewal for October 1, 2008 through September 30, 2011, in accordance with the requirements of the Department of Health and Human Services, Administration for Children and Families, and in accordance with Title IV-A, Section 402 of the Social Security Act (SSA), as amended.

The plan incorporates applicable changes made due to federal or state legislation, approved amendments to the 2005-2008 State Plan and policy changes that are integral to the implementation of Florida's modernization initiative for its public assistance service delivery system.

The Automated Community Connection to Economic Self-Sufficiency (ACCESS) Florida is a national model for a retooled and modernized public assistance service delivery system. The model demonstrates streamlined workflows, simplified policies and innovative technology applications. ACCESS Florida provides enhanced access to services through a combination of state staff and a community partnership network, as community partners agree to serve as additional portals to ACCESS Florida services for customers mutually served by the partner agency and the Department of Children and Families.

This model system offers self-directed opportunities and 24/7 services through a web application and an automated response unit. It reduces the investment of time to apply for, or to continue receiving public assistance formerly required of customers, many of whom are employed or underemployed and cannot afford to take time off their job or job seeking activities to participate in a protracted eligibility process. By providing streamlined processes and procedures, as well as new levels of access and technological support, the department encourages customers to achieve new levels of self-sufficiency.

In accordance with public access provisions of Title IV-A, s. 402, of the SSA, notice of the plan was published September 26, 2008 in the Florida Administrative Weekly. The notice provided addresses and telephone numbers for obtaining a copy of the plan and for providing written comments on the proposed plan.

SECTION 1: GENERAL PROVISIONS

1.1 STATE PLAN REQUIREMENTS

Florida prepared the Temporary Assistance for Needy Families (TANF) State Plan renewal in accordance with section 402 of the Social Security Act (SSA), as amended by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (Public Law 104-193) and further amended by the Balanced Budget Act of 1997 (Public Law 105-33) and the Deficit Reduction Act (DRA) of 2005 (Public Law 109-171). The information submitted below provides information on the provisions of the state's program.

The Act and the plan are applicable to all political subdivisions in the state.

1.2 BACKGROUND

Florida commits its TANF and TANF/MOE resources to a work-oriented, family support public assistance program and draws upon the state's history and experience of being in the forefront of previous welfare reform initiatives. Florida continues to focus on developing and implementing initiatives designed to meet one of the four purposes of TANF. The state's approach to devolution brings together a wide range of partners that include various public agencies, non-profit community-based organizations and public and private sector employers in the belief that collaborative, community-based programs are in the best position to deliver services that are most useful and appropriate to the needs of local communities.

The 1996 Florida Legislature enacted the Work and Gain Economic Self-Sufficiency (WAGES) Act to provide temporary, time-limited assistance for needy families and to emphasize work, self-sufficiency and personal responsibility. The WAGES program initially provided for child care, transportation, and other program support services to enable participants to find and retain employment. The program later expanded to provide up-front diversion, relocation services to potential applicants who may only need one-time or short-term assistance and other non-assistance programs that strengthen families and prevent welfare dependency.

The 2000 Florida Legislature reexamined the structural arrangement and respective roles and responsibilities of the welfare and workforce systems. This resulted in enactment of the Workforce Innovation Act of 2000 that defined the Welfare Transition Program (WT) as the state's plan for providing temporary assistance to needy families with (or expecting) children and providing parents with job preparation, work opportunities, and support services to enable them to leave the program and become self-sufficient. The act synchronized major provisions with Title I of PRWORA.

The 2005 Florida Legislature amended Chapter 414, Florida Statutes (F.S.), to help simplify and streamline public assistance eligibility determination policies necessary to

modernize the service delivery system. Streamlining eligibility determination policies and making better use of information technology decreased office visits and waiting time, thereby reducing time away from work or training for applicants and recipients. The modernization initiative is on going with technological improvements and updates that increase the efficiency and accuracy of all aspects of the eligibility process.

The reauthorization of TANF and the development and approval of the state's Work Verification Plan-referred to in this plan-have aided in the refinement of policies and procedures of Florida's TANF program. The 2007 legislative session approved changes to Chapter 445 F.S. to incorporate the DRA definitions of work activities and modified requirements for a work-eligible TANF recipient.

1.3 PROGRAM ADMINISTRATION

The Workforce Innovation Act of 2000 separated the TANF-funded workforce functions statutorily and operationally from the TANF-funded cash assistance functions. Chapter 414, F.S., sets forth provisions for receipt of temporary cash assistance (TCA) that require individuals who do not meet TANF/TCA exemptions to participate in work or alternative plan activities. Chapter 445, F.S., consolidates and streamlines the state workforce policy direction, oversight and welfare support functions under one board, Workforce Florida, Inc., (WFI) and creates the Agency for Workforce Innovation (AWI as the administrative, fiscal and implementing agency.

See Chapter 414, Family Self-Sufficiency and Chapter 445, Workforce Innovation.
<http://flsenate.gov/statutes/index.cfm?Mode=ViewStatutes&Submenu=1>

1.4 OVERSIGHT AND ACCOUNTABILITY

Florida administers the TANF program through four state entities, a network of Regional Workforce Boards and its one-stop workforce services delivery system. A description follows of how these organizations work together to deliver programs to assist TANF/TCA recipients make the transition from welfare to self-sufficiency and provide other family support initiatives that meet one of the four purposes of TANF:

NONDISCRIMINATION STATEMENT: State of Florida agencies administering the TANF Block Grant assure equal opportunity and nondiscrimination in their employment practices and service delivery. No person shall on the basis of sex, age, color, national origin, race, or disability status be excluded from participation in, be denied benefits of or be subjected to unlawful discrimination under any program or activity receiving or benefiting from federal financial assistance and administered by the agencies.

Further, it is the obligation of the agencies to make reasonable accommodations for an applicant or participant so that no limitation—physical, mental or language—prevents his or her complete participation.

For more complete description of policies by agency see:
<http://www.dcf.state.fl.us/publications/policies/060-16.pdf>
<http://www.dcf.state.fl.us/publications/policies/060-10c1.pdf>
http://www.floridajobs.org/civilrights/ocr_policies.html
<http://www.doh.state.fl.us/EguOpp/policy.htm>

- a. **Department of Children & Families: Eligibility Determination, Cash Assistance Payment, and Nonrecurrent Short-term Benefit Programs.** The Department of Children and Families (DCF) is the recipient of the TANF block grant, and is responsible for determining eligibility for a TANF/ TCA payment to eligible families and for imposing penalties for a participant who fails to meet WT work requirements. In addition to determining program eligibility, DCF directly contracts with other public and private organizations to provide for some of the TANF family support services (non-assistance) programs described in this State Plan.

The Automated Community Connection to Economic Self-Sufficiency (ACCESS) Florida is a national model of a retooled and modernized public assistance service delivery system. ACCESS Florida frequently re-examines workflow processes for improvement, encourages policy simplification, and relies heavily on continuous technology upgrades and innovations. The system also provides enhanced access to benefits and services through a combination of state staff and a community partnership network as community partners agree to become additional portals to ACCESS Florida services for joint customers served by the partner agency and DCF.

This modernized system offers self-directed opportunities and 24/7 services through a web application and an automated response unit. ACCESS Florida reduces the investment of time required by customers to apply for or to continue to receive public assistance. By streamlining program efficiency and providing new levels of access and technological support, DCF has helped customers achieve new levels of self-reliance.

The web-based applications are available in English, Spanish and Creole. The Department has decreased its number of full service centers, but has replaced the larger centers with store-front operations, has added call centers for 24/7 service availability and has recruited an extensive network of community partners to offer assistance to applicants who need it to complete an application. Whether applying through Department or community partner resources, applicants requiring language assistance or reasonable accommodations for disabling conditions can request and receive the services they seek.

- b. **Department of Health: Programs Related to the Prevention of Out-of-Wedlock Pregnancies and Other Health Issues.** The Governor has designated the Department of Health (DOH) to serve as the recipient of TANF funds for initiatives

related to health, especially several statewide efforts directed toward teen pregnancy prevention and reduction of out-of-wedlock births among youth.

c. Workforce Florida, Inc.: Planning, Policy, Strategic Direction and Oversight.

Florida legislative action consolidated multiple workforce programs (among them, TANF/WT, Workforce Investment Act, and Wagner-Peyser) for a single point of accountability with the designation of Workforce Florida, Inc. (WFI), as the state's chief workforce policy organization. The business-led non-profit public/private partnership provides policy direction and oversight to Florida's 24 Regional Workforce Boards (RWBs) and the Agency for Workforce Innovation (AWI)--the designated state agency for administering workforce programs, funding and personnel. A board of directors and chair appointed by the Governor govern WFI. The WFI board hires the WFI president who serves at the pleasure of the Governor. The Secretary of DCF is a member of the WFI board. The state's broad workforce strategies as expressed through WFI include:

1. **Vision** - Florida will develop a globally competitive workforce.
2. **Mission** - Florida will develop the state's business climate by designing and implementing strategies that help Floridians enter, remain and advance in the workforce, becoming more highly skilled and successful, benefiting Florida business and the entire state.
3. Florida's workforce system has as guiding principles the following:
 - One Workforce System – Shared Vision
 - Demand-Driven Business Model
 - Local Market Control
 - Private Sector Leadership
 - Universal Customer Access
 - Strategic Partnerships
 - Bias Toward Action
 - Individual Performance Accountability
 - Innovation

d. Agency for Workforce Innovation: Administration and Accountability. The Agency for Workforce Innovation provides administrative and program guidance for the merged workforce and TANF/WT support delivery system and is the administrative and fiscal entity for WFI. AWI translates WFI board policy into action using contracts for services with RWBs, and ensures the appropriate administration of workforce programs and funds.

e. Regional Workforce Boards: Local Control, Accountability and Delivery of Services. Twenty-four (24) Regional Workforce Boards deliver workforce programs, the WT, other TANF non-assistance programs, and employment support services through the one-stop delivery system at the local level. These community-managed boards develop innovative programs tailored to the specific needs of the community.

The RWB board members (most represent local businesses in the area) serve as the board of directors for their region. Their focus is on planning, operations policy implementation and oversight of the local workforce system.

- f. One-Stop Delivery System: Job Training, Education and Employment Options.**
The workforce system provides a full menu of job training, education and employment options at the local One-Stop site or via electronic access for workers, job seekers, WT participants and local businesses. The one-stop delivery system includes numerous partners, including DCF, working together under memoranda of agreement specifying services provided, customer referral procedures and cost allocation mechanisms.

1.5 PROGRAM GOALS

The TANF/WT emphasizes work, self-sufficiency and personal responsibility in a program structured to enable participants to move from welfare to economic self-sufficiency. To accomplish this, the Florida Legislature, using federal/state funds and statutory requirements, developed a comprehensive program structured to meet the following goals:

- a.** Provide assistance to needy families so that children may be cared for in their own home or in the homes of relatives.
- b.** Develop opportunities for families to provide for their own needs, enhance their well-being, and preserve the integrity of the family free of impediments to self-reliance.
- c.** End the dependence of needy families on government assistance by emphasizing work, self-sufficiency and personal responsibility while meeting the transitional needs of program participants who need support to achieve independent, productive lives and gain the responsibility that comes with attaining self-sufficiency.
- d.** Take full advantage of the flexibility provided under state and federal law that allows for providing job preparation and intervention programs to enable welfare applicants/recipients and transitional participants to move from welfare to work.
- e.** Prevent and reduce the incidence of out-of-wedlock pregnancies.
- f.** Encourage the formation and maintenance of two-parent families.
- g.** Provide oversight and policy direction to the program and to ensure cooperation and accountability among state agencies and service providers to deliver needed services.

1.6 ANNUAL WORKFORCE INNOVATION/WT STATEWIDE PLAN (s. 445.006, F.S.)

The Workforce Innovation Act requires that WFI develop a strategic and operational plan and update it annually for submission to the Governor, President of the Senate and the Speaker of the House. The Act also provides for necessary performance measures,

standards, measurement criteria and contract guidelines for the WT; strategies to prevent or reduce the need for public assistance; data collection and reporting to federal agencies. The operational plan that implements the strategic plan must reflect the allocation of state and federal resources as appropriated by the Legislature, including TANF Block Grant funds, for specified responsibilities.

1.7 PUBLIC INVOLVEMENT

In accordance with public access provisions of Title IV-A, Section 402 of the SSA, notice of the state plan was published September 26, 2008, in the Florida Administrative Weekly. This notice provided for a 45-day public comment period and provided addresses and contact names for obtaining a draft copy of the plan and for providing written comments on the proposed plan.

Florida Statutes provide for the promulgation of administrative rules that detail state requirements to receive TANF assistance. Any new rule or modification to a current rule requires a minimum of a 90-day period for comments, unless it is an emergency rule that has a 30-day adoption period. The State Plan and proposed program rules process provide for input from other state agencies, public and private organizations, general public and other pertinent entities during development and implementation.

1.8 PROGRAM EVALUATION (s. 445.033, F.S.)

The Board of Directors of WFI and the DCF are responsible for participating in an evaluation of TANF funded programs in conjunction with any evaluation of the state's workforce development programs or similar activities designed to examine program outcomes, cost-effectiveness or return on investment, the impact of time limits, sanctions, and other welfare reform measures required under federal or state law or regulation.

1.9 DEFINITIONS (s. 414.252 & s. 445.002, F.S.)

The following terms relate to Florida's administration of the TANF Program.

- a. **Agency** means the AWI.
- b. **Department** means the DCF.
- c. **Domestic Violence** means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense that results in the physical injury or death of one family or household member by another.
- d. **Family** means the assistance group or the individuals whose needs, resources and income are considered when determining eligibility for temporary assistance. The family for purposes of temporary assistance includes the minor child (ren), custodial parent(s), or caretaker relative(s) who reside in the same house or living unit. The

family may also include individuals whose income and resources are considered in whole or in part in determining eligibility for temporary assistance but whose needs, due to federal or state restrictions, are not considered. These individuals include, but are not limited to, ineligible non-citizens and sanctioned individuals. For non-assistance, family will include any individual whose needs, resources, and income are considered when determining eligibility for the non-assistance. This may include the minor child, custodial parent, relative caretaker, non-custodial parent or other household member.

- e. **Family or household member** means spouses, former spouses, non-cohabitating partners, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who have a child in common regardless of whether they have been married or have resided together at any time.
- f. **Homeless** means an individual who lacks a fixed, regular, and adequate nighttime residence or an individual who has a primary nighttime residence that is:
 - 1. A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transitional housing for the mentally ill;
 - 2. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - 3. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
- g. **Minor child** means a child less than 18 years of age, or under 19 years of age if the child is a full-time student in a secondary school or at the equivalent level of vocational or technical training, and does not include anyone who is married or divorced.
- h. **Participant** means an individual who has applied for and receives TCA, or for non-assistance TANF programs, participant means a person who is found eligible and is enrolled based on the TANF purpose served.
- i. **Public assistance** means benefits paid on the basis of the TCA, food stamps, Medicaid, or optional state supplementation programs.
- j. **Relative caretaker or caretaker relative** means an adult who has assumed the primary responsibility of caring for a child and who is related to the child by blood or marriage.
- k. **Services and one-time payments or services/non-assistance**, when used in reference to individuals who are not receiving TCA, means non-recurrent, short-term

benefits designed to deal with a specific crisis situation or episode of need and other services; work subsidies; supportive services such as child care and transportation; services such as counseling, case management, peer support and child care information and referral; transitional services, job retention, job advancement, and other employment-related services; non-medical treatment for substance abuse or mental health problems; teen pregnancy prevention; two-parent family support, including non-custodial parent program(s) services; court-ordered supervised visitation, responsible fatherhood services; and any other services that are reasonably calculated to further the purposes of the TANF program. Such terms do not include assistance as defined in federal regulations at 45 C.F.R. s. 260.31(a).

- i. Temporary cash assistance** means cash assistance provided under the state program certified under Title IV-A of the Social Security Act, as amended.

- m. Welfare transition services** means workforce services provided to applicants of TCA, as well as current or former recipients of TCA under Chapters 414 and 445, F.S.

SECTION 2: NEEDY FAMILIES

2.1 ELIGIBILITY FOR TANF FUNDED ASSISTANCE AND NON-ASSISTANCE (ss. 414.045, 414.075, 414, 085, & 414.095, F.S.)

Florida limits TANF funded benefits and/or services eligibility to families that meet the eligibility standards as outlined in federal and state law. Except as allowed by federal law, to be eligible for programs and/or services funded with segregated federal TANF funds or state-funds that are reported as maintenance of effort, a Florida family must meet the following requirements:

- be U.S. citizens or qualified non-citizens;
- be legal residents of the state;
- include a minor child living with a custodial parent or caretaker relative;
- be a pregnant woman; and
- be a needy family with income commensurate with the financial eligibility required by the program. (Exception is programs under TANF purposes 3 and 4 funded with segregated TANF funds.)

Consistent with the four purposes under section 402(a)(1)(A)(i) of PRWORA, the state defines the following groups as “TANF-eligible families.” (See *TANF- Eligible Families and TANF-Eligible Parents summary chart at the end of this Section.*) Florida has two definitions for “needy.” One definition applies to a family making application to receive cash assistance for on-going basic needs, and the second applies to families seeking eligibility for a non-assistance service activity. Below are the families who are eligible and the level of income that establishes their status as “needy.”

- a. Needy families with a gross income equal to or below 185% of the federal poverty level are eligible to receive cash assistance.
- b. Needy families with a gross income below 200% of the federal poverty level are eligible for TANF non-assistance services. Specified individuals include victims of domestic violence, families served through programs created to strengthen Florida’s families, families at risk of welfare dependency due to substance abuse or mental illness, families with children at risk of abuse or neglect, non-custodial parents and families at risk of welfare dependence due to teen pregnancy.
- c. TCA families who lose TCA eligibility due to employment or receipt of child support and up-front diversion recipients are eligible for transitional services. Their eligibility continues for the periods specified in federal and state law, and while their income remains below 200% of the federal poverty level.
- d. Non-custodial parents with income below 200% of the federal poverty level who are referred by the court to cooperate in employment and training activities or work

activities, or both, to secure employment and cooperate with child support/court requirements are eligible. Non-custodial parents who volunteer may also participate in the TANF programs.

- e. To the extent permitted by federal law and subject to appropriations, adopting families of children with special needs who meet the state's definition of needy under TANF and have income below 200% of the federal poverty level are eligible for TANF services.

2.2 ELIGIBILITY FOR TEMPORARY CASH ASSISTANCE (ss. 414.075, 414.085, & 414.095, F.S.)

Criteria for eligibility include:

- a. Be a United States citizen or a qualified noncitizen in accordance with federal and state law.
- b. Be a legal resident of the State of Florida.
- c. Have a minor child who resides with a custodial parent or parents or with a relative caretaker related to the child by blood or marriage as defined in s. 414.0252(6).
- d. Meet the income and resource requirements of the program as defined in s. 414.075, 414.085, and 414.095, F.S. All minor children who live in the household and are members of the family, as well as the parents of the minor children, shall be included in the eligibility determination, unless specifically excluded.
- e. Work register with the RWB service provider if an adult family member does not meet an exemption.
- f. Cooperate with child support enforcement (CSE).
- g. If a minor parent, live at home or reside in an adult supervised setting and have the assistance paid to an alternative payee.
- h. Be in the ninth month of pregnancy with no other minor children in the home. However, if a doctor's order restricts a woman from work activities, TCA is available in the last trimester of pregnancy.

2.3 TWO-PARENT FAMILY

Any family considered a two-parent family under Title IV-A of the Social Security Act, as amended, is eligible to be part of the Welfare Transition program if it meets eligibility criteria.

In order to encourage two-parent families to participate in the WT, Florida removed the

restrictions and complex eligibility criteria that often served as barriers to participation in the former JOBS program. Two-parent families currently must meet the same eligibility requirements as single-parent families, receive the same benefits and services, and must meet federal work activity requirements and state time limitations.

The additional income earned by both parents' participation in the program, and the potential for increased earning power as both parents leave the program for unsubsidized employment, will alleviate acute financial strain and help to keep the family intact.

2.4 NON-CITIZEN ELIGIBILITY (s. 414.095(3), F.S.)

Florida provides assistance to qualified non-citizens as allowed by federal law and in accordance with state law. Qualified non-citizens who receive TCA are subject to the same work requirements and time limits as other recipients. See *Chapter 414 F.S.*

2.5 TREATMENT OF FAMILIES MOVING TO FLORIDA FROM ANOTHER STATE (s. 414.105(7), F.S.)

Florida does not treat families moving into the state from another state differently than in-state families participating under the program. Individuals who move from another state are subject to the same time limitation as Florida residents. Florida counts the months of TANF assistance received in another state toward its 48-month lifetime limit.

2.6 CONDITIONS OF ELIGIBILITY

a. Disregards (414.095 (11), F.S.): As an incentive to employment, Florida disregards the first \$200 plus one-half of the remainder of earned income. To be eligible for this disregard, the individual must be a current participant in the program, or must be eligible to participate in the program without the disregard.

Florida disregards the earned income of a child if the child is a member of an eligible family, attends high school or the equivalent and is 19 years of age or younger.

b. Learnfare (s. 414.1251, F.S.): Florida reduces TCA benefits when a participant's dependent school-age child(ren) becomes a habitual truant or school dropout, or if the parent or caretaker relative whose needs are included in the TCA assistance group fails to attend a school conference each semester without good cause.

c. Family Cap (s. 414.115, F.S.): Florida limits assistance to recipients who give birth to a child while receiving assistance, or if the family's case has been closed for less than six continuous months when the family reapplies for assistance. Families receive only 50% of the maximum incremental increase for the first child born more than ten months after the date of application and no additional benefits for additional children.

d. Immunizations (s. 414.13, F.S.): Applicants and participants with a preschool child

must begin and complete appropriate childhood immunizations. DCF advises them of the availability of childhood immunizations through the county health department. Failure to meet the immunization requirement results in the removal of the child from the assistance grant until the family meets immunization requirements unless the failure to immunize is due to religious reasons or other good cause.

- e. **Child Support Enforcement (s. 414.095 (6) and (14) (d) F.S.):** The parent or caretaker relative or teen parent must cooperate with child support enforcement (CSE) in establishing paternity, modifying or enforcing a support order unless CSE determines good cause. The entire family loses cash assistance until it satisfies the requirement of cooperation.
- f. **Felony Drug Conviction (s. 414.095 (1) F.S.):** Florida does not deny eligibility for cash assistance to individuals convicted of a drug felony unless the conviction is for trafficking. To be eligible under this provision, however, the individual must be meeting the requirements of the TCA program including any substance abuse treatment requirements.

2.7 TEEN PARENT ELIGIBILITY REQUIREMENTS (s. 414.095(2)(a)4 and (14)b, F.S.)

TCA, without shelter expense, may be available for a teen parent who is less than 19 years of age, and for the child. The following requirements apply to teen parent eligibility:

- a. Assistance must be paid on behalf of the teen parent and child to an alternative payee designated by DCF. The alternative payee may not use the TCA for any purpose other than paying for food, shelter, medical care and other necessities required by the teen so the teen parent may attend school or a training program.
- b. The teen parent must:
 - 1. Attend school or an approved alternative training program, unless the teen parent's child is less than 12 weeks of age or the teen parent has completed high school.
 - 2. Reside with a parent, legal guardian, or other adult caretaker relative. If the teen parent has suffered or might suffer harm in the home or if the residency requirement is not in the best interest of the teen parent or child, an alternative adult supervised supportive living arrangement must be provided. The teen is to be assisted in finding an appropriate adult-supervised supportive living arrangement. The Department cannot delay TCA while deciding where the teen parent should live and must allow sufficient time for the move.
 - 3. Attend parenting and family classes, as available, that provide a curriculum specified by DCF or the DOH.

2.8 DIVERSION PROGRAMS

Florida established a number of discretionary programs to assist families who may not need ongoing cash assistance or meet the income eligibility limitations. The RWBs or other local contracted agencies administer these programs in cooperation with WFI/AWI and DCF. These short-term programs are:

- a. **Diversion (s. 445.017, F.S.):** Provides one-time, short-term assistance for applicants who do not need ongoing assistance, but do have an unexpected circumstance or emergency that requires immediate assistance to secure or retain employment or child support. Applicants for diversion assistance must meet eligibility requirements, but a modified eligibility process reduces wait time to receive assistance. RWB service providers screen each family on a case-by-case basis to identify any barriers to obtaining or retaining employment. The non-assistance services or diversion payment may alleviate these barriers so that the family does not require ongoing cash assistance. Service providers make referrals as necessary to other programs including food stamps, Medicaid or Mental Health and Substance Abuse.

Up-Front Diversion is a four step process: (1) Link the applicant to a job opportunity as a first option; (2) Offer services such as child care and transportation; (3) Completely screen for emergency needs of family and respond to those needs; and (4) Offer a one-time payment of up to \$1,000 per family. (The first three steps are designed to eliminate need for the fourth.) The family must demonstrate a need and secure a means to meet on-going expenses once it receives the diversion payment. A family must agree not to apply for assistance for three months unless it can demonstrate an emergency to the RWB.

See WFI AWI FG 04-013, Guidance Up-Front Diversion Policy and Procedure
<http://www.floridajobs.org/pdg/guidancepapers/013UpFrontDiversionWTP.rtf>

- b. **Diversion Program for Victims of Domestic Violence (s. 414.157, F.S.):** This program provides emergency shelter and related services to TANF eligible victims of domestic violence (income below 200% of federal poverty level). The program is available to a parent or a caretaker with one or more minor children or a pregnant woman. To extend services to larger numbers of domestic violence victims, the program does not offer cash payments to participants; instead, it focuses on referral to professional counselors who can provide a variety of services. The statutorily mandated services of emergency shelter, 24-hour hotline, information and referral, case management, child assessment, counseling, community education and professional training are all eligible services. Centers may offer other services on a case-by-case basis. The program also assists participants in applying for other state and/or local benefits and services.

See WFI/AWI, WPDG 026, Guidance, Domestic Violence Program
<http://www.floridajobs.org/pdg/guidancepapers/026 Domestic Violence.rtf>

- c. **Diversion Program to Prevent or Reduce Child Abuse or Neglect (Healthy Families Florida Program) (s. 414.158, F.S.):** This program provides a community-

based, voluntary home visiting program for expectant families and families of newborns (with income below 200% of poverty level) who are experiencing stressful life situations, including homelessness or the threat of homelessness. The program goal is to stabilize families, prevent child abuse and neglect before it occurs and promote healthy childhood growth and development. TANF funds allowed the program to expand the number of sites and increase the counties receiving services. Major activities include home visits to teach parent-child interaction, child development, discipline practices, problem solving skills, emergency supports and referral to other community services such as medical care, family planning, mental health, substance abuse, domestic violence, child care, food stamps, and Medicaid programs.

- d. **Emergency Assistance Program (Temporary Financial Assistance for Homeless Families Program) (s. 414.16 F.S.): Emergency Assistance Program (Temporary Financial Assistance for Housing Program) (s. 414.16 F.S.):** The goal of the program is to help prevent homelessness among families who are faced with eviction or foreclosure for non-payment of rent or mortgage due to a family emergency or natural disaster. The program can also help with a security deposit if the family has been evicted or is leaving a homeless or domestic abuse shelter. Each household must contain at least one child less than 18 years of age. Payments are made directly to the landlord or mortgage company. Families may be assisted once in a 12-month period with up to \$400.00.
- e. **Diversion Program for Families at Risk of Welfare Dependency due to Substance Abuse or Mental Illness (s. 414.1585, F.S.):** The program's services focus on families in danger of entering the welfare system due to substance abuse and/or mental health impairments that negatively affect their economic and family stability. The applicant must meet one or more criteria that include being: 1) a parent or relative caretaker with one or more minor children living in the home, 2) a pregnant woman, 3) a family whose children have been removed from the home by the Family Safety Program (as long as the treatment is included or added to the active family reunification goal in the case plan) or 4) a Supplemental Security Income (SSI) program or the Social Security Disability Insurance (SSDI) family with work directed goals. The program limits services provided with TANF funds to **only non-medical treatment services** (See *Medical Services Definition at the end of Section 2.*) The program provides psychiatric, detoxification, and other related medical service through other resources based on need, availability, and eligibility. Referral mechanisms to other programs are in place to stabilize families so that children can be cared for in their own home or the home of relatives and families can be self-sufficient.

See TANF Substance Abuse & Mental Health Handbook, December 2005.
<http://www.dcf.state.fl.us/mentalhealth/contract/tanf.pdf>

- f. **Relocation Assistance Program (s. 445.021, F.S.):** The program provides relocation funds and services to families receiving TCA or who meet eligibility

requirements for the diversion program and who have significant barriers to finding and retaining employment. A family may use the funds to relocate to communities where there is greater opportunity for attaining self-sufficiency. RWB service providers determine eligibility, establish a written relocation plan, verify that the community receiving the family has the capacity to provide needed services and employment opportunities and monitor the family's relocation.

See AWI, WPDG 023, Guidance Paper, Welfare Transition Relocation Assistance.

<http://www.floridajobs.org/pdg/guidancepapers/023RelocationWTPrev062104.rtf>.

g. Diversion Program to Strengthen Florida's Families (s. 445.018, F.S.): This program provides services that assist families whose incomes do not exceed 200% of the federal poverty level to avoid welfare dependency. RWB service providers determine eligibility and provide services to enable employable adults in the family to become employed, remain employed or pursue career advancement. All services must be employment-related. A family must agree not to apply for TCA for six months following receipt of services unless it can demonstrate an unanticipated emergency to the RWB. If the family applies for TCA without a documented emergency, the family must repay the value of the diversion services. Repayment may be prorated over eight months through a deduction from the family's TCA payment. This program is contingent upon availability of TANF funds.

h. Teen Parent and Pregnancy Prevention Diversion Program (s. 445.019, F.S.):

NOTE: This program was an abstinence-focused program offered through the Department of Health with segregated TANF funds. The Florida Legislature has shifted funding from TANF to another source. No TANF or MOE funds are being used currently. Program left in plan because state statute authority for it remains.

2.9 SPECIFIED EXEMPTIONS TO WORK ACTIVITY (s. 445.024(3), F.S.)

TCA recipients must comply with the work activity requirements unless they meet one or more exemptions below:

- a. An individual who receives benefits under the SSI or the SSDI program.
- b. An adult not defined as a work-eligible individual under federal law.
- c. A single parent of a child less than three months of age, except that the parent may be required to attend parenting classes or other activities to prepare for the responsibility of raising a child.
- d. Individuals who are exempt from the time limit pursuant to s. 414.105, F.S.

2.10 TIME LIMIT FOR RECEIPT OF TCA (s. 414.105, F.S.)

Florida's lifetime limit for receipt of assistance is more restrictive than the federal 60-month lifetime limitation; the state limits recipients to a lifetime cumulative total of 48 months as an adult.

2.11 HARDSHIP EXTENSION TO TCA TIME LIMITATION (s. 414.105, F.S.)

A hardship extension adds months to the time limit for an individual's receipt of TCA. The DCF determines that the individual is within 42 months of the 48-month lifetime limit and notifies the RWB provider. The RWB provider then schedules an interview with the participant to assess employment prospects and barriers to decide if the individual may need a hardship extension and is eligible to receive a recommendation for one. Upon a positive recommendation, DCF continues cash assistance for the number of months recommended by the RWB. Participants may also subsequently request a hardship extension later by completing the hardship extension review process. Hardship extension eligibility criteria include:

- a. Diligent participation in work activities combined with an inability to obtain employment.
- b. Diligent participation in work activities combined with extraordinary barriers to employment, including conditions that may result in an exemption to work requirements.
- c. Significant barriers to employment combined with a need for additional time.
- d. Diligent participation and a need by teen parents for an exemption in order to have 24 months of eligibility beyond receipt of the high school diploma or equivalent.
- e. A recommendation of extension for a minor child of a participating family at the end of the eligibility period for TCA based on a review that determines that the termination of a child's cash assistance would likely result in the child being placed into emergency shelter or foster care.
- f. The participant is a victim of domestic violence, if the effects of such violence delays or otherwise interrupts or adversely affects the individual's participation.

Failure to comply with program requirements during the extension period results in pre-penalty counseling and may ultimately result in a penalty that terminates TCA benefits and voids any remaining months of extension.

See AWI guidance paper 025 on Hardship Extensions
http://www.floridajobs.org/PDG/guidancepapers/025HardshipExtensions_rev092408.pdf

2.12 INDIVIDUAL RESPONSIBILITY PLAN AND ALTERNATIVE REQUIREMENT PLAN

- a. **Assessment:** The goal of assessment is to gather pertinent information about the

program participant. Assessment includes, but is not limited to:

- identifying barriers to employment, full participation in countable work activities or both;
- identifying the participant's skills that will translate into employment and training opportunities; and
- reviewing the participant's work history; and
- identifying other employability issues that could help or hinder the participant's move toward employment.

This information sets the foundation for the Individual Responsibility Plan (IRP) designed in consultation with the program participant. Assessment may include identifying when an individual needs to apply for other forms of long-term assistance because of a limitation or limitations that remain as barriers to economic self-sufficiency. This may include:

- referring the participant to services to address the barriers to full engagement in program activities and employment;
- arranging access to resources available through the one-stop career center/workforce system (such as transportation assistance, childcare, etc.).

The RWBs screen cash assistance recipients referred to the WT program for hidden disabilities, such as learning disabilities. They connect Individuals who need further assessment and/or additional services with service providers in the community. The RWBs ensure that information related to the individual's abilities is available to program staff so that it may assign the participant activities that provide equitable and meaningful engagement.

b. Individual Responsibility Plan (IRP): Each program participant is unique. Each participant has his/her own

- skills
- abilities
- work history
- barriers
- etc.

The RWBs engage program participants in activities designed to move the participant toward self-sufficiency. This includes services related to barrier removal. The WT program staff and the participant are jointly responsible for developing an IRP that specifies the employment goal of the participant; the services to be provided to the participant to overcome/manage barriers to self-sufficiency, training and work activities the participant must complete. At a minimum, the IRP must include:

- the participant's assigned activities. This includes countable work activities, as well as barrier removal/management activities. For

example: in-depth screening or assessments for hidden disabilities, such as learning disabilities and limited English proficiency (LEP);

- the number of hours the participant must complete;
- the expected completion dates or deadlines associated with the participant's engagement;
- the services for which the individual is being referred to program partners and community agencies; and
- the services the individual is being offered through the workforce system.

The participant and WT staff must agree on the activities and training, and both must sign the plan.

The IRP may have alternative requirements associated with an individual's limitations to engage in countable work activities or employment. The WT program staff, in consultation with the participant, is responsible for developing the IRP for participants who, due to domestic violence, drug and/or alcohol addiction, medical problems, mental health issues, hidden disabilities, learning disabilities or other problems may be unable to participate in work activities full-time or may need accommodations to participate in activities/employment.

- If an individual is dealing with domestic violence, the IRP must focus on providing for the ongoing safety of a domestic violence victim and his or her children.
- If an individual is dealing with medical, mental health and/or substance abuse issues, the IRP must focus on the medical, substance abuse, or mental health treatment plans.
- Where appropriate, the program will provide reasonable accommodations and language assistance to participants to ensure meaningful access and effective communication.

All plans will address barriers so that the participant continues to move toward self-sufficiency, even if the participant is dealing with multiple issues. The WT program staff, the participant, and (when possible) other professional service providers develop the IRP jointly.

TANF-ELIGIBLE FAMILIES AND TANF-ELIGIBLE PARENTS

Federal law permits states to establish eligibility criteria for the Temporary Assistance for Needy Families (TANF) program within broad federal guidelines. The listing below summarizes the families and parents defined as “eligible families” by various provisions of Florida Law.

Section Title	Description	Eligible for Assistance?	Eligible for Services?
250.10 (2)(m)(1) About Face	A summer and year-round after-school life preparation course for children of needy families (parents eligible for or receiving public assistance) from age 13 through 17 administered by the Department of Military Affairs at sites determined by the Adjutant General.	No	Yes Has been Funded through segregated TANF funds. July 1, will not receive TANF or TANF/MOE funds.
250.10 (2)(m)(2) Forward March	Job readiness services for recipients of cash assistance that are directed to Forward March by Regional Workforce Boards	Yes	Yes July 1, will not receive TANF or TANF/MOE funds.
414.045 Cash Assistance Workforce Participant (Work Eligible) Under TANF State Plan	This includes families (one or two parents) with minor children (or a pregnant individual) containing adult(s) (a parent or a relative who chooses to be included in the cash assistance group) or teen head of household who is subject to the work activity requirements or time limits. This includes individuals who are currently exempted from work activities or who have an exception to the work activity requirement but who will be subject to such requirements at some point in the future. For example, individuals with a child under three months of age or individuals meeting an exception due to illness or incapacity. This also includes families where the parent is under sanction and removed from the assistance group.	Yes	Yes
414.045 Cash Assistance Not Work Eligible Participant	This includes families without an eligible adult who is subject to the work activity requirement or the time limit under federal or state law. These include “child-only” situations such as grandparents or other relatives receiving assistance for the children, families where the parent or parents are receiving SSI benefits and are, therefore, excluded from being included in the cash assistance group and families where the parent or parents in statutorily ineligible (for example, due to immigration status).	Yes	Yes

<p>39.5085 414.045 Cash Assistance –Relative Caregiver Program</p>	<p>This is a specific program created to provide assistance to relative caregivers when children have been placed with the relative by the court as part of a dependency action. Benefits under this program are limited to families under the supervision of child welfare.</p>	<p>Yes</p>	<p>Yes</p>
<p>414.045(1)(a) 5. Adopting Families of Children with Special Needs</p>	<p>Assistance with services necessary for families who have adopted children (living with a caretaker relative) with special needs who have income at or below 200 % of the federal poverty level .and who meet the state's definition of needy under TANF. Services may include specialized counseling, purchase of adaptive equipment or accommodations in the home. The program does not provide for on-going, basic needs.</p>	<p>Yes</p>	<p>Yes</p>
<p>414.065(5) Non-custodial parents</p>	<p>Services for a non-custodial parent who is: • A parent ordered by the court to participate in activities leading to employment so that the parent can obtain employment and fulfill obligations to provide support payments. To be eligible for services, the non-custodial parent would have to have family income below 200% of poverty. • A parent whose child is in emergency shelter or foster care or other substitute care who is ordered by the court to participate in work activities as part of a reunification plan when the parent would have been eligible to participate in work activities if the child was in the home.</p>	<p>No</p>	<p>Yes</p>
<p>445.017 Cash assistance diversion</p>	<p>One time payment of up to \$1,000 and services designed to divert an applicant from ongoing cash assistance when the applicant does not need ongoing cash assistance.</p>	<p>No</p>	<p>Yes</p>
<p>445.028, 445.029, 445.030, 445.031, 445.032, 402.3015. Transitional Services</p>	<p>Former cash assistance recipients who left cash assistance due to employment and remain eligible for transitional Medicaid, child care, education and training, or transportation.</p>	<p>No</p>	<p>Yes</p>
<p>445.018 Diversion program to strengthen Florida's Families</p>	<p>Provides an extensive array of services to families below 200% of the federal poverty level that include a child living with a parent or relative or a pregnant woman. Services include assessment, service planning and coordination, job placement, employment related education or training, child care services, transportation services, relocation services, workplace employment support services, individual or family counseling, or a Retention Incentive Training Account (RITA) designed to prevent the family from becoming dependant on welfare by enabling employable adults in the family to become employed, remain employed or pursue career advancement.</p>	<p>No</p>	<p>Yes</p>

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445.028 Transitional benefits and services	Transitional benefits and services such as child care, transportation, education or training for families who leave cash assistance due to employment. Transitional benefits are generally available for two years after leaving cash assistance except for transitional Medicaid, which is available for one year (federal law).	No	Yes
414.157 Diversion program for victims of domestic violence	Families with children (or a pregnant woman) in need of services who have income below 200% of the federal poverty level and who are victims of domestic violence (as determined by the domestic violence program).	No	Yes
414.158 Diversion program to prevent or reduce child abuse and neglect	Families with children (or a pregnant woman) in need of services who have income below 200% of the federal poverty level and • include one or more children determined by the Department to be at risk of abuse, neglect or threatened harm, or • meets the criteria of a voluntary assessment performed by the Healthy Families Florida program, or • is homeless or living in a facility that provides shelter to homeless families.	No	Yes
414.1585 Diversion program for families at risk of welfare dependency due to substance abuse or mental illness	Families with children (or a pregnant woman) who are at risk of welfare dependency due to substance abuse or mental illness and who have income below 200% of the federal poverty level.	No	Yes
445.024(3) Teen parent and pregnancy prevention diversion program	Teens that are determined to be at risk of pregnancy or teens who already have a child. TANF-funded pre-pregnancy family planning services or related services and assistance in completing educational or employment programs may be provided without regard to family income. Receipt of services does not preclude eligibility for or receipt of other assistance or services.	No	Yes Was funded with segregated TANF funds. Not currently receiving TANF or MOE.
414.16 Emergency assistance program	Families with one or more children that are without shelter or who face eviction or have lost their shelter due to a household disaster such as fire, flood, earthquake or other accident. Families must meet the income requirements of the cash assistance program and may not have assets that are available to meet the emergency.	No	Yes
445.023 Program for dependent care for families with children with special needs	Families with a child or children age 13 to 17 who have special needs such as a disability and who meet the income guidelines of the subsidized child care program. Cash assistance recipients may also receive dependent care through this provision.	No	Yes

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State Plan for Temporary Assistance for Needy Families
Renewal October 1, 2008-September 30, 2011

411.01(6) Subsidized child care program	Child care for children through age 12 in families below 150% of federal poverty level (applicants), below 200% of federal poverty level (families already receiving child care), or below 200% of federal poverty level (certain specified groups). Families must pay a fee on a sliding scale.	No	Yes
Title IV-A State Plan in Effect as of September 30, 1995	Assistance or services authorized under the former Title IV-A plan Any individual who was eligible for assistance or service authorized under the Title IV-A (AFDC/JOBS) State Plan which was in effect as of September 30, 1995 shall be eligible for such assistance or service in accordance with sec. 404(a)(1) of the Social Security Act, as amended [42 U.S.C. 604(a)(1)].	Yes	Yes

Medical Services Guidance

Federal law provides that a state shall not use TANF funds to provide medical services and that the term "medical services" does not include pregnancy family planning services. The material provided in this section relies not only on the statutory language but also on the discussion in the preamble to the final TANF regulations of issues related to domestic violence, substance abuse treatment and mental health treatment.

Purpose:

The purpose of this section is to provide clarification as to what services are considered "medical services" under Florida's TANF Program and, therefore not allowable for TANF funding.

GENERAL:

In general, medical services include treatment to alleviate or remedy a health or medical condition, the provision of which requires a license to practice a medical profession in Florida. Medical services would generally include those services covered by the Medicaid program. However, the fact that a service is potentially reimbursable by Medicaid does not automatically mean that it is a medical service. Similarly, activities by medical professionals that are related to assessment or which are vocational in nature may not be medical services per se. This section provides guidance on these issues.

GUIDELINES:

The following services are generally not considered medical services for purposes of TANF (and the differentiation of medical vs. non-medical services for TANF is not intended to apply to any other program or funding source).

1. Pre-pregnancy family planning. These activities are not considered medical services due to an explicit statutory exception (Section 408(a)(6) of the Social Security Act, as amended).
2. Case management (whether or not reimbursable under Medicaid as targeted case management). As used here, case management includes the development of individualized case plans, family case plans, employability plans, etc.; the provision or brokering for services found in the case plan; and the process of monitoring progress toward case goals. Case management also may include assessment of client needs, identification of barriers to achievement of goals and the periodic review of such plans.

NOTE: If an activity such as case management is Medicaid reimbursable and an allowable expense under TANF, it is never permissible to bill both funding sources for the same expenditure.

3. Assessment activities related to a TANF purpose. Assessment activities related to a TANF purpose are generally not considered medical services and are allowable activities under TANF. Examples of assessment activities that are not medical services may include

vocational assessment by a health professional to determine what work activities are appropriate. For example, a pre-employment physical examination that does not include treatment would not be considered a medical service. Similarly, an assessment by a health professional acting as member of a Child Protection Team as to whether a child could safely remain in his or her own home would not be considered a medical service. Another example might be the administration of a drug test required for employment in a drug-free workplace.

4. Counseling, including job counseling or individual or family counseling related to a TANF purpose is generally not considered a medical service. In contrast, psychotherapy or treatment provided by a psychiatrist would generally be considered a medical service.

5. The non-medical component of treatment program related to a TANF purpose is not a medical service. This could include the cost of room and board for residential treatment for substance abuse or mental health treatment of 150 days or less as defined in s. 414.0655, F.S. Non-medical costs of treatment may also include respite services or day services where these services are related to a TANF purpose and otherwise permissible.

6. Transportation costs related to a TANF purpose are not considered a medical service. This could include transportation to and from medical treatments (assuming the cost is not covered by Medicaid).

7. Employment related services such as supported employment, sheltered employment, job coaching, etc. are not considered medical services. Assessment, testing or other determinations of modifications needed for reasonable accommodation for a participant's disability, incapacity, or limitation would not be considered a medical service.

8. Outreach, public awareness and public education related to a TANF purpose are not considered medical services. This would include outreach related to transitional benefits including transitional Medicaid and outreach related to the Florida KidCare Program.

Payment of KidCare co-payments or monthly premiums for health insurance is considered a payment for medical services and is not permissible with TANF funds.

PROTOCOL FOR QUESTIONS REGARDING MEDICAL SERVICES:

The guidelines will cover many questions about the permissible use of TANF funds. Additional specific questions about uses of TANF funds may be posed to the ACCESS Florida Program Office or the Office of Budget Services (Department of Children and Family Services).

These offices will coordinate responses with consultation from other agencies and the federal Administration for Children and Families.

SECTION 3: WORK REQUIREMENTS

3.1 WORK ACTIVITY REQUIREMENTS (s. 445.024, F.S.)

Individuals who apply for TCA and who are not otherwise exempt must complete the work registration process as a condition of eligibility for cash assistance. The local RWBs develop the procedures. DCF refers applicants to the RWBs in accordance with s. 414.095, F.S. As part of the work registration process, applicants learn about the WT program, their opportunities and their responsibilities. Applicants engage in work activities based on their ability to comply. If an applicant is not able to begin participating in job search or other activities because of medical limitations, mental health issues, substance abuse issues or domestic violence, the individual is engaged in a modified work registration process. An individual who needs assistance in order to look for work, to participate in work activities or who requires special accommodations to participate is offered services based on his/her particular needs.

Failure to complete the work registration process without good cause results in a denial of benefits. An individual who is not able to work because of a medical incapacity, substance abuse issue, mental health issue, domestic violence or other disability/limitation may be excused from having to work register or participate in work prior to receiving assistance. Upon approval for TCA, DCF refers non-exempt individuals to the RWBs for assessment and assignment to appropriate work activities.

Chapter 445, Section 445.024, F.S. specifies the work activity requirements of the WT Program. These requirements ensure that TANF-eligible parents and caretaker relatives engage in work in accordance with sections 402(a)(1)(A)(ii) and 407 of the Social Security Act as amended by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), the Deficit Reduction Act and subsequent Final Rule (2008). Unless a parent or caretaker meets a specified exemption, the statute requires immediate entry into work or other activities, subject to federal and state funding.

3.2 DEFINITION OF WORK ACTIVITIES (s. 445.024, F.S.)

Participants must participate in work activities for not less than the minimum number of hours required under federal law in 42 USC s. 607(d), SSA, as amended by PRWORA. The amount of time in a work activity cannot exceed that permitted under federal law or regulation.

The Agency for Workforce Innovation may develop activities under each of the following categories of work activities. The following categories of work activities, based on federal law and regulations, may be used individually or in combination to satisfy the work requirement for a participant in the Welfare Transition program.

- a. Unsubsidized employment.
- b. Subsidized private sector employment.
- c. Subsidized public sector employment.
- d. On-the-job training.
- e. Community service programs.
- f. Work Experience.
- g. Job search and job readiness assistance.
- h. Vocational educational training.
- i. Job skills training directly related to employment.
- j. Education directly related to employment.
- k. Satisfactory attendance at a secondary school or in a course of study leading to a graduate equivalency diploma.
- l. Providing childcare services.

Florida defines its work activities completely in its approved Work Verification Plan. The state uses the same definition for each work activity as described in the Deficit Reconciliation Act of 2005 final Regulations (published February 5, 2008) for the reauthorization of TANF.

See Florida's Work Verification Plan.

http://www.floridajobs.org/PDG/wt/TANF_WorkVerificPlanAsApproved112907.pdf.

3.3 SUPPORT SERVICES (s. 445.025, F.S.)

Support services enable families to remove barriers to participation in work or alternative requirement plan activities and employment and leave the program on the path to self-sufficiency. The RWBs have local operating procedures that prioritize services based on the needs of individuals and caseload. RWB providers authorize support services and make referrals to appropriate entities. The provider's inability to offer necessary support services may serve as good cause for a customer's non-participation in work activities. Support services include, but are not limited to:

- a. **Child Care:** The RWB provider authorizes child care for the hours of work activity or employment plus a reasonable time to travel to and from the child care facility and the place of work activity/employment and return. Each family must contribute to the cost

of child care through a parent co-payment, using the fee schedule established by the local School Readiness Programs or Early Learning Coalitions. The child receiving care must be within the specified degree of relationship to the participant to be eligible to receive TANF-funded assistance and must be included in the assistance group.

See Section 5.12, School Readiness Programs or Early Learning Coalitions for more information.

- b. Transportation:** Transportation expenses for participants include bus tokens or passes, transit vouchers, car repairs, and gasoline. RWB providers pay participants for transportation in advance or reimburse against receipts or invoices. If funds are available, providers may pay for vehicle operation and repair expenditures necessary to make a vehicle serviceable, vehicle registration and driver license fees and liability insurance for up to six months.
- c. Ancillary Expenses:** These may include books, tools, clothing, education or training fees; background checks, drug screening or other costs to comply with employers' hiring conditions; or other expenses necessary to complete work or alternative requirement plan activities.
- d. Personal and Family Counseling Therapy:** Counseling may be provided to participants who have personal or family problem problems caused by substance abuse or mental health that are a barrier to participation or employment. RWB providers refer participants to community services that are available without additional cost. If the community services are not available at no cost, support service funds may be used.
- e. Medicaid:** Families that meet Medicaid eligibility requirements receive medical services under the Medicaid program. Florida does not use TANF funds to pay for medical services.

3.4 CHILD CARE RELATED DEFINITIONS

A participant cannot be sanctioned if acceptable child care is not available. Federal TANF regulations at 45 CFR section 261.56(b) require states to define the following four terms as they relate to determining if child care is unavailable. The source of Florida's definitions is the *2007-2009 State Plan for Florida, Child Care and Development Fund Services*.

- a. Appropriate child care:** The care, protection and supervision of a child that supplements parental care; enrichment and healthy supervision for the child in accordance with his or her individual needs. Such care should increase the child's chances of achieving future educational success and becoming a productive member of society.
- b. Reasonable distance:** Reasonable distance depends on the geographic area and availability of public transportation. The career manager discusses and determines mileage and/or time needed for travel to and from the job site with the participant.

- c. Unsuitability of informal child care:** The Florida Abuse Hotline Information System records check must be completed on all informal child care providers who receive funding to provide child care services through the subsidized child care program. If any individual in the household has a report with “some indication” or “verified findings” of abuse, the early learning coalition analyzes the clearance form and copies of any reports to determine whether the proposed provider will receive compensation from public funds. The coalition or their subcontract provider notifies the parent of the decision by letter, and the parent has the opportunity to select an alternate care provider.
- d. Affordable child care arrangement:** The program conducts a market rate survey biennially to determine the maximum county rates by age category and type of provider. Coalitions set maximum rates and the rates must be reasonably related to the market rate survey. The Child Care Resource and Referral Network surveys the total provider population to obtain data to establish a state market rate.

3.5 MEDICAL INCAPACITY (s. 414.065(4)(d)(e) & (f), F. S.)

The Florida WT recognizes that certain individuals are not immediately able to engage in work activities due to a variety of medical reasons.

Individuals excused for good cause from certain work activities due to medical incapacity must:

- a.** Comply with the course of medical treatment necessary to resume participation in work activities as specified in an alternative requirement plan.
- b.** Provide a statement from a physician licensed under chapter 458 or 459, F.S., verifying the medical incapacity and its likely duration, the number of hours per week the individual may participate in activities, the percentage of the individual’s disability and any other limitations on participation in work activities.
- c.** Participate in mental health or substance abuse counseling or treatment if the incapacity is related to either condition. Individuals may receive an exception from work requirements for up to five hours per week, not to exceed 100 hours per year to participate in counseling or treatment.
- d.** Provide verification of a pending application or appeal for SSI or SSDI in order to be excepted from participation in work activities in accordance with s. 414.065(4)(f), F.S. If the claim is ultimately denied, all months of TCA receipt count toward the recipient’s 48-month lifetime limit.

See the AWI Guidance on Medical Incapacity.

<http://www.floridajobs.org/pdq/guidancepapers/051MedicalIncapacity100505.pdf>

3.6 DOMESTIC VIOLENCE

Florida adopted the federal Family Violence Option in recognition that past and present incidences of domestic violence may affect an individual's ability to comply with assigned work activities.

- a. **WFI Operational Plan (s. 445.006(6)(a), F.S.):** The Workforce Innovation Act mandates that WFI include strategies in the operational plan that foster the provision of support services to reduce the incidence and effects of domestic violence on individuals and families receiving TCA/TANF non-assistance. WFI approved the implementation details provided in Welfare Transition Domestic Violence Program Final Guidance Paper, WPDG 026, issued 01/16/02.

See the WT web site at http://www.floridajobs.org/PDG/wel_trans.html.

- b. **Domestic Violence Policy (s. 414.065(4)(b) & (c), F.S.):** An individual unable to comply with work requirements because such compliance would make it probable that the individual would be unable to escape from domestic violence or due to mental or physical impairment related to past incidents of domestic violence may be excused from work requirements. The RWB service provider screens, identifies, and works with the individual to develop an ARP that specifies alternative activities that prepare the individual for self-sufficiency while providing for the safety of the individual and the individual's dependents. Failure to comply with the ARP without good cause results in the same penalty process as failure to comply with work activities.

3.7 GOOD CAUSE (s. 414.065(1), F.S.)

Florida defines "good cause for failure to comply with work or alternative requirement activities" as the temporary inability to participate due to circumstances beyond the participant's control. The RWB service provider notifies the individual of the failure to comply, provides counseling regarding the consequences of non-compliance, determines if the participant had good cause for not meeting program requirements and determines if the participant needs additional services or an alternative activity to assist in compliance. If the individual fails to respond to the notification or counseling, the provider requests that DCF apply a penalty. Good cause reasons include but are not limited to:

- a. A family emergency due to the inability to find suitable child care for a sick child under age 12.
- b. Hospitalization, medical emergency or death of an immediate family member.
- c. Natural disaster.
- d. Lack of transportation or child care or other support service.
- e. Court appearance.

- f. Temporarily caring for a disabled family member when the need for care has been verified and alternative care is not available.
- g. Domestic violence.

3.8 NONCOMPLIANCE WITH PROGRAM REQUIREMENTS (s. 414.065(1), F.S.)

Work activities are a critical component of the program because most individuals will realize self-sufficiency through employment or improved employment opportunities. The failure or refusal of the individual to become fully engaged in work or barrier removal/management activities may result in time-limited benefits ending before the family can become economically self-sufficient. As a deterrent to such an outcome, the program applies full family penalties when individuals fail to meet program requirements without good cause in accordance with s. 414.065, F.S.

Individuals who need accommodation, including language services, in order to be fully engaged in activities are offered such services to ensure that activities are 1) meaningful and 2) help the participant move toward self-sufficiency. Individuals who are not able to participate in countable work activities full-time, as required under federal and state law, because of a medical, mental health, substance abuse, or domestic violence issue or some other disability/limitation are engaged in barrier removal or management activities, such as following a treatment plan documented as necessary by a licensed physician. Participants excused from participation in countable work activities as mandated in federal law are engaged in a plan according to section 2.12 b. of the State plan.

If an individual requires access to services or accommodations to participate in activities and they are not offered such services, the participant is found to have good cause for not complying with work activity requirements.

See AWI, FG 03-037, Work Penalties & Pre-Penalty Counseling.

<http://www.floridajobs.org/pdq/guidancepapers/037wrkpenaltyprepenaltywtrev012104.rtf>

a. TCA penalties include:

1. First noncompliance: The program terminates TCA for the entire family for a minimum of 10 days or until the individual complies. The individual may comply at any time and have the penalty lifted after the minimum 10-day penalty period.
2. Second noncompliance: The program terminates TCA for the entire family for one month or until the individual complies, whichever is later. Upon meeting this requirement, the program reinstates TCA to the date of compliance or the first day of the month following the penalty period, whichever is later. TCA may be continued for the children under age 16 through a Protective Payee.
3. Third noncompliance: The program terminates TCA for the entire family for three

months or until the individual complies, whichever is later. The noncompliant individual must comply with the required work activity upon completion of the three-month penalty period before reinstatement of TCA. The program reinstates TCA to the date of compliance or the first day of the month following the penalty period, whichever is later. TCA may be continued for children under age 16 through a Protective Payee.

b. Food Stamp penalties

The program applies food stamp penalties as well as TCA penalties in accordance with the Food Stamp Program policy. The penalties are different, depending on family composition and conditions:

1. Food Stamp exempt: If the participant is exempt from work according to food stamps rules, the program applies no food stamp penalty. The food stamp budget remains the same as it was before the program removed TCA from the individual's budget as a result of the penalty. This applies regardless of the penalty level.
2. Food Stamp non-exempt: If the noncompliant individual is the head of household, the program disqualifies the entire household from receipt of food stamps; if the noncompliant individual is a non-head of household, the program removes only the individual's needs from the grant.

3.9 FORGIVING PRIOR PENALTIES (s. 414.065(1), F.S.)

If a participant fully complies with work activity requirements for at least six months without new noncompliance penalties, the program reinstates the participant as being in full compliance. If the individual becomes noncompliant again, it will be as a first act of noncompliance and subject to those penalties.

3.10 IMPACT OF PENALTIES ON TIME LIMITS

The Department considers any month that a family receives a TCA payment, including payments to a Protective Payee, a month on assistance for calculating time limits. It does not consider any month that a family receives no payment, even if the total absence of payment is due to a penalty for noncompliance, a month on assistance. The "time clock" is only counting down months of TCA receipt toward the 48 month lifetime limit.

Career managers tell participants during noncompliance counseling that continuation of TCA through a Protective Payee counts toward the family's cumulative time limit.

3.11 TRANSITIONAL BENEFITS AND SERVICES (ss. 445.026 through 445.032, F.S.)

The WT places great emphasis on transitional benefits and recognizes them as the cornerstone of Florida's efforts to support families as they move toward full self-sufficiency. Transitional benefits include:

a. Cash Assistance Severance Benefit: To preserve TCA eligibility months, participants who are working and earning income may choose to receive a one-time lump-sum payment of \$1,000 in lieu of ongoing TCA in accordance with s. 445.026, F.S. The participant must have received TCA for six consecutive months since October 1, 1996 to be eligible. The RWB provider informs participants of the benefit and ensures they meet eligibility requirements. Participants must sign an agreement that receipt of the payment precludes applying for assistance for six months unless they can demonstrate an emergency. Families that accept the benefit retain their eligibility for food stamps or Medicaid as long as the family continues to meet eligibility criteria for each of these programs. There is no penalty for families that opt not to receive the one-time payment.

See WPDG 024, Welfare Transition Cash Assistance Severance Guidance

<http://www.floridajobs.org/pdq/guidancepapers/024%20CashAssistanceSeveranceBenefWTPrev012104.rtf>

b. Medical Benefits: In accordance with s.445.029 F.S., families losing eligibility for TCA due to earned income have continued eligibility for Medicaid for the immediate succeeding 12-month period. A family will lose eligibility for Medicaid for any month the family does not include a dependent minor child, or, if during the last six months the family's average gross monthly income exceeds 185% of the FPL.

c. Education and Training: In accordance with s. 445.030, F.S., former recipients of TCA who are working or actively seeking employment are eligible to receive employment-related education, training and related support services, such as child care and transportation, to continue training or to upgrade skills for up to two years after the family no longer receives assistance. If funds are insufficient for the services, WFI may limit or otherwise prioritize transitional education and training.

d. Retention Incentive Training Accounts (RITA): Regional Workforce Boards may establish these accounts and use them to promote job retention and to enable upward mobility to higher skilled, higher paying jobs for participants who have gained employment, in accordance with s. 445.022, F.S. RITAs must complement the Individual Training Accounts required by the federal Workforce Investment Act of 1998. Participants may use RITAs to pay for tuition, fees, educational materials, coaching and mentoring, transportation to and from class, and child care while participating in training activities.

e. Child Care: Participants who lose eligibility for TCA due to earned income or who opt to receive an up-front diversion payment are eligible to receive transitional child care (TCC) to actively seek employment, continue to be employed and improve their employment prospects through Transitional Education in accordance with s. 445.032 F.S or up to two years if the family's income does not exceed 200% of the federal poverty level and funds are available.

See AWI FG 04-020, *Transitional Child Care Guidance*.

<http://www.floridajobs.org/pdq/guidancepapers/020transitionalchildcare.rtf>

- f. **Transportation:** If funds are available, former TCA participants with family income that does not exceed 200% of the federal poverty level may receive transitional transportation for up to 2 years, in order to sustain employment or educational opportunities to promote job retention and upward mobility in accordance with s. 445.031, F.S.

3.12 INDIVIDUAL DEVELOPMENT ACCOUNTS (s. 445.051, F.S.)

Families receiving TCA may save earned income to purchase a first home, pay for college, or start a business in accordance with s. 404(h)(4) of the PRWORA and s. 445.051(12), F.S., through the use of Individual Development Accounts (IDA). RWBs have the option to implement the program and match IDA contributions with TANF block grant and other funds. Eligible individuals may deposit earned income in savings accounts while receiving TCA or transitional services. The deposited funds are matched according to the IDA program's established match ratio. For program definitions, requirements for contributions, use of funds, withdrawal of funds, resolution of disputes relating to fund withdrawal, establishment of IDA with financial institutions and other requirements

See AWI 027, *WT IDA Guidance*.

<http://www.floridajobs.org/pdq/guidancepapers/027%20IDA.rtf>

SECTION 4: PARTICIPANT CONFIDENTIALITY

To assist public assistance recipients achieve self sufficiency, Florida has a compelling interest in ensuring that TANF-assisted families participate in the programs and services available to them, including programs that address problems such as illiteracy, substance abuse, domestic violence and mental health. To encourage their active participation, the State has an obligation to safeguard their family's personal information and privacy.

4.1 DISCLOSURE OF INFORMATION (ss. 414.106 AND 414.295, F.S.)

Florida uses an integrated eligibility process on the FLORIDA system that simultaneously determines eligibility for TCA, food stamps and Medicaid. While the federal AFDC cash assistance regulations changed in many respects as a result of TANF, the confidentiality requirements for food stamps and Medicaid remain unchanged. Consequently, when the Department obtains information as part of an integrated eligibility process that includes TCA and either food stamps or Medicaid, or both, it safeguards the use or disclosure of such information in accordance with food stamp regulations (7 CFR 272.1c), Medicaid regulations (42 CFR 431.300-431.306), and Florida's TCA statutory exemption laws (ss. 414.106, 414.295 and 445.007, F.S.).

4.2 PUBLIC RECORDS/PUBLIC MEETINGS EXEMPTION (ss. 414.106, 414.295, & 445.007, F.S.)

- a. **Public Meetings Exemption:** Any public meeting or portion of a public meeting held by DCF, WFI, RWB, or local committee pursuant to s. 445.007, F.S., in which there is a discussion of personal identifying information which identifies a participant, a participant's family or household members from TCA/WT records is exempt from Florida's public meetings laws.
- b. **Public Records:** Personal identifying information contained in records that identifies a participant, the participant's family or a participant's family member that receives TCA under the state's program certified under Title IV-A of the Social Security Act, as amended by PRWORA, is confidential and exempt from Florida's public records laws. The public records exemption applies to TCA participant's information contained in records held by the DCF, WFI, RWB, AWI, Department of Management Services, Department of Health, Department of Revenue (responsible for CSE), Department of Education or service providers under contract with any of these entities. This does not include information identifying a non-custodial parent.

SECTION 5: PRO-FAMILY ACTIVITIES

In accordance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Title I, Temporary Assistance to Needy Families, the Deficit Reduction Act of 2005 (Pub. Law 109-171) and Final Regulations at 263.2(a)(4), Florida identifies the following initiatives, programs and activities as pro-family activities.

NOTE: Section 5 in this TANF State Plan Submission for 2008-2011 describes only programs and activities funded directly with TANF segregated funds, TANF/MOE funds or both. In previous plan submissions, Florida had included additional programs funded from other sources to show that Florida has a public policy climate supportive of pro-family programs funded through a variety of federal, state and local sources.

WFI STRATEGIC/OPERATIONAL PLAN (s. 445.006(6) (a) (1)&(2), F.S.)

(As the policy-making board for all workforce programs—including the TANF Welfare Transition Program, the following excerpt from WFI’s Strategic Plan guides the development of various pro-family initiatives. With the exception of the TANF-funded or TANF-MOE funded programs, the State’s general revenue appropriations provide the funding for the majority of them.

Legislative Mandate: *“Workforce Florida Inc, in conjunction with state and local partners, shall develop a strategic and operational plan that includes strategies designed to prevent or reduce the need for a person to receive public assistance. These strategies must include:*

- a. A teen pregnancy prevention component...*
- b. A component that encourages creation of community-based welfare prevention and reduction initiatives to increase support provided by non-custodial parents to their welfare-dependent and/or low-income children...”*

Programs: The following programs are described as being funded with segregated TANF, MOE or both.

5.1 OUNCE OF PREVENTION PROGRAM

- a. Purpose:** The program strives to reduce infant mortality per 1,000 live births through various intervention programs. Several programs place emphasis on pregnancy prevention for adolescents and the importance of building strong families so that children may be cared for in their own homes. Program models include, but are not limited to, achieving educational results; strengthening family bonds; developing

economic independence and helping communities with issues related to substance abuse.

- b. Eligibility Criteria:** Eligibility varies for the recipients according to program model since the programs serve numerous at-risk individuals with multiple assessed needs. Therefore, the individual program determines eligibility criteria. **The program is funded with segregated TANF funds and families must meet TANF eligibility requirements and have incomes below 200% of the federal poverty level.**
- c. Restriction on Amount, Frequency or Duration of Services or Payments:** Funding provides time-limited demonstration projects through subcontracts to provide support services to at-risk families with a focus on adolescent pregnancy prevention, parenthood and stressful family issues. Participation in the services can vary from three months to three years, depending on the program.
- d. Major Activities:** To reduce infant mortality statewide, no less than seven innovative ongoing or new, public or private projects receive funds to strengthen individual, family and community capacities to raise healthy, competent, productive and caring children, and to prevent family dysfunction in at-risk families. The programs offer teenage abstinence education, family life and education, tutoring, job and career activities, mentoring, community services activities, self-expression and mental health services.
- e. Referral Mechanism to Other Programs to Assist Transition from Welfare to Work:** As part of the funding process, all demonstration projects must identify community partners prior to contract execution to ensure that appropriate community agencies will be available for referrals for services based on participants' needs.

5.2 FULL SERVICE SCHOOLS HEALTH SERVICES PROGRAM **DELETED DUE TO NEW SPENDING RULE.**

5.3 PREPAID TUITION SCHOLARSHIPS

- a. Purpose:** Project STARS (Scholarship Tuition for At-Risk Students) is a prepaid college tuition program administered by the Florida Prepaid College Foundation. The scholarships serve as incentives for at risk students from low-income families to graduate from high school.
- b. Eligibility Criteria:** **This program is a MOE funded program. The students who receive these scholarships must be from needy families with a child living with a custodial parent or caretaker relative and meet the income test required for Department of Agriculture's free and reduced lunch program (185 % FPL).** They must remain drug free, crime free and refrain from other risky behaviors in order to maintain their eligibility for the scholarships.
- c. Restriction on Amount, Frequency or Duration of Services or Payments:** None

d. **Major Activities:** At risk students are recommended for the scholarships and monitored carefully through the remainder of their high school experience. They are offered additional academic assistance if needed to assure that they can take advantage of the scholarships.

d. **Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** NA

5.4 HEALTHY FAMILIES FLORIDA/BUILDING STRONG FAMILIES INITIATIVES

a. **Purpose:** This is a home visiting program available to stressed families on a voluntary basis. The program also has a component that incorporates Building Strong Families (BSF), a relationship/marriage support curriculum into the Healthy Families Florida (HFF) model. The BSF curriculum helps interested unmarried parents improve their relationships for the well-being of children, which may be through marriage in some families, but in all cases will help to build healthy relationships between parents. BSF complements the existing HFF program in that it is voluntary, directed toward unmarried parents and couples and emphasizes that services begin in the prenatal period or soon after the birth of a child.

b. **Eligibility Criteria:** The program is available to **needy families made up of a child living with a custodial parent or caretaker relative or a pregnant woman with income below 200% of the federal poverty level.** **The program is TANF and MOE funded.**

c. **Restriction on the Amount, Duration or Frequency of Services or Payments:** None

d. **Major Activities:** The home visiting team teaches parent-child interaction, child development, problem-solving skills and provides family emergency supports. The team also makes referrals to other community resources helpful for marriages and families.

e. **Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** If a family is not eligible for Healthy Families, but is in need of services, program personnel refer them to other local resources. In addition, the program makes referrals to medical care, mental health, substance abuse, domestic violence, childcare, food stamps and Medicaid service providers.

5.5 FAMILY SUPPORT/PRESERVATION SERVICES

a. **Purpose:** The program provides services to remedy some of the underlying conditions that lead to abuse, neglect or abandonment of children through strengthening families so that children can be cared for in their own homes or in the homes of relatives. Eligible families must have cases open with Protective Investigations or Protective Services.

- b. **Eligibility Criteria:** The program is MOE funded. A family must be needy, have a child under age 18 living with a custodial parent or specified caretaker relative; the child (ren) must be at imminent risk of removal; the family must have a family income below 200% of the federal poverty level, be U.S. citizens or qualified non-citizens and be Florida residents.
- c. **Restriction on Amount, Frequency or Duration of Services or Payments:** The funds provide for short-term preservation services related to a specific crisis or episode of need that will allow the child to remain in the home or in the home of a relative. The services include intensive in-home supervision and the purchase of necessities to meet short term, non-recurring needs. A non-recurring need is a pressing lack of something essential for daily living and includes, but is not limited to, food, clothing, rent deposits, utility payments, home maintenance, temporary housing, transportation, respite care and school related expenses when the family is unable to receive these items from other sources. The services provided must be for non-Medicaid eligible services.
- d. **Major Activities:** Provide services designed to allow children to remain in their homes through:
 - 1. **Family Builders Program:** This element of the program provides intensive, time-limited (up to four months), in-home family preservation services that are available on a voluntary basis. The counseling services improve family maintenance skills including parenting skills, family budgeting, health, nutrition, and coping with stress.
 - 2. **Intensive Crisis Counseling Program:** This element provides time-limited (up to 6 weeks) in-home family preservation services to improve parenting skills by reinforcing parents' confidence in their strengths, helping them identify where they need improvement, and obtaining assistance with improving skills related to child development, family budgeting, health, nutrition and coping with stress.
- e. **Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** The families receive complete case management and appropriate referral to other services as needed.

5.6 PROTECTIVE INVESTIGATIONS

- a. **Purpose:** The Department investigates child maltreatment reports to ensure the safety and well-being of children alleged to be or who have been abused, neglected or abandoned. The Department and other agencies conduct the investigations in accordance with Florida Statutes.
- b. **Eligibility:** This program is funded with TANF and MOE funds. These needy children must be under age 18 and live with a custodial parent or specified caretaker relative;

the family must have a family income below 200% of the federal poverty level to receive TANF funded services, be U.S. citizens or qualified non-citizens and be Florida residents.

- c. **Restriction on Amount, Frequency or Duration of Services or Payments:** Funds help defray the administrative costs associated with operating the Florida Abuse Hotline and supporting Protective Investigations staff.
- d. **Major Activities:** The Department completes TANF/MOE eligibility determinations on all children who are subjects of an abuse report to the Florida Abuse Hotline.
- e. **Referral to Other Programs to Assist Transition from Welfare to Work:** The families receive complete case management and referrals to other appropriate services as needed.

5.7 ADOPTION SUBSIDIES AND SERVICES

- a. **Purpose:** The program provides a Maintenance Adoption Subsidy to “special needs children” who are ineligible for Title IV-E adoption assistance. The subsidy helps to minimize adoption disruption for families who have adopted a special needs child by providing services that promote permanency, such as on-going counseling, and that provide for necessary adaptive equipment or accommodations in the home so that children can live in their own homes or the homes of relatives. It does not provide for on-going basic needs.
- b. **Eligibility Criteria:** The program is funded with TANF and MOE funds. The needy child must be under age 18 and ineligible for Title IV-E adoption assistance; must have a family (child only) income below 200% of the federal poverty level; be a U.S. citizen or a qualified non-citizen; living with a caretaker relative during the adoption process; and be a Florida resident.
- c. **Restriction on Amount, Frequency or Duration of Payments:** The Department determines the child's continued eligibility for the subsidy every 12 months and reviews eligibility when any of the eligibility conditions change.
- d. **Major Activities:** In addition to a direct subsidy to the child/family, the program also has other general services to promote permanency so that children can be maintained in their own homes or the homes of relatives include:
 - 1. Recruitment of adoptive families through media campaigns.
 - 2. Development of and referral to adopting family support groups.
 - 3. Individual and family counseling for adopted children and/or family members (must be 12 months duration or less).

4. Post adoption workshops/seminars for adopted children and families on topics relevant to on-going issues facing adopting families.

5. Follow-up support services to adopting families.

e. **Referral to Other Programs to Assist Transition from Welfare to Work:** The families receive complete case management and appropriate referrals to other services as needed.

5.8 EARLY STEPS PROGRAM

a. **Purpose:** The CMS Early Steps Program is a comprehensive, interagency, multidisciplinary program. Community-based and family-focused, it provides a coordinated system of early intervention services for infants and toddlers, from birth until age three, who have a developmental delay or an established condition that places them at high risk for developmental disabilities. The purpose of the umbrella program is to identify infants early; to develop an individualized Family Support Plan based on the families' concerns, priorities and resources; and to coordinate the provision of early intervention services and related supports. The mission of the program is to establish a coordinated system of services for the purpose of:

1. Providing the earliest possible intervention and support for children with disabilities, developmental delay, and those who are at high risk for developmental delay.

2. Ensuring that all children with disabilities and at high risk for developmental delay have the opportunity to reach their full potential by, among other things, improving their potential for independent living and decreasing the likelihood of their institutionalization.

3. Ensuring that all children and families in need have equal access to appropriate prevention and early intervention services.

4. Minimizing the social and economic influences that may cause developmental disabilities.

5. Supporting families in their effort to maintain fully functioning and healthy families.

b. **Eligibility Criteria:** Infants and toddlers may be eligible for services under one or both of the program components:

1. The Individuals with Disabilities Education Act (IDEA), Federal, Part C Program/Florida s. 391.308, F.S., Infants and toddlers from birth until age three are eligible. There are no income or assets eligibility criteria. Eligibility for infants and toddlers is based on an established medical condition (neurological disorder, metabolic or genetic disorder, severe attachment disorder, sensory impairment) or

a diagnosed developmental delay.

2. Developmental Evaluation and Intervention (DEI) Component. Infants and toddlers who have been cared for in a designated Florida hospital neonatal intensive care unit (NICU) and who meet medical and financial eligibility criteria (family income below 200% of the federal poverty level).

NOTE: THE DESCRIPTION ABOVE IS INCLUSIVE OF THE ENTIRE PROGRAM—PART (1) FUNDED WITH IDEA FUNDING AND PART (2) (DEI) FUNDED WITH SEGREGATED TANF FUNDS FOR A NEEDY FAMILY THAT MEETS THE TANF/MOE ELIGIBLE FAMILY CRITERIA. All children served under this program with TANF/MOE funding are children living with a custodial parent or caretaker relative and are from needy families. The program uses eligibility for Medicaid as the proxy for TANF financial eligibility determination. Since all children receiving Medicaid in Florida are below 200% of the federal poverty level, they meet the TANF means test.

- c. **Restriction on Amount, Frequency or Duration of Services or Payments:** None.
- d. **Major Activities:** Early Steps provides assessments, early intervention and support services, home visits, parent training, service coordination/case management, and individualized family support planning through program component activities:
 1. The Part C program component is a comprehensive entitlement program that includes identification, evaluation, individualized family-support planning and service coordination as its core services. In addition, other early intervention services are provided based on the needs of the child and the concerns and priorities of the family as agreed upon by the Family Support Plan team for all infants and toddlers, from birth to 36 months of age, who have a diagnosis known to have a high probability of resulting in a developmental delay (genetic or metabolic disorder, neurological abnormalities or insults, severe attachment disorder or significant sensory impairment) and those who have a developmental delay. Currently, this program does not serve the at-risk population of infants and toddlers in the state of Florida.
 2. The DEI program component is a coordination of services program to enhance the family's ability to maximize their child's potential. It provides comprehensive assessments of the needs of infants and toddlers who have received services in the NICU of designated hospitals. The focus is on early identification and the provision of service coordination to assure that the infant and family receive specific services to address the concerns, priorities, and outcomes identified in the individualized Family Support Plan and to coordinate the provision of intervention and assistance services, as needed, to infants and their families.
- e. **Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** A basic component of service coordination and family support planning is the

identification of parent/family needs including social supports, education, and employment support. Based on identified needs of the parents, referrals to appropriate community agencies are coordinated, such as to RWBs, food stamps, emergency housing services, etc.

5.9 ABOUT FACE PROGRAM (s. 250.10(2)(M), F.S.)

- a. Purpose:** The program instills focus and discipline for economically disadvantaged youth (parents are eligible for or receiving public assistance) by teaching life skills and academic skills in summer programs and in year-round after school programs.
- b. Eligibility Criteria:** Participants must be economically disadvantaged (below 200% of the federal poverty level) or at risk youth from 13 through 17 years of age living with a custodial parent or a caretaker relative..
- c. Restriction on the Amount, Frequency or Duration of Services or Payments:**
None
- d. Major Activities:** The program provides school work assistance, especially focused on passing the high school competency test, life, family and relationship skills, computer basics, problem solving, decision making, avoidance of risky behaviors and reasoning skills, etc.
- e. Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** The program disseminates information about other programs and activities that the youth and their families may be eligible for, especially other family support programs and scholarship opportunities.

5.10 FORWARD MARCH PROGRAM (s. 250.10(2)(M), F.S.)

- a. Purpose:** The RWBs may refer adult WT participants to this alternate job-readiness and skills training program for skills building and improvement.
- b. Eligibility Criteria:** Participants derive eligibility through the TCA program and meet the WT work activity requirement by satisfactorily attending and participating in program activities.
- c. Restriction on the Amount, Frequency or Duration of Services or Payments:**
None
- d. Major Activities:** The program focuses mainly on the “soft” skills such as functional life skills, interpersonal relationships, critical-thinking, maturity skills, employability skills, basic education/remediation, and job search and career exploration. It also includes some job-specific skills, especially computer literacy and work experience in a supervised setting.

- e. Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** Participants are ongoing TCA recipients, and their career manager is responsible for assuring referral to other programs in accordance with their plan.

NOTE: Florida Legislature shifted funding for these two programs from segregated TANF to another funding source during the 2009 session. No TANF funds will be used after June 30, 2009.

5.11 SCHOOL READINESS PROGRAMS OR EARLY LEARNING COALITIONS (s. 411.01, F.S.)

The School Readiness program provides financial resources to pay for quality child care for eligible families so that parents can work or prepare for work or to children who are at risk of abuse, neglect, or abandonment. The program helps pay for full day, year-round early learning and child care for children ages birth to five. These services help families to become financially self-sufficient and prepare children for success in life by providing developmentally appropriate educational experiences.

- a. Purpose:** The Legislature created the School Readiness program to increase children's chances of achieving future educational success and becoming productive members of society. Programs must be developmentally appropriate, research-based, involve parents as their child's first teacher, serve as preventive measures for children at risk of future school failure, enhance the educational readiness of eligible children, and support family education. Each School Readiness program shall provide the elements necessary to prepare at-risk children for school, including health screening and referral and an appropriate educational program.
- b. Eligibility Criteria:** The School Readiness program serves economically disadvantaged (needy) children ages birth to five years of age living in living with a custodial parent or caretaker relative or pregnant woman. An economically disadvantaged child means a child whose family income is below 150% of the federal poverty level. Notwithstanding any change in a family's economic status, a child who meets eligibility criteria upon initial registration for the program is eligible until the child reaches kindergarten age. Parents are required to pay a copayment for services based on a percentage of their family income.
1. Priority for participation is given to children whose families receive temporary cash assistance and are subject to federal work requirements.
 2. Subsequent placements are given to children under the age of kindergarten that meet one of the following criteria:
 - (a)** Determined to be at risk of abuse, neglect, or exploitation and are currently clients of the Family Safety Program Office of DCF or a community-based lead agency.

- (b) At risk of welfare dependency, including economically disadvantaged children, children of migrant farm workers, children of teen parents, and children of participants in the WT.
 - (c) Working families whose family income does not exceed 150% of the federal poverty level.
 - (d) For whom the state is paying a Relative Caregiver Program payment pursuant to s. 39.5085, F.S.
2. Three and four-year old children who may not be economically disadvantaged but have disabilities, have been served in a specific part-time or combination of part-time exceptional education programs with required special services, aids, equipment, and were previously reported for funding part-time with the Florida Education Finance Program as exceptional students. (The program funds these children with non-TANF funds.)
 3. Economically disadvantaged children, children with disabilities, and children at future risk of school failure, from birth to four years of age, who are served at home through home visitor programs and intensive parent education programs such as the Florida First Start Program. (The program funds these children with non-TANF funds.)
 4. Children who meet federal and state eligibility requirements for the migrant preschool program but do not meet the criteria of economically disadvantaged. (The program funds these children with non-TANF funds.)
- c. **Restriction on the Amount, Duration or Frequency of Services or Payments:** The program provides TCA subsidized child care on a full-time basis (25 hours or more per week) or on a part-time (less than 25 hours per week). TCA child care is also available to sanctioned individuals if needed to allow them to comply with program requirements and have the sanction lifted. RWB providers authorize child care and make referrals to the local School Readiness Coordinating agency.
 - d. **Major Activities:** The program provides age appropriate child care for the number of hours necessary to allow parents to participate fully in their assigned work (or other) activity.
 - e. **Referral Mechanisms to Other Programs to Assist with Transition from Welfare to Work:** NA

5.12 THE HOME INSTRUCTION PROGRAM FOR PRESCHOOL YOUNGSTERS (HIPY)

- a. **Purpose:** The program is a home-based education program for the parents of

preschool children to teach them education enrichment techniques to use with their children and to promote parents as their child's first teacher.

b. Eligibility Criteria: The program restricts the segregated Federal TANF funds for serving needy families who have a minor child living with a custodial parent or caretaker relative. It targets needy (at or below 200% of FPL) families with three-, four-, and five-year old children attending a school-based early intervention program. These families consist mostly of single parent headed households and include African-American, Caucasians, Haitians, and Hispanics. Ninety percent of the families live below the federal poverty level for their size family.

c. Restrictions on Amount, Frequency or Duration of Services or Payments: Restricted to the level of the legislative appropriation.

d. Major Activities: HIPY provides parents opportunities to help their children with enriching experiences needed for school readiness. The program uses specially designed and sequenced home teaching materials; neighborhood paraprofessional home visitors (themselves parents of preschoolers); and role-play with parents in a variety of activities and games related to listening, sorting, matching, new vocabulary, concepts and problem-solving skills.

e. Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work: NA

5.13 RELATIVE CAREGIVER PROGRAM

a. Purpose: This is a specific program to provide financial assistance to relatives who are caring full-time for an eligible child who is adjudicated dependent and ordered by the court into the custody of the relative, thereby decreasing the likelihood of the child's placement in foster care and avoiding the trauma to the child that could result from such a placement.

b. Eligibility Criteria: The relative caregiver must be within the fifth degree of relationship by blood, marriage or adoption to the parent or stepparent of the child for whom the relative caregiver is providing full-time care and must meet the technical and financial requirements of the TANF "child-only" program with the following exceptions. The monthly amount of the payment before any deductions for income of the child shall be:

- Age zero through five years--\$242
- Age six through twelve years--\$249
- Age thirteen to eighteen years--\$298

The Department bases financial eligibility on a comparison of the income of the child to the benefit payment standard for the child's age. The difference between the Relative Caregiver Program payment standard for the child's age and the income of

the child is the amount of the payment. Each child applying for or receiving Relative Caregiver Program payment is a filing unit of one, and the program uses only the child's income and assets in establishing and maintaining eligibility.

In addition to the TANF eligibility requirements, the placement of the child must be due to a finding of abuse or neglect by the dependency court, and the DCF Family Safety Office must complete an approved home study of the relative caregiver.

- c. **Restriction on the Amount, Duration or Frequency of Services or Payments:** The program pays a special monthly relative caregiver benefit based on the child's age within a payment schedule set by DCF. Children placed in Florida from another state or placed by Florida in another state are not eligible for the program.
- d. **Major Activities:** The program assures that children who are otherwise at risk of foster care placement achieve a sense of permanence and stability in a supportive home that provides for their well-being and support services, including, but not limited to, access to immunizations, education, any necessary mental health services and other services as needed.
- e. **Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** NA

5.14 DEFINITION OF UNWED BIRTHS AND FLORIDA'S GOALS FOR REDUCING OUT-OF-WEDLOCK BIRTHS:

Florida defines "out-of-wedlock" as: "The mother is not married at the time of delivery." If the parents were married at time of conception, but are not married at time of delivery, this is termed an "unwed birth." If the father dies prior to delivery, this is termed an "unwed birth."

Excerpt from the Department of Health's Division of Family Health Services Performance Measures (2007)

The birth rate among teens 19 and under in Florida and the nation is steadily declining. In Florida, the birth rate for female teenagers between the ages of 15 and 19 was 60.4 per 1,000 population in 1995. By 2004, this rate had declined 45.19% to 41.6 per 1,000 population, as compared to the national rate of 41.1 per 1,000 population. For female teenagers between the ages of 10 to 14 the birth rate was 1.6 per 1,000 population in 1995. By 2004, this rate had declined 128.57% to be the same as the national rate of .7 per 1,000 population. For the 15 to 19 year-old age group, Florida ranks 32 among the 50 states.

The state's objectives and numerical goals include:

Objective: Improve adolescent health and reduce selective high-risk behaviors.

Measures:

Adolescent Birth Rate;

- Reduce the birth rate among teens 19 and under.

**Birth Rate per 1,000 for 15-19 Year-Olds
1995 Actual and Projections Through 2010**

Actual and Projections	Year	Rate Per Thousand
Actual	2005	41.9
Goal	2006	41.8
Goal	2007	40.4
Goal	2008	39.7
Goal	2009	38.9
Goal	2010	38.2

Reduce the Percent of Teens Engage in High Risk Sexual Activities.

Percent of Adolescents That Have Ever Had Sex

Actual and Projections	Year	Percent
Actual	2005	50.5%
Goal	2006	50.1%
Goal	2007	48.7%
Goal	2008	49.3%
Goal	2009	48.9%
Goal	2010	48.5%

Note: Data from the Youth Risk Behavior Survey of Florida High School Students.

Reviewers requested more information about programs and activities that Florida has in place to help it meet the goals of reducing out-of-wedlock and teen pregnancy prevention.

The state has a broad array of programming directed toward reducing out-of-wedlock births and teenage pregnancy. They have not been described in this plan because they are offered through public agencies and private or community based groups that make them available to individuals and families without regard to specialized eligibility criteria, and they are not receiving TANF or MOE funding.

Programs and initiatives are offered extensively throughout Florida by the Department of Education through its school districts, the Department of Health through its local health agencies, the Department of Juvenile Justice, the Department of Legal Affairs, the Urban League and a variety of community and church groups. All provide for outreach and education and seek non-restricted participation in their activities.

Examples: Education Now and Babies Later (ENABL)
Teen Pregnancy Programs in school districts
Abstinence Programs
Family Planning Clinics and Programs
Juvenile Redirections Programs
PACE for Girls
Children In Need of Services/Families In Need of Services (CINS/FINS)
Florida Consortium of Urban Leagues/Teen Pregnancy Prevention And Male Responsibility Awareness

WORKFORCE FLORIDA, INC AND AGENCY FOR WORKFORCE INNOVATION SPECIAL INITIATIVES AND PROJECTS

The Florida Legislature, WFI and AWI initiate special projects that serve one of the four purposes of TANF and can vary by region, funding or other resources because most of the programs are competitively bid.

5.15 POST-EMPLOYMENT CAREER ADVANCEMENT AND RETENTION CHALLENGE

- a. **Purpose:** RWBs who receive funding for this project provide TANF non-assistance support and employment services to the working poor in an effort to reduce the dependence of needy parents on government benefits by promoting job preparation, work and marriage.
- b. **Eligibility Criteria:** The participant must be from a family that has income below 200% of the federal poverty level. Career managers must document all eligibility and must indicate the TANF purpose served on the eligibility form.
- c. **Restriction on the Amount, Frequency or Duration of Services or Payments:** No payments are made. No restrictions on services and duration.
- d. **Major Activities:** Programs focus on service delivery to meet one of the four purposes of TANF. Programs are implemented in creative and innovative ways while enhancing partnerships with community social service agencies, employers and other businesses. WFI and AWI continually evaluate programs for performance. Activities relate to the TANF purpose served. Examples of these activities include, but are not limited to:
 - 1. Job search assistance.
 - 2. Job coaching.
 - 3. Resume development.
 - 4. Employment mentoring.
 - 5. Retention services.
 - 6. Pregnancy prevention workshops and materials.
 - 7. Family counseling referrals and services.
 - 8. Child support contract development/monitoring.

9. Individual mentoring.
10. Soft skills development.
11. Industry specific training.
12. Basic skills education.
13. Post-secondary training.
14. English for Speakers of Other Languages (ESOL) education and language services.

- e. **Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** Participants enter programs based on their eligibility and are engaged in program components. The program evaluates participants and the career managers refer them to other programs based on their needs, barriers, goals, etc. Referrals may be to other programs offered in the One-Stop Centers or to outside service sources.

5.16 PASSPORT TO ECONOMIC PROGRESS PROGRAM (S. 445.048, F.S.)

- a. **Purpose:** The legislative intent is to provide incentives and services to assist current and former recipients of TCA benefits and services to generate family income levels that help foster achievement and maintenance of economic self-sufficiency. Resources for the program may come from revenue appropriated specifically for the program or from an RWB's other available funds.
- b. **Eligibility Criteria:** Those eligible for the program are individuals who leave TCA due to new or increased earnings and families who are working full-time, but are still eligible for TANF because their income is 200 percent below the federal poverty level. Eligible program participants can receive extended transitional services as well as performance-based incentive bonuses if funding is available. To qualify for the performance-based incentive bonus, the individual must:
1. Have received TCA on or after January 1, 2000, and not be a current TCA recipient, or must work full-time and have an income that is below 200 % of the federal poverty level.
 2. Be employed an average of 32 hours per week or more.
 3. Have an average family income that is less than 200 percent of the federal poverty level for the preceding six months prior to the date of application for the performance-based incentive bonus.
 4. Meet performance requirements. Bonuses are dependent on performance and are

not automatically generated upon program enrollment.

- c. Restriction on the Amount, Duration or Frequency of Services or Payments:** Participants in the Passport Program are eligible for four years of transitional services (an additional two-year extension) for individuals who leave TCA due to new or increased earnings. The extended transition services and performance-based incentive bonuses are not an entitlement, and the Board of Directors of WFI may limit extended services and/or performance-based incentive bonuses based upon availability of funds.
- d. Major Activities:** Career managers work with participants to develop self-sufficiency plans that are performance-based with specific interim benchmarks. They encourage and support participants so that they may meet the benchmarks and earn incentive bonuses to help support the family.
- e. Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** RWB service providers and one-stop center personnel refer individuals to appropriate community services as needed.

SECTION 6: STATUTORY RAPE PREVENTION AND MALE INVOLVEMENT

These are state/federal funded initiatives complementary to and coordinated with the TANF program at the local level. They are not TANF or TANF/MOE Funded.

Florida programs that provide educational information and training to state and local law enforcement officials, educational institutions, and relevant counseling services on the problem of statutory rape, teenage pregnancy prevention programs and the role of fathers have been expanded in scope to include improved strategies to reach more males.

6.1 SEXUAL VIOLENCE PREVENTION PROGRAM

The Sexual Violence Prevention Program is funded by the Centers for Disease Control and Prevention to provide sexual violence prevention messages designed to educate the general public, professionals, and underserved populations to intervene before sexual violence begins by creating safe, healthy environments and behaviors. Education topics include healthy relationships, bullying, bystander, consent, dating violence, drug facilitated rape, gender roles, media messages relating to sexual violence, oppression, and sexual harassment.

Programs are encouraged to involve men as part of the solution to preventing rape. Men may choose to be involved by mentoring young boys, starting a men's club to educate other men regarding oppression issues, or volunteering at their local rape crisis center. The Sexual Violence Prevention Program is also funded through the Preventive Health and Health Services Block Grant to provide services to rape victims. Hotline services are provided 24/7 to rape victims and families.

The Department of Health Sexual Violence Prevention Program awards funds to agencies and organizations throughout Florida to provide education and training focused on the prevention of sexual violence and the provision of services to rape victims. Funded sites include rape crisis centers, domestic violence shelters, mental health centers, universities, county health departments, and the Florida Council Against Sexual Violence.

STRATEGIC PLAN FOCUSED TO END SEXUAL VIOLENCE

Vision Statement

- To end sexual violence in Florida.

Mission Statement

- To collaborate with and empower organizations and individuals statewide to eliminate sexual violence in our communities through advocacy, education and training.

Five-Year Goals

1. To increase knowledge and awareness of sexual violence prevention across the lifespan.
2. To influence social norms in support of gender equality, respect, and safety for men, women, and children.
3. To advance policies that promote gender equality, respect, and safety.
4. To increase capacity to prevent sexual violence.
5. To increase funding for sexual violence prevention and intervention.
6. To improve and increase access to sexual violence prevention and intervention data.

6.2 RAPE CRISIS PROGRAM TRUST FUND

In 2003, the Florida legislature created the Sexual Battery Victims' Access to Services Act (F.S. 794.055) and the Rape Crisis Program Trust Fund (F.S.794.056). The Sexual Battery Victims' Access to Services Act acknowledges that victims of sexual assault in the state of Florida should have access to basic services including:

- Hotline
- Crisis intervention
- Advocacy
- Support services
- Therapy
- Medical intervention
- Service coordination
- Community Awareness

The Act created a funding system for distribution of monies generated by a \$151 surcharge assessed on each offender convicted of sexual battery and other offenses that included many of the aggravated battery and other battery offenses. While the clerk of the court retained \$1 of the surcharge, \$150 is deposited in the Rape Crisis Program Trust Fund.

This Act required the Department of Health to contract with a statewide, nonprofit association to distribute these funds to provide sexual battery recovery services.

Per Florida Statutes, funds received under s. 938.085 shall be used to provide sexual battery recovery services to victims and their families. Department of Health retains 5% for administrative costs, and the remaining 95% is given to the Florida Council Against Sexual Violence (FCASV). The FCASV retains no more than 15 percent of the funds for statewide initiatives, and the remainder of the funds is distributed to rape crisis centers, based on an allocation formula that takes into account the population and rural characteristics of each county.

6.3 FLORIDA LAW RELATED TO STATUTORY RAPE (ss. 382.356, 409.2355, & 827.04, F.S.)

- a. Section 827.04, F.S., mandates that a person age 21 or older who impregnates a child less than 16 years of age commits an act of child abuse which is a third degree felony punishable under ss. 775.082-775.084, F.S. Neither the victim's lack of chastity nor the victim's consent is a defense to the crime proscribed under this subsection.

Access Program Policy requires all eligibility workers to report suspicion of abuse through statutory rape.

Excerpt from ACCESS Program Policy Manual

O420.0200 Report of Abuse (TCA)

Florida statutes require the reporting of suspected abuse, neglect or exploitation of any child, aged person or disabled adult.

Also make a report when there is reasonable cause to suspect that:

1. A newborn is physically drug dependent;
2. A child from birth to five years of age is a drug-exposed child;
3. The parent/caregiver is unable to provide safe care for the child(ren); or
4. A male age 21 or older impregnates a female under the age of 16 (applicable to children conceived after 10/01/96.

- b. Section 409.2355, F.S., directs DCF to establish a program (if funds are appropriated) so that local communities may apply for grants through the state attorney's office of each judicial circuit to fund innovative programs for the prosecution of males over age 21 who victimize girls younger than 16 years of age in violation of ss. 794.05, 794.011, 800.04, or 827.04(4), F.S.

- c. Section 382.356, F.S., directs the Office of Vital Statistics of the Department of Health, the Department of Revenue, and the Florida Prosecuting Attorneys Association to develop a protocol for sharing birth certificate information in order to facilitate the prosecution of offenses in which a male over the age of 21 impregnates a child less than 16 years of age.

6.4 SERVICES FOR NON-CUSTODIAL PARENTS (S. 414.065(5), F.S.)

The RWBs' Annual Plan must contain provisions to focus on initiatives that increase support for children from non-custodial parents that are consistent with program and financial guidelines developed by WFI and the Commission on Marriage and Family Support Initiatives. Over half of non-custodial parents (primarily fathers) in Florida do not pay court-ordered child support on a consistent basis; some do not pay in full and others do not pay at all. While parents may live apart, it is important that each contribute toward their children's well-being and financial needs. Florida has made provisions for non-custodial parents to participate in job training programs in order to improve their employability and income potential.

Non-custodial parents receiving non-assistance services must have a family income at or below 200% of the federal poverty level.

The court may order a non-custodial parent to participate; the child support enforcement agency may refer the non-custodial parent to participate; or the non-custodial parent may volunteer to participate in work activities under the WT or other workforce programs because of the following situations:

- a. To enable the individual to obtain employment necessary to provide support payments. A non-custodial parent who fails to meet the court-ordered work requirement may be held in contempt.
- b. When the individual is delinquent in child support payments, and if the child of the non-custodial parent has been placed with a relative, in an emergency shelter, in foster care, or in other substitute care, or if the individual would be eligible for TCA if the child lived with the non-custodial parent.

Failure to meet the work requirements may result in removal from program participation.

6.5 NON-CUSTODIAL PARENT (NCP) PROGRAMS

The following are examples of TANF special projects that serve non-custodial parents through RWBs.

- a. **Purpose:** Through the coordination of an integrated workforce system and court systems, the NCP is referred to the appropriate program. TANF programs for NCP include:

1. Programs that provide eligible non-custodial non-assistance services in an effort to end or prevent dependence of needy parents on governmental benefits; and
 2. Programs that encourage the formation and maintenance of two parent families.
- b. Eligibility Criteria:** Non-custodial parents receiving non-assistance services must have a family income below 200% of the federal poverty level. Depending on the referral agency, there may be other eligibility criteria as well, such as:
1. The contracted provider serves non-custodial parents of children who receive public assistance or are qualified as TANF eligible.
 2. For NCP programs serving TANF purpose number two: the NCP must be either employed, under-employed with difficulty or inability to pay child support or the NCP must be unemployed with a need to secure work to pay child support payments.
 3. The NCP may have been ordered by the courts to seek employment, participate in work activities or the NCP was unable to enroll in the program on a voluntary basis.
- c. Restriction on Amount, Frequency or Duration of Services or Payments:** None
- d. Major Activities:** Activities may include, but are not limited to:
1. Informing participants of program opportunities and responsibilities.
 2. Case management.
 3. Various types of assessment.
 4. Parenting education.
 5. Employment and accountability plan development.
 6. Industry related training, credential achievement and certification (if needed).
 7. Employability skills and work readiness skills training (if needed).
 8. Employment placement and retention services.
 9. Visitation services.
 10. Mentoring.

11. Child support accountability.

f. Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work: NA

There are two other opportunities for non-custodial parents in Florida:

1. The Florida Legislature makes an annual direct appropriation to a specialized Non-Custodial Parent Employment Program affiliated with the court system that operates in a few major counties in Florida.
2. RWBs also operate locally designed NCP programs or programs that include NCP enrollees based on competitively funded demonstration projects and special project guidelines.

SECTION 7: FAIR AND EQUITABLE TREATMENT

7.1 DUE PROCESS (ss. 409.285 & 445.024(6), F.S.)

The Workforce Innovation Act provides for applicant/participant protections against erroneous and arbitrary decision-making through opportunities for hearings and appeals in accordance with s. 409.285, F.S. Participants are subject to the same health, safety and nondiscrimination standards established under federal, state or local laws that otherwise apply to other individuals engaged in similar activities who are not participants in the WT. The act also provides DCF with rulemaking authority and directs the Department to adopt such rules to ensure participant protection and due process in accordance with s. 414.45, F.S.

7.2 FAIR HEARING/APPEAL/GRIEVANCE PROCESS

Welfare Transition Program participants have the right to request a fair hearing to resolve disputes about actions that affect their receipt of TANF funded cash benefits or services.

The Department and contracted providers will provide appropriate auxiliary aids and reasonable accommodations to persons with disabilities and interpreters to persons with limited-English proficiency where necessary to afford each individual an equal opportunity to participate in and benefit from the Fair Hearings/Appeal process.

- a. **Cash Assistance (s. 409.285, F.S.):** Under s. 409.285, F.S., DCF is responsible for providing individuals an opportunity for a fair hearing or appeal before the Department's Office of Appeal Hearings for any action that results in the disapproval of eligibility for, or the modification or cancellation of TCA payments. Participants receive information about this right at the time of application and with each notice of adverse action.

The participant must file the request within 90 days of the date of a Notice of Adverse Action. If the participant files the request within ten days, the Department continues assistance through the month the hearing officer hands down a decision. If the hearing decision is not in the participant's favor, the individual may have to repay benefits. If the individual is under sanction for noncompliance with TANF work requirements and requests a hearing, the RWB or contract provider must attend the hearing, bring relevant documentation and participate in the hearing process.

- b. **Welfare Transition Service Delivery (s. 445.024(6), F.S.):** WFI or the AWI is responsible for providing a grievance process for complaints, except complaints of alleged discrimination, related to service delivery of WT program activities, support services, diversion programs and other workforce functions under the Workforce Innovation Act.

Individuals who require reasonable accommodations, including language assistance or document translation, in order to file a grievance, attend a grievance or review the grievance determination are afforded such services by the appropriate authority.

See WPDG 00-004, WFI/AWI & RWB Grievance, Complaint& Hearing/Appeal Procedures.
<http://www.floridajobs.org/pdq/administration/004GrievRev031504.rtf>

7.3 DISPLACEMENT (s. 445.024(7), F.S.)

Regular employees may file a grievance regarding displacement by a Workforce Investment Act (WIA) participant or WT/TANF participant in accordance with the AWI grievance guideline (WPDG 00-004). The guidelines describe Displacement action prohibitions and available relief specifications for WIA in 20 CFR 667.279 and TANF in 45 CFR 261.270.

See WPDG 00-004, WFI/AWI & RWB Grievance/Complaint& Hearing/Appeal Procedures
<http://www.floridajobs.org/pdq/administration/004GrievRev031504.rtf>

7.4 PROGRAM INTEGRITY

Provisions related to strengthening and maintaining program integrity, from fraud prevention activities to recovery of erroneously paid benefits, and the federal provisions for audits are included in ss. 414.095(16), 414.122, 414.39, 414.391, 414.392, 414.41, 414.42, 414.26, 414.27, 414.28, 414.17, F.S. *See, Chapter 414.*

<http://flsenate.gov/statutes/index.cfm?Mode=ViewStatutes&Submenu=1>

SECTION 8: DISQUALIFICATIONS

Florida disqualifies individuals found to have committed intentional program violations through administrative disqualification hearings or criminal courts proceedings.

8.1 FRAUD (s. 414.39, F.S.)

- a. According to Florida law, the Department shall use an error-prone profile within its public assistance information system and shall screen each application for public assistance, including food stamps, Medicaid, and TCA, against the profile to identify cases with a potential for error or fraud. Each case so identified shall be subjected to pre-eligibility fraud screening.
- b. For non-fraud (agency or client) error cases, a claim is limited to four years prior to the month the overpayment was initially discovered by, or reported to, an ACCESS Specialist.
- c. Suspected fraud overpayment claim establishment is restricted by the statute of limitations for criminal prosecutions for fraud. A case involving fraud must be prosecuted before a period of two years for a misdemeanor or three years for a felony, has elapsed from the date the fraud occurred until the case is filed with the State Attorney.
- d. Disqualification periods, when specified in a court order, must be defined by the court. In the absence of court ordered specifications, the following TCA disqualification periods are used:
 - 1. 12 months for the first violation.
 - 2. 24 months for the second violation.
 - 3. Permanent disqualification for the third violation.

8.2 OTHER PROGRAM VIOLATIONS

- a. Convictions on or after July 1, 1997 for felony drug trafficking pursuant to F.S. 893.135 will result in the permanent disqualification for TCA benefits with the first violation, provided the conviction has not been expunged by a court.
- b. Fraudulent statements or representations regarding identity or residence in order to receive multiple benefits will result in a disqualification period of ten years for each violation.

- c.** For all other TCA program violations, the disqualification periods are:
- 1.** 12 months for the first violation.
 - 2.** 24 months for the second violation.
 - 3.** Permanent disqualification for the third violation.

SECTION 9: PROVISIONS RELATED TO COMMUNITY WORK (S. 414.55, F.S.)

Not later than 1 year after the date of enactment of this Act (PRWORA) unless the chief executive officer of the state opts out of this provision by notifying the Secretary, a State shall, consistent with the exception provided in section 407(e)(2), require a parent or caretaker receiving assistance under the program who, after receiving such assistance for 2 months is not exempt from work requirements and is not engaged in work, as determined under section 407(c), to participate in community service employment, with minimum hours per week and tasks to be determined by the State.

The State opted out of this provision as provided for in s. 414.55, F.S., that requires the Governor to minimize the liability of the state by opting out of the special provisions of s. 402(a)(1)(B)(iv), of the SSA, as amended by PRWORA. DCF and WFI must implement the community work program in accordance with the provisions of s. 445.024, F.S.

SECTION 10: EMERGENCY RELIEF (s. 414.35, F.S.)

The Department is required to adopt rules for the administration of emergency assistance programs delegated to the Department either by executive order in accordance with the Disaster Relief Act of 1974 or pursuant to the Food Stamp Reauthorization Act of 2002 and the Food, Conservation, and Energy Act of 2008.

CERTIFICATIONS

The State will operate a program to provide Temporary Assistance to Needy Families (TANF) so that children can be cared for in their own homes or in the homes of relatives; to end dependence of needy parents on government benefits by promoting job preparation, work and marriage; to 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, to encourage the formation and maintenance of two-parent families.

The program is known as the Welfare Transition Program as named in the Workforce Innovation Act of 2000.

Executive Officer of the State: **Charlie Crist**

In administering and operating a program that provides Temporary Assistance for Families with minor children under Title IV-A of the Social Security Act, the state will:

1. Specify which state agency or agencies will administer and supervise the program under Part A in all political subdivisions of the State:

The Department of Children and Family Services (ACCESS Florida): The Department determines eligibility for temporary cash assistance and provides ongoing assistance and services to needy families.

The Department of Health: DOH administers programs related to the prevention of teenage pregnancies and out-of-wedlock births.

Workforce Florida, Inc.: The principal workforce policy organization of the State, WFI has planning and oversight responsibilities for all workforce related programs, including Welfare Transition Program activities funded with TANF funds.

Agency for Workforce Innovation: AWI is responsible for work activities and support services for participants subject to the time limits and work requirements and eligibility for diversion payments.

2. Assure that local governments and private sector organizations:
 - (a) Have been consulted regarding the plan and design of welfare services in the state so that services are provided in a manner appropriate to local populations; and
 - (b) Have had at least 45 days to submit comments on the plan and design of such services.

3. Operate a Child Support Enforcement program under the State plan approved under part D, Title IV-A of the Social Security Act, as amended. In accordance with s. 409.2557, F.S., the Department of Revenue is the state agency designated to administer and supervise this program.
4. Operate a Foster Care and Adoption Assistance program in accordance with Part E, Title IV-A of the Social Security Act, as amended, and certify that the state will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance.
5. Provide each member of an Indian tribe, who is domiciled in the state and is not eligible for assistance under a Tribal Family Assistance plan approved under Section 412, Title IV-A of the Social Security Act, as amended, with equitable access to assistance under the state program funded under this part attributable to funds provided by the Federal Government.
6. Establish and enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the state program, kickbacks, and the use of political patronage. The state administers the program through staff who meet the standards and requirements of a uniformed personnel system that includes prohibitions against such conduct.
7. Make available to the public a summary of the State plan.

OPTIONAL CERTIFICATION

Certification that the state will screen and identify individuals receiving assistance under the State Plan with a history of domestic violence while maintaining the confidentiality of such individuals; refer such individuals to counseling and supportive services; and, waive, pursuant to a determination of good cause, other program requirements in cases where compliance with such requirements would make it more difficult for individuals receiving assistance under this part to escape domestic violence or unfairly penalize such individuals who are or have been victimized by such violence, or individuals who are at risk of further domestic violence. The provisions of the Workforce Innovation Act related to this option are described in Section 3 of this plan.

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE

DATE

CHARLIE CRIST
GOVERNOR OF FLORIDA