

Par.1. Material **Transmitted and Purpose** – Transmitted with this Manual Letter are changes to Service Chapter 400-19, Temporary Assistance for Needy Families (TANF). This manual letter also incorporates:

- IM 5144 - Income from Spirit Lake Nation and Sisseton-Wahpeton Oyate Lake Traverse Reservation
- IM 5152 – Gift Cards and Gift Certificates
- IM 5155 – Turtle Mountain Tribal NEW Program Referrals
- IM 5159 – Drug Related Felony Review
- IM 5160 – Tax Refunds

Also, policy in IM 5112, Tax Refunds, expired 12/31/2012. This IM has been moved to the 'Archived IM Roster' folder.

Par. 2. **Effective Date** – Changes included in this manual letter are effective April 1, 2013

Definitions 400-19-05

1. 400-19-05
 - Added definitions for Business Day and Treasury Offset
 - Clarified the definition of a Tribal Member to include 'federally' recognized tribe.
 - Added additional information to the definition of WIA (Work Force Investment Act) which was removed from #14 under section 400-19-55-20-15.

Definitions 400-19-05

Business (Work) Day – The official working days of the week defined as the days between and including Monday to Friday, but do not include weekends and those public holidays during which the North Dakota Department of Human Services is closed.

Treasury Offset - The Financial Management Service, a bureau of the US Department of Treasury, intercepts Federal and/or State payments of an individual who fails to pay certain obligations.

Note: The most common type of Treasury offset is from Federal income tax refunds. However, several other sources, such as Social Security benefits, federal salaries, and Federal and/or State payments may also be offset.

Tribal Member – An individual enrolled in a federally recognized tribe.
~~officially recognized by tribal authority as a member of the tribe.~~

WIA(Work Force Investment Act) - A program administered through Job Service North Dakota or a Tribal entity that provides work experience, on-the-job training, short-term jobs, and internships with a public, nonprofit or private-for-profit business. (The Work Force Investment Act of 1998, implemented September 11, 2000, repealed and replaced the Job Training Partnership Act of 1982.)

TANF Non-Financial Eligibility Factors 400-19-45

2. 400-19-45-20 - Added the Cass County Juvenile Detention Center as an example of a Public Institution to #1.

TANF Household Living Arrangements 400-19-45-20

1. Admitted to a Public Institution: A Public Institution is an institution or facility that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control. Examples of a Public Institution are: Veterans Administration Hospitals, North Dakota Veteran's Home, North Dakota Youth Correctional Center, North Dakota State Penitentiary, Cass County Juvenile Detention Center, and city, county, or tribal jails, etc.

- Individuals residing in Public Institutions for a full calendar month are ineligible for TANF Benefits.

In the automated computer system, the Living Arrangement that should be selected is 'Public Institution'.

3. 400-19-45-95-10 – Incorporated information from IM 5159 regarding Drug Related Felony Reviews.

Convicted Drug Felon 400-19-45-95-10

An individual convicted of a federal or state felony which occurred after August 22, 1996, involving the possession, use, or distribution of an illegal drug (as defined in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)) may be permanently ineligible to participate in the TANF Program. The individual will be permanently

ineligible if in addition to the conviction, there is a sentence consistent with felony conviction. Action to deny or terminate TANF for the individual can be taken only if verification is obtained concerning such conviction. Only convictions overturned in a court of law may be removed.

Note: This does not apply to alcohol-related convictions.

If an individual is convicted of a drug related felony in a local, state, or federal court, the following information must be sent to the Economic Assistance Policy Division for review on the SFN 376- Drug Related Felony Review form:

- Indicate TANF Program
- Eligibility Worker's Full Name and County Name
- ~~Individual's Social Security Number~~
- Individual's Date of Birth
- Individual's Full Name, Including Middle Name
- Individual's Case Number
- Individual's Client ID Number
- Individual's Gender
- Application Date
- Date Case Must be Processed
- Copies of the Criminal Complaint and Judgment or Order which substantiates the individual's drug-related felony.

In order to determine whether an individual's conviction is disqualifying the court documents sent to the state office must include:

1. The date of the offense(s);
2. The sentence or judgment of the court; and
3. The nature of the offense(s).

This information is usually contained in the Criminal Complaint and Judgment document. However, the offense date is not always listed on the Criminal Complaint and Judgment.

If the Criminal Complaint and Judgment document does not contain the offense date(s), please request a copy of the "Information" or "Criminal Information" document from the arresting authority and

forward it to the state office. The "Information" or "Criminal Information" document will include the offense date(s). The State TANF Office will review the information to determine if the conviction disqualifies the individual from the TANF Program and notify the worker.

Convicted drug felons who are disqualified from receiving TANF assistance continue to have their income and assets considered when determining eligibility for remaining household member(s). Disqualified individuals are permitted applicable income disregards (i.e., standard employment expense allowance, employment incentive disregard and work-related child/adult dependent care). Individuals participating in the JOBS program are eligible for Supportive Services.

Individuals who have been disqualified from TANF due to a drug related felony may regain eligibility. Upon completion of the review by the state, eligibility workers will receive a formal notification indicating if the individual is disqualified. This notification will include wording indicating whether the disqualification can be reduced to a misdemeanor. It is NOT up to the eligibility worker to monitor if an individual can regain eligibility. However, all drug related felony convictions should be reviewed at application and review.

If an individual reports, or it is discovered, that a felony has been reduced to a misdemeanor, the eligibility worker must complete the SFN 376 with the required information and resubmit the Criminal Complaint and Judgment documents to the Economic Assistance Policy Division.

The earliest date an individual may regain eligibility is the benefit month following the month the client reports or the change is discovered. If the client regains eligibility, the eligibility worker will receive notification from the State office indicating the month for which the client has regained eligibility.

Note: The eligibility worker will need to uncheck the 'Felony Drug Conviction: Offense committed after 8-22-96' checkbox on the Felony Information Window in the Benefit Month equal to the month indicated on the notice from State Office.

TANF Financial Eligibility Factors 400-19-55

4. 400-19-55-05-30 – Changed #12 to incorporated Policy from IM 5160 that exempts Federal or state income tax refunds, including the Yearly Earned Income Tax Credit refund, as an asset for a period of 12 months from the month of receipt.

Exempt Assets 400-19-55-05-30

12. **Income Tax Refunds** -- Federal or state income tax refunds are exempt ~~in the month of receipt and month following receipt~~ for a period of 12 months from the month of their receipt.

~~**Note:** The funds must be identifiable and distinguishable from other funds. If commingled with any other countable assets, these funds become a countable asset beginning the second month following the month commingled.~~

5. 400-19-55-10-20-05
- Added another example to non-recurring lump sum payments of child support payments received as a result of treasury offset. (These payments are also addressed as a note in Section 400-19-55-20-15.)
 - Removed Income Tax Refunds as an example of a non-recurring lump sum as they are now disregarded for a period of 12 months from the month of receipt.

Nonrecurring Lump Sum Payments 400-19-55-10-20-05

Unearned income received on a non-recurring or irregular basis is considered nonrecurring lump sum payments. This income is not countable but, instead, is considered an asset beginning the second month following the month of receipt. For the second month following the month of receipt, the remaining lump sum amount is included with all other countable assets in determining eligibility.

Example: If the non-recurring lump sum payment is received in May, the amount of the lump sum payment remaining as of June 1 is added to the other assets held by the family and reported on the June 5 monthly report when determining eligibility for July. If the total amount of the assets is in excess of the program limits, the family must be notified that their case will be closed as of June 30 unless they furnish proof that the assets have been spent down to program levels by June 30th.

Nonrecurring lump sum payments are limited to only those payments that can reasonably be expected not to occur again. Examples of nonrecurring lump sum payments include, but are not limited to:

- Lump sum payments from Social Security;
- Lump sum payments from Railroad Retirement;
- Lump sum payments from Veterans benefits;
- Lump sum payments from Workforce Safety and Insurance;
- Lump sum payments from Unemployment Compensation;
- Military Re-enlistment payments,
- Insurance settlements;
- Inheritances;
- Contests;
- Gambling winnings;
- Severance pay (represents a nonrecurring compensation outside of regular earnings);
- ~~Income tax refund;~~
- Employee's withdrawal of a retirement fund taken in a lump sum payment;
- Supplemental Security Income (SSI) back payment; and
- Bonus payments on mineral leases.
- A lump sum child support payment received as a result of treasury offset.

For treatment of lump sum earned income, see Section 400-19-55-15-10, Earned Income - When Received

6. 400-19-55-15-05 – Added #18 to incorporate the policy in IM 5152 regarding In-store credit/bonuses.

Definition of Earned Income 400-19-55-15-05

18. In-store credit/bonuses provided to employees are considered earned income if the employee has the option of receiving a cash payment. The in-store credit/bonus will be disregarded as income if the employee does not have the option of receiving a cash payment.

7. 400-19-55-20-15
 - Added information to #8 to incorporate the policy from IM 5144 regarding the Sisseton-Wahpeton Oyate Lake Traverse Quarterly

Cash Payments provided to individuals through their Food Distribution Program.

- Reworded #14 as JTPA has not existed since 2000.

Countable Unearned Income Types 400-19-55-20-15

8. **Proceeds Paid to Tribal Members** Any proceeds from tribal gaming, gambling establishments, or tribal enterprises distributed to enrolled tribal members (residing on or off a reservation) must be considered unearned income. Payments made to enrolled tribal members from the proceeds of gaming or gambling businesses are not per capita payments; therefore the income cannot be disregarded. (e.g. Three Affiliated Tribal Elderly Payments, Spirit Lake Social Impact Payments, Sisseton-Wahpeton Oyate of the Lake Traverse Reservation District Days and quarterly cash payments from the Food Distribution Program, etc.);
14. **Workforce Investment Act (WIA)** - ~~The Job Training and Partnership Act (JTPA) was replaced with the Workforce Investment Act (WIA) effective July 1, 2000, WIA~~ reformed federal job training programs and created a new, comprehensive workforce investment system. ~~All JTPA participants were grandfathered into WIA. Job Service North Dakota administers this program.~~

The groups covered under WIA are as follows:

- Low income workers – workers on assistance (SNAP, Medicaid, and TANF) or below the poverty level. This group includes the teens working in the summer program.
- Dislocated workers – farmers, homemakers, etc.
- Adult Program – employed adults who have not attained self-sufficiency.
- Youth Program – the program includes activities that promote youth development and citizenship, such as leadership development through voluntary community service opportunities; adult mentoring and follow-up; and targeted opportunities for youth living in high poverty areas. WIA ~~does~~ may ~~make~~ issue payments to these individuals.

Many of the programs offered are needs based assistance, on-the-job training, work experience activities, summer employment, and educational training.

WIA income received by adult TANF household members, minor parents, and children not attending school full-time is considered earned income and used to determine the TANF benefit. WIA income, earned or unearned, is disregarded when received by a dependent child under the age of 18, or age 18, and a full-time student in elementary or high school, GED course of study, alternative high school or in a vocational or technical school that is equivalent to secondary school if, before attaining age 19, such student can reasonably be expected to complete the training curriculum.

8. 400-19-55-25

- Removed #'s 1, 20, 21, 28 and 38 and added them as Types of Complementary Program Assistance under new#9. This results in all others to be renumbered.
- Included a new type of Sisseton-Wahpeton Oyate Lake Traverse Reservation Food Coupons to incorporate them from IM 5144.
- Added the incentives and payments for grades the Spirit Lake Nation issues to individuals attending college to #17, to incorporate this information from IM 5144.
- Added Flexible Spending Account Employee Funded and Contributions by an Employee into a Medical Savings Account as Disregarded Incomes.

Disregard of Certain Income 400-19-55-25

The following types of income will be disregarded when determining eligibility for TANF:

~~1. **Adoption Assistance Payments/Subsidized Adoption**~~

~~**Payments**—Adoption assistance is considered complementary assistance on the basis that it is for a different purpose than TANF or for items not included in the TANF Basic Standard of Need and therefore is disregarded in determining eligibility and benefit amount for TANF. When the child is included in the TANF benefit, the adoption assistance payment is disregarded as income to the household.~~

2. **1. Agent Orange Settlement Program** - Pursuant to Public Law 101-201, Agent Orange settlement payments are disregarded income for TANF.
3. **2. Alaska Native Claims Settlement Act** - As provided by Public Law 92-203, any tax exempt portions of payments made as a result of the Alaska Native Claims Settlement Act.
4. **3. AmeriCorps Payments** - There are three different programs under AmeriCorps. The education awards for college tuition or loan repayment and the living allowances are disregarded from consideration. Eligible individuals for the AmeriCorps income will include students at least 17 years old who have or agree to get a high school diploma and must be a U.S. citizen or permanent resident.
 - a. AmeriCorps State and National: Provides funds to local and national organizations and agencies committed to using national service to address critical community needs in education, public safety, health and the environment.
 - b. AmeriCorps VISTA: A national service program designed specifically to fight poverty. Founded as Volunteers in Service to America in 1965 and incorporated into the AmeriCorps network of programs in 1993, VISTA has been on the front lines in the fight against poverty in America for more than 40 years.
 - c. AmeriCorps NCCC (National Civilian Community Corps): A full-time team-based residential program for men and women age 18-24. Members are assigned to one of five campuses, located in Denver, CO, Sacramento, CA, Perry Point, MD, Vicksburg, MS and Vinton, IA.
5. **4. Census Income** - Census income is disregarded as income.
6. **5. Child and Adult Food Program** - The program provides cash reimbursement for meals and snacks to licensed families who provide day care in their homes.
7. **6. Children of Vietnam Veterans Born with Spina Bifida Payments** - Payments made pursuant to Public Law 104-204 to

children of Vietnam veterans who are born with spina bifida shall be disregarded in determining TANF eligibility.

8. **7. Children of Female Vietnam Veterans with Birth Defects Allowances** - These allowances, paid under Public Law 106-419 must be disregarded as income in determining eligibility and level of benefits under any federal or federally assisted program covering children with certain covered birth defects. This statute provides for monthly allowances, based on the degree of disability suffered by the child. The amounts range from \$100 to \$1272 monthly.
9. **8. Combat Pay** - TANF will disregard any additional monies received by a household as the result of the deployment of a service member to a designated combat zone.

TANF counts the gross income for all adult members of the household unit and considers the entire income of the parent temporarily away from home, including a parent in military service.

To determine the amount of service member's income that will be disregarded, compare the amount received before deployment and the amount received after the deployment. The difference between the two amounts is the amount that will be disregarded.

Example: Dad was making \$1,000 gross pay before deployment to a combat zone. He now is receiving \$1,400. Disregard the additional \$400.

Combat Zone Tax Exclusion Areas - Executive Order 12744 (effective January 17, 1991)

Arabian Sea Portion that lies North of 10 degrees North Latitude and West of 68 degrees East Longitude

- Bahrain
- Gulf of Aden
- Gulf of Oman
- Iraq
- Kuwait
- Persian Gulf
- Qatar
- Oman

- Red Sea
- Saudi Arabia
- United Arab Emirates

Direct Support of EO 12744

- Turkey effective January 1, 2003 - December 31, 2005
- Israel effective January 1 - July 31, 2003
- Eastern Med effective March 19 - July 31, 2003
- Jordan effective March 19, 2003
- Egypt effective March 19 - April 20, 2003

Executive Order 13239 (effective September 19, 2001)

- Afghanistan

Direct Support of EO 13239

- Pakistan effective September 19, 2001
- Tajikistan effective September 19, 2001
- Jordan effective September 19, 2001
- Incirlik AFB effective September 21, 2001 - December 31, 2005
- Kyrgyzstan effective October 1, 2001
- Uzbekistan effective October 1, 2001
- Philippines (only troops w/orders that reference OEF) effective January 9, 2002
- Yemen effective April 10, 2002
- Djibouti effective July 1, 2002
- Somalia effective January 1, 2004

Executive Order 13119 (effective March 24, 1999)

Public Law 105-21 Establishing Kosovo as Qualified Hazardous Duty Area (March 24, 1999)

- The Federal Republic of Yugoslavia (Serbia/Montenegro)
- Albania
- The Adriatic Sea
- The Ionian Seas north of the 39th parallel

Public Law 104-117 Establishing a Qualified Hazardous Duty Area (November 1995)

- Bosnia
- Herzegovina
- Croatia

- Macedonia

10. **9. Complementary Program Assistance** - To the extent these do not serve the same purpose as TANF, assistance payments from other programs, agencies, or organizations will not be considered in determining the amount of TANF to be paid. In these complementary program relationships, there must be assurance that no duplication exists between such other assistance and TANF. Non-duplication of assistance shall be assured in relation to:
- a. The different purpose for which the other program or agency grants such aid; or
 - b. The need for goods and services that is not included in the TANF benefit. If either of these two conditions is met, complementary assistance by another program, agency, or organization will not constitute duplication.

Types of Complementary Program Assistance include but are not limited to:

- **Cash**, up to \$500 per month per household, received by household members for special occasions such as birthdays, graduation, confirmation, Christmas, etc. (Refer to #5 in Section 400-19-55-20-15, Countable Unearned Income Types)
- **Adoption Assistance Payments/Subsidized Adoption Payments** - Adoption assistance payments are disregarded in determining eligibility and benefit amount for TANF since those funds are intended for a different purpose or for items not included in the TANF Basic Standard of Need. When the adopted child is included in the TANF benefit, the adoption assistance payment is disregarded as income to the household
- **Employer Funded Medical Savings or Health Reimbursement Accounts** - Contributions by an employer into a Medical Savings or Health Reimbursement account are considered complimentary assistance and are disregarded as income to the household
- **Family Subsidy Payment** - The Family Subsidy Program is a resource to families who maintain a developmentally disabled child at home but incur extraordinary financial obligations.

Modest monthly payments to eligible households are intended to offset such expenses as therapy, counseling, respite and day care, related transportation and special clothing, equipment and diets. These payments are considered complementary assistance and disregarded as income to the household

- **Foster Care Payments** - Foster care payments are disregarded in determining eligibility or the amount of the TANF benefit as they are intended for a different purpose or for items not included in the TANF Basic Standard of Need. The foster child cannot be included in the TANF household for any period in which a foster care payment is made.
- **Fund-Raisers** - In order for donations/proceeds resulting from fund raisers or benefit functions conducted by civic, fraternal, religious organizations, etc. on behalf of a TANF household member(s) to be considered complementary assistance, such funds cannot be given or made available to the TANF household. In order to meet the definition of complementary assistance, those funds must be controlled by an organization or an individual not included in the TANF household and used for the payment of expenses on behalf of the household member. Memorials, donations, remembrances, commemorations, etc. received by a household following the death of a family member shall be considered complementary assistance.
- **Job Corps Program** - All wages, living and readjustment allowances, and bonuses issued by the Job Corps Program are provided to offset either past, present, or future expenses which are not included in the TANF Basic Standard of Need. Therefore, Job Corps Program monies are considered complementary in nature and disregarded as income.
- **Sisseton-Wahpeton Oyate Lake Traverse Reservation Food Distribution Program** - The Sisseton-Wahpeton Oyate Lake Traverse Reservation has a Food Distribution Program in which they provide funds to individuals ages 55 and older to assist with purchasing food. Individuals age 55 - 64 receive a \$100 and

individuals age 65 and older receive \$150 per month food coupon. These coupons can be used at only certain stores in the area.

These monthly food coupons will be disregarded as income for TANF as they are considered Complementary Program Assistance that does not duplicate the purpose of the TANF grant.

- **Subsidized Guardianship Payments** - The Subsidized Guardianship Project is a new program through Children and Family Services (CFS) that began in March 2000. It is designed to serve North Dakota children who are in foster care, but who need a permanency alternative. The program was created in response to the Adoption and Safe Families Act of 1997.

Subsidized guardianship payments are considered complementary assistance and are disregarded in determining eligibility and the benefit amount of TANF. The child for whom the subsidized guardianship payment is received is not eligible for TANF and cannot be included in the household.

10. Contributions by an Employee into a Medical Savings Account -

Benefits withdrawn from this type of an account are not counted as income as TANF counts gross income in the month received. Therefore, the funds deposited into the account would have previously been counted as income or received by the HH prior to the month they became TANF eligible.

11. **Crime Victim Compensation** - Crime victim compensation is disregarded as income.
12. **Deposits** - Returned deposits from rental units (apartments, storage unit, etc.) and utility companies are disregarded as income.
13. **Disaster Payments** - Federal payments issued due to a presidential declaration of disaster. Federal payments include, but are not limited to, grants from the Federal Emergency Management Agency (FEMA); Disaster Unemployment Insurance Benefits under the authority of section 408 of the Robert T. Stafford Disaster Relief and Emergency

Act (43 USC 5174) and Title 44 of the Code of Federal Regulations. State and local governments and disaster relief organizations such as Red Cross and Salvation Army may also provide disaster assistance.

14. **Donated Food** - The value of foods donated by the U.S. Department of Agriculture (surplus commodities).
15. **Earned Income Tax Credit** - Federal Earned Income Tax Credit (EITC) refunds are disregarded as earned and unearned income.
16. **Economic Stimulus Tax Rebates** - are disregarded as unearned income.
17. **Educational Loans, Grants, Scholarships and Stipends** - Student assistance programs, for both undergraduate and graduate students, shall be disregarded as income. The following are disregarded:
 - a. Title IV aid includes:
 - Pell or BEOG grants.
 - Presidential Access Scholarships (Super Pell).
 - Supplemental Education Opportunity Grants (SEOG).
 - Stafford Loan (formerly Guaranteed Student Loan).
 - PLUS/DEAL loans.
 - Perkins Loans (formerly NDSL).
 - SLS (formerly ALAS).
 - Robert C. Byrd Honor Scholarships.
 - Federal work study income.
 - Bureau of Indian Affairs Grant Program.
 - High School Equivalency Program (HEP).
 - College Assistance Migrant Program (CAMP).
 - Upward Bound (Trio Grants).
 - National Early Intervention Scholarship and Partnership Program.
 - Robert E. McNair Post-Baccalaureate Achievement.
 - Stipends funded until Title IV.
 - Indian Vocational Education Program (IVEP)
 - b. Aid that is federally funded but not under Title IV includes:
 - Workforce Investment Act (WIA).

- Veteran's benefits or other benefits through the United States Armed Services.
 - Reserve Education Assistance Program (REAP)
 - Recruitment/Retention of American Indians Into Nursing (RAIN)
- c. Aid that is not federally funded includes:
- SELF loan program.
 - State work study income.
 - Division of Rehabilitation Services.

All aid extended to students by way of scholarships, grants, loans, stipends and awards by federal, state, tribal, civic, fraternal, and alumni sources to pursue training or education, either an undergraduate-level or graduate-level goal, is disregarded. This includes incentives and payments for grades the Spirit Lake Nation issues to individuals attending college.

Note: Any stipend received while attending training that is specifically identified to cover the cost of daily living expenses must be counted as unearned income, as it is intended to cover the same basic needs as those provided under TANF.

18. **Family Home Care** – The Family Home Care Program provides Medicaid eligible persons, who have been determined to need a level of services provided by long term care facilities, with the option of receiving such services at home under Medicaid. Payment for home care services may be made to either the aged or disabled person receiving the services or to the provider of the services. In either instance, if the service is provided by a non-member of the TANF household, the payment is disregarded for TANF.

Note: Income received by an individual or Qualified Service Provider (QSP) for providing services under Family Home Care when the individual is employed by an agency is considered wages and counted as regular earned income. (When an individual or QSP is not an employee of an agency, the income is considered self-employment.)

- ~~19. **Family Subsidy Payment** – The Family Subsidy Program is a resource to families who maintain a developmentally disabled child at home but incur extraordinary financial obligations. Modest monthly~~

~~payments to eligible households are intended to offset such expenses as therapy, counseling, respite and day care, related transportation and special clothing, equipment and diets.~~

~~20. **Foster Care Payments** – Foster care payments are considered **complementary** assistance and disregarded in determining eligibility or the amount of the TANF benefit. The foster child cannot be included in the TANF household.~~

~~21. **Fund Raisers** – Donations – Proceeds resulting from fund raisers or benefit functions conducted by civic, fraternal, religious organizations, etc. on behalf of a TANF household member(s) shall be considered **complementary** assistance. However, such funds cannot be given directly to or made available to the TANF household. The funds must be controlled by an organization or an individual not included in the household and used for the payment of expenses on behalf of the household member in order to meet the definition of complementary assistance.~~

~~Memorials, donations, remembrances, commemorations, etc. received by a household following the death of a family member shall be considered complementary assistance.~~

~~19. **Flexible Spending Accounts – Employee Funded** – Benefits withdrawn from this type of an account are not counted as income, as TANF counts gross income in the month received and therefore, the funds deposited into the account would have already been counted as income or were received by the HH prior to the month they became TANF eligible.~~

~~22. **20. General Assistance** - General Assistance paid by voucher on behalf of a TANF household by the county social service office or the Bureau of Indian Affairs. Any General Assistance paid by cash or check directly to a TANF household from the county social service board or Bureau of Indian Affairs must be treated as unearned income.~~

~~23. **21. Gift Cards/Gift Certificates** - Gift cards and gift certificates are disregarded as income~~

23. **22. Homestead Tax Credit** – Refunds from local or tax office paid to low-income individuals who are responsible to pay property taxes or rent, including mobile home lot rent.
24. **23. Housing Assistance Programs** - The value of any public rent or housing subsidy, which includes HUD Section 8, utility allowances, HUD Public Housing, other HUD Programs, and all state and local government housing subsidies.
25. **24. Income Tax Refunds** - Federal or state income tax refunds are disregarded as unearned income.
26. **25. Individual Indian Monies (IIM)** - The Omnibus Budget Reconciliation Act of 1993 provides that up to \$2,000 per year of income received from Individual Indian trust or restricted lands will not be counted as income.
27. **26. Indian Per Capita Funds** - Per capita income payments are treated the same as non-recurring lump sum payments.
28. ~~**Job Corps Program** – All wages, living and readjustment allowances, and bonuses provided by the Job Corps Program are provided to offset either past, present, or future expenditures which are not included in the TANF Basic Standard of Need. Therefore, Job Corps Program monies are considered complementary in nature and disregarded as income.~~
29. **27. JOBS (Job Opportunity and Basic Skills) Program Supportive Service Payments** – Supportive Services paid to TANF recipients, either through the TANF grant or Vendor Payment, are considered reimbursements and are disregarded as income.
30. **28. Loans** - A loan from any source subject to a written documentation requiring repayment by a TANF household member.
31. **29. Payments to Volunteers** – Payment for services or reimbursement for out-of-pocket expenses made to individual volunteers serving as foster grandparents, senior health aides or senior companions, persons serving in the Service Corp of Retired

Executives (SCORE), Active Corps of Executives (ACE), AmeriCorps, and any other programs under Titles I, II, and III of Section 418, Public Law 93-113.

32. **30. Radiation Exposure Compensation Act Settlement Payments** - Payment settlements as a result of the Radiation Exposure Compensation Act (P.L. 101-426) are disregarded as income.
33. **31. Reimbursements for Incurred Expenses** - Reimbursements for meals, lodging, transportation, including transportation provided to another person, when providing transportation is not a business venture.
34. **32. Rental and Utility Rebates and Deposit Refunds** - Rebates and deposits from rental and utility companies are exempt.
35. **33. SSI (Supplemental Security Income) Benefits** - Recipients of SSI, including presumptive SSI, are not included as members of the TANF household and their income is not used to determine the benefit. If the individual is receiving a zero SSI benefit, the individual is not considered as receiving SSI benefits for TANF purposes and the individual and the income received is included in the household.
36. **34. Submarginal Lands** - Public Law 94-114 requires that the income derived from certain submarginal lands (low productivity; infertile) conveyed to Indian tribes and held in trust by the United States be disregarded. The land addressed by this law is located on the Fort Totten and Standing Rock Indian Reservations.
37. ~~**Subsidized Guardianship Payments**~~ - ~~The Subsidized Guardianship Project is a new program through Children and Family Services (CFS) that began in March 2000. It is designed to serve North Dakota children who are in foster care, but who need a permanency alternative. The program was created in response to the Adoption and Safe Families Act of 1997.~~

~~Subsidized guardianship payments are considered complementary assistance and are disregarded in determining eligibility and the~~

~~benefit amount of TANF. The child for whom the subsidized guardianship payment is received is not eligible for TANF and cannot be included in the household.~~

38. **35. Supplemental Food Assistance** - The value of any supplemental food assistance received under the Child Nutrition Act of 1966, the special food service program for children under the National School Lunch Act and Supplemental Nutrition Assistance Program (SNAP).
39. **36. Trade Adjustment Assistance (TAA)** - The following payments made to individuals under the Trade Adjustment Assistance (TAA) Extension Act of 2011:
- Training Readjustment Allowances - A wage subsidy available in the form of weekly cash payments to workers who are enrolled in a full-time training course;
 - Job Search Allowance – A cash allowance provided to workers who cannot find an available job within the commuting area, which is used to cover transportation costs, etc.

Note: If the individual is participating in the JOBS Program, the Employment Contractor must be notified of the individual's receipt of these funds.
 - Relocation Assistance – A cash allowance provided to workers who have to accept a job outside of their commuting area and relocate.

Note: If the individual is participating in the JOBS Program, the Employment Contractor must be notified of the individuals receipt of these funds.
 - Health Coverage Tax Credit – A tax credit offered to TAA participants to help pay for the health insurance premiums of the worker and their family.

Note: If the individual is requesting reimbursement for a health insurance premium from TANF, TANF policy will only reimburse the difference between the actual premium amount and the amount of tax credit the individual receives and only that premium for coverage of a TANF eligible unit member.

40. **37. Tribal High School Graduate/GED Payments** - Payments from Tribes within North Dakota to tribal members who graduate from high school or receive a GED are considered non-recurring lump sum. These payments are disregarded as income.
40. **38. VISTA Payments** – See AmeriCorps
41. **39. Volunteer Placement Program** - Children in the Volunteer Placement Program are not foster care placements and the parents retain care, custody, and control of the child. The child could be placed in a facility that is not inpatient care including PATH and county foster families or facilities, i.e. Manchester House, Dakota Boys Ranch, Prairie learning Center, etc.
- Children in the Volunteer Placement Program are considered temporarily out of their home with a plan to return to their parental unit. The length of stay in a facility varies depending on the needs of the child. Children placed into a facility under the Volunteer Placement Program are eligible for the \$45.00 clothing allowance provided all other factors of eligibility are met for the TANF Program. The out-of-home payment will be part of the TANF benefit paid to the parent/caretaker.
42. **40. WIC (Supplemental Food Program for Women, Infants, and Children)** – This program provides additional monetary benefits to purchase healthy food for proper growth and development, and helps families choose healthier ways of eating.
43. **41. Workforce Investment Act (WIA)** - Income, earned or unearned, is disregarded when received by a dependent child under the age of 18 and a full-time student or if, before attaining age 19, is expected to complete high school or vocational training curriculum.
44. **42. YouthBuild** - Income, earned or unearned, is disregarded when received by a dependent child under the age of 18 and a full-time student or if, before attaining age 19, is expected to complete high school or vocational training curriculum.

Special Items of Need 400-19-60

9. 400-19-60-10 – Added the word ‘and’ after the first #'s 1 and 2 in #6, Housing Allowance, to clarify that the TANF Family must meet all three of the criteria. The remainder of #6 remains unchanged.

Types of Special Items of Need 400-19-60-10

6. **Housing Allowance** – A TANF family (including one whose Primary Individual is a Minor Parent) who has sole responsibility for all housing costs is eligible to receive an additional \$50 per month.

For purposes of this section, a TANF Family includes an individual or group of individuals:

1. Who reside together; and
2. Who are related within the 5th degree by either birth, marriage, or adoption; and
3. Whose needs are included in a TANF benefit (IN) or (OH), or if their needs are not included in the TANF benefit, because the individual is:
 - a. In receipt of Supplemental Security Income (SSI) benefits (SS);
 - b. An alien who does not meet citizen and alienage requirements (DA - Disqualified Alien);
 - c. Ineligible for TANF benefits due to the imposition of a sanction (DI - Disqualified JOBS) or (DM -Disqualified Child Support);
 - d. Ineligible for TANF benefit due to being disqualified (DF - Disqualified Fraud), (DD - Disqualified Drug)
 - e. Subject to Pay After Performance requirements;
 - f. A stepparent (ST) or a legal dependent of a stepparent;
 - g. A minor parent’s parents (MP) or a legal dependent of the minor parent’s parents.
 - h. An individual who does not meet the TANF eligibility requirements (e.g. age, citizenship, deprivation, etc.), but is a legal dependent or a legally responsible caretaker of a member of the TANF family (does not include roomers or boarders).

Tribal Native Employment Works (NEW) Program 400-19-80

10. 400-19-80-15 – Incorporated the changes included in IM 5155 to #4 with regards to Turtle Mountain Band of Chippewa (TMBC) Tribal NEW

Program Referrals.

Referrals to Tribal NEW Programs 400-19-80-15

4. Turtle Mountain Band of Chippewa (TMBC) Tribal NEW program will provide services to Native American TANF recipients from the TMCB as follows:
- a. Native American TANF recipients who are attending or planning to attend either post-secondary or vocational education, regardless of where they are attending school in the State;
 - b. Native American TANF recipients residing within Rolette County, who are age 25 or older, and who express an interest in pursuing a high school diploma or GED;
 - c. Native American TANF children over age 16 residing within Rolette County who are a dependent of a Tribal NEW participant and who have dropped out of school;
 - d. Native American TANF clients residing within Rolette County who are attending post-secondary or vocational education.

Example #1: A Native American TANF recipient from the Standing Rock Sioux Tribe, who is residing in Ft. Yates, ND, and attending or planning to attend post-secondary education, should be referred to the Standing Rock Tribal NEW program.

Example #2: A Native American TANF recipient from the Standing Rock Sioux Tribe, who is residing in Belcourt, ND, and attending or planning to attend post-secondary education, should be referred to the Standing Rock Tribal NEW program.

Example #3: A Native American TANF recipient from the Standing Rock Sioux Tribe, who is residing in Fargo, ND, and attending or planning to attend post-secondary education, should be referred to the Standing Rock Tribal NEW program.

Sanctions for Non-Compliance with Child Support Enforcement 400-19-95

11. 400-19-95-05 – Added a note for clarification to the last paragraph in this section that the child support sanction will be deleted when the child

who for whom non-cooperation was determined leaves the household and is removed from the TANF grant prior to the effective date of the sanction.

Overview (Sanctions for Non-Compliance with Child Support Enforcement) 400-19-95-05

To benefit the household and assist in leading them to self-reliance, individuals in receipt of TANF are required to cooperate with enforcement of Child Support services. Individuals who fail to meet the Child Support Program requirements will be sanctioned.

A sanction serves as a natural and logical consequence for an individual's noncompliance with TANF program requirements. The consequences of a sanction are the same regardless of how many times an individual may have been sanctioned.

If the sanctioned individual is:

1. A caretaker, the individual remains included in the household size and their income and assets must be considered when determining eligibility. The Standard Employment Expense Allowance and the Time Limited Percentage are applied to the individual's earned income.
2. A dependent child who is minor parent, the sanctioned individual remains included in the household size and their income and assets must be considered based on criteria for counting income and assets for dependent children. (See Section 400-19-55-15-30, Student Earned Income Treatment.)

The financial needs of the sanctioned individual, ~~whether the individual is a caretaker or dependent child who is a minor parent,~~ are deducted when determining the assistance payment for the remainder of the household regardless of whether the sanctioned individual is a caretaker or a dependent child who is a minor parent.

If the sanctioned individual is a parent or other caretaker relative, assistance payments for the remaining members of the TANF case may be in the form of protective payments. (See Section 400-19-120-35, Protective Payments.)

All sanctions are imposed against and follow the responsible individual. The first month of a sanction period is referred to as the Sanction Penalty Month.

If the sanctioned individual does not cure the sanction prior to the end of the Sanction Penalty Month, the sanction may progress to closure of the entire TANF case effective the last day of the Sanction Penalty Month. This is referred to as Sanction Progression.

If a sanction leads to closure of the entire TANF case, the household will be ineligible for assistance for the month following the Sanction Penalty Month. This is referred to as the Month of Ineligibility.

Ineligible caretakers who do not cooperate with Child Support Enforcement for the child(ren) for whom they are receiving TANF, will be sanctioned. Those individual's needs are not being met through the TANF benefit so the Sanction Penalty Month will not apply but the Month of ineligibility will apply.

Adequate notice is required for all sanctions.

An individual sanctioned for non-cooperation with Child Support Enforcement will be required to comply with the JOBS program requirements. Likewise, individuals sanctioned for JOBS will be required to cooperate with Child Support Enforcement.

If the child for whom the custodian is not cooperating leaves the household, the sanction must be ended effective the last day of the month the child left the household.

Note: If the child left prior to the effective date of the sanction, the sanction must be deleted.

TANF Budgeting 400-19-105

12. 400-19-105-40-30 – Removed the third 'Note' and added policy to clarify prospective months for individuals added to an ongoing case must be reworked when prospectively anticipated information has been verified.

Budgeting for Persons Being Added to the Household 400-19-105-40-30

~~Except in the case of newborns, TANF~~ The households are ~~is~~ required to report all individuals, ~~other than a newborn,~~ who enter a ~~TANF~~ their household within 5 days from the date of entry. The date of the verbal request must be documented in the case record as it is considered a request for benefits. (For budgeting information when adding a newborn, see Section 400-19-105-40-20, Budgeting of Newborn.)

~~Except in the case of newborns, T~~ the ~~needs of an individual, other than a newborn,~~ will be added to the household as of the date of the verbal request if:

1. A written request is received within 10 days from the date of the verbal request; ~~and~~ and
2. The required verifications are received within 30 days of the written request.

A written request is defined as:

- Listing the individual on the monthly report; or
- A signed statement from the recipient; or
- The receipt of any of the required verifications.

~~When a written request is received within 10 days from the date of the verbal request and the required verifications are received within 30 days from the written request, the individual is added to the household effective the date of the verbal request.~~

When a written request is received within 10 days from the date of the verbal request but the required verifications are not received within 30 days from the written request, the individual is added to the household effective the date the required verifications are received.

When a written request is not received within 10 days from the date of the verbal request and the required verifications are received within 30 days from the written request, the individual is added to the household effective the date of the written request.

When a written request is not received within 10 days from the date of the verbal request and the required verifications are not received within

30 days from the written request, the individual is added to the household effective the date the required verifications are received.

When an individual's entry to the home is reported on the monthly report, ~~received~~ filed timely (by the 5th day of the month, or the first work day after the 5th day of the month if the 5th day falls on a weekend or holiday), **and** the individual entered the household within 5 days prior to the 1st day of the month in which the report is received, ~~consider~~ the request is deemed to have been made timely.

When an individual is reported on the monthly report **and** the household's reported of the individual's entered the household is timely (within 5 days from their date of entry), ~~consider~~ the request is deemed to have been made on the first day of the month in which the monthly report was received provided the monthly report was received by the normal deadline of the 5th day of the month (or the first work day after the 5th day of the month if the 5th day falls on a weekend or holiday).

Note: The individual will be added effective the date of entry if the required verifications are received within 30 days from the date of the written request.

Example: An individual entered the household on June 28th. The household reports includes the individual entered on the Monthly Report received by July 5th ~~and includes~~ along with all required verifications. The individual is added ~~as of the date of entry~~ effective June 28th because [the date of entry was is deemed to be reported within 5 days since the information was included on a timely monthly report filed timely]. A supplemental benefit is issued to the household for June and July to meet the financial needs of the individual.

Note: The date entered in the 'Date Reported' field in the automated computer system is July 1st.

If the household verbally reports an individual entered the household, but does not provide a written request within 10 days or the required verifications are not received within 30 days from the date of the written request, an advance (10-day) notice must be sent to the household to close the case if the individual is a mandatory household member.

Eligible individuals who are added to an existing TANF household must have their needs met as if they are applicants.

- If the individual being added to an existing TANF household received TANF benefits in North Dakota or another State in the month prior to the month being added, the individual's benefit must be determined effective the 1st day of the month of request, or prorated from the date of eligibility, whichever is later.
- If the individual being added to an existing household did not receive TANF benefits in the previous month, the individual's benefits are prorated from the date of request to be added or the date of eligibility, whichever is later.

If the individual being added to an existing TANF household did not receive TANF benefits or received TANF benefits in another state in the previous month, the individual's income and expenses are budgeted prospectively for the first 2 months. For the 3rd and subsequent months, the individual's income and expenses are budgeted retrospectively.

Note: ~~The prospective months are reworked for individuals added to the household using actual income and expenses.~~

Individuals whose benefit was prospectively budgeted must have that month's benefit re-budgeted using their actual income and expenses.

- If the verified amounts of income or expenses are different from the amounts used to determine the benefit for the first month the individual was added (the individual's first prospective month), the benefit month must be reworked to establish an underpayment or overpayment for that month. A supplemental payment will be issued immediately to adjust any underpayment. Benefit adjustments for an overpayment will be made in subsequent months.
- If the verified amounts of income or expenses are different from the amounts used to determine the benefit for the second month the individual was added (the individual's second prospective month), the benefit month must be reworked to establish an underpayment or overpayment for that month. A supplemental payment will be issued immediately to adjust any underpayment. Benefit adjustments for an overpayment will be made in subsequent months.

If the individual being added to an existing household received TANF in North Dakota in the previous month, the individual's income and expenses are budgeted retrospectively, unless the initial month in the new case is the individual's second month of eligibility.

TANF Benefit Calculation 400-19-110

13. 400-19-110-20 – Corrected the amounts in the first two #8's under the Example in #13.

TANF Benefit Calculation Method 400-19-110-20

13. If this budget is not a correction to JOBS Supportive Services, the Net Supportive Services are added to the Net Benefit Amount to arrive at the Benefit Issued.

EXAMPLE: Household consists of a caretaker and one dependent child. The household reports earned income of \$1000 per month and a \$100 Health Insurance Premium

1.	Total Gross Earned Income		1000.00
2.	Standard Work Expense	-	270.00 (1000 x27%)
3.	TANF TLP Disregard	-	365.00 (730 x 50%)
3.	Countable Earned Income	=	365.00
4.	Unearned Income	+	0.00
4.	Total Countable Income	=	365.00
5.	Non-HH Member Deduction	-	0.00
6.	Expenses	-	0.00
6.	Adjusted Net Income	=	365.00
7.	Standard of Need	-	328.00 -1caretaker and 1 child
7.	OH Allowance	+	0.00
7.	Adjusted Net Income	-	365.00
8.	Benefit Amount	=	365.00 0.00
8.	Prorated Benefit Amount	=	-365.00 0.00
8.	Benefit Cap Deduction	-	0.00
8.	Sanction/Wrk Req Dedction	-	0.00
8.	Adjusted Benefit Amount	=	0.00
9.	TANF Special Items of Need	+	100.00
9.	Kinship Care	+	0.00

9.	Transition Assistance	=	0.00
9.	Adjusted Net Benefit	=	100.00
10.	Recoupments	-	0.00
10.	Benefit Amount	=	100.00
10.	Previously Paid	-	0.00
11.	Net Benefit Amount	=	100.00
12.	JOBS Supportive Services	+	0.00
12.	Previously Paid JOBS SS	-	0.00
12.	Net Supportive Services	=	0.00
13.	Benefit Issued	=	100.00

14. 400-19-110-30 – Added clarification and a policy reference to #6.

Revert to Open Following Case Closure 400-19-110-30

When reverting a case to open, a completed monthly report is required, there is no prorating of benefits, and the budgeting methodology will be consistent with the benefit month for which eligibility is being tested

When the case closed for the reasons listed below, the case can be reverted to open during the first month following the month in which the closing became effective (e.g. Case closed effective June 30 and assistance is requested at any time during July prior to July 31).

1. Adequate Child Support - Used only in instances in which the case closed effective the last day of the first prospective month because the household anticipated child support in the second prospective month that resulted in ineligibility. The case can be reverted to open if the household contacts the TANF Eligibility Worker no later than the last work day of the month following the month in which the closing was effective (i.e., case closed effective November 30; household must contact TANF Eligibility Worker by December 31) to report that child support was either not received as previously anticipated or was received in a lesser amount.
2. Excess Income - Used only in instances in which the case closed effective the last day of the first prospective month because the

household anticipated income in the second prospective month that resulted in ineligibility. The case can be reverted to open if the household contacts the TANF Eligibility Worker no later than the last work day of the month following the month in which the closing was effective (e.g. Case closed effective November 30; household must contact TANF Eligibility Worker by December 31) to report that income was either not received as previously anticipated or was received in a lesser amount.

3. Non-Receipt of Monthly Report - Used only in instances in which the case was closed when the completed monthly report was received in the county office before the last working day of the month but the TANF Eligibility Worker did not register the report as received. (E.g. Case closed effective November 30 due to reason of non-receipt of monthly report, but a completed monthly report was received by November 30).
4. Fail to Complete Review - Used only in instances in which the case closed when the review was completed before the last work day of the month but the TANF Eligibility Worker did not enter the review complete date in the automated computer system.
5. Incomplete Monthly Report - Used only in instances in which the case closed when required verifications/information was received in the county office before the last work day of the month but the TANF Eligibility Worker did not register the monthly report as complete.
6. JOBS Sanction – Used only in the following instances:
 - a. An individual was determined exempt or was approved for 'Good Cause' from participation in the JOBS program prior to the first day of the proposed 'Month of Ineligibility';
 - b. The case closed because a JOBS sanction progressed to close and the sanctioned individual:
 - i. Began and successfully completed their Proof of Performance (POP) in the Sanction Penalty Month
 - ii. Began a POP in the Sanction Penalty Month and successfully completed it in the Month of Ineligibility.

Refer to Section 400-19-90-20 for policy regarding Curing a JOBS or Tribal NEW Sanction in the Sanction Penalty Month.

~~either began and successfully completed the Proof of Performance prior to or in the Sanction Penalty Month. was determined exempt or was approved for 'Good Cause' from participation in the JOBS program prior to the first day of the proposed 'Month of Eligibility'.~~

7. Help Desk - Used only in instances approved by state program policy staff.

TANF Eligibility Workers can revert a case to open in the Vision System without policy approval during the first month following the month in which the closing became effective for reasons #1 thru #6 above.

In all other circumstances (i.e., case closing due to non-receipt of monthly report, when the monthly report was not received at all or was received in the month following the month it was due, etc.) a new SFN 719, "TANF Request for Benefits" is required. (See Section 400-19-20-20, Required Applications in Various Circumstances.)

Transition Assistance 400-19-150

15. 400-19-150-10

- Added policy to #1 to clarify that households who were eligible for TANF in the month immediately preceding the month in which they became ineligible are not eligible for Transition, if the case closed at the end of the immediate preceding month, as households cannot become eligible for Transition Assistance in an application month.
- Added clarification that in order to remain Transition Eligible during the 6 consecutive month period, the household must have some countable earned income. This was added to the paragraph that begins: Effective with the Benefit Month of August 2011, once a TANF case is found eligible for Transition Assistance, the case will remain eligible for the entire 6 consecutive month period, unless:'.

Factors of Eligibility 400-19-150-10

Eligibility for Transition Assistance may be established if:

1. The household was eligible under TANF for the month immediately preceding the month in which the family became ineligible; and

Note: Households cannot become eligible for Transition Assistance in an application month. Therefore, a household is not eligible for Transition if the case closed at the end of the month prior to the month the family applied for TANF and was determined ineligible.

Example: Ongoing TANF case closed December 31st. The family reapplies for TANF in January and is found ineligible for TANF due to excess earned income. The application must be denied as the household cannot be found eligible for Transition as it is an application month.

2. The household became ineligible for TANF benefits due to earned income; and

Note: The excess earned income failure cannot be due to the receipt of an extra check from a recurring source or the loss of the earned income disregards due to unreported income.

3. All other TANF eligibility requirements are met.

A household with countable earned and unearned income may be eligible for Transition Assistance if the household would have remained TANF eligible based on the countable unearned income only (gross amount minus allowable expenses).

Effective with the Benefit Month of August 2011, once a TANF case is found eligible for Transition Assistance, the case will remain eligible for the entire 6 consecutive month period, unless:

1. The household would be eligible for a regular TANF benefit (benefit amount prior to the Pay After Performance deduction) of \$200 or more; or
2. The household no longer meets all of the TANF eligibility requirements.
3. The household no longer has countable earned income.

If, during a Transition Assistance period, if the household receives an extra check from a recurring source of income and counting the extra check results in a TANF grant of under \$200.00, the household remains eligible for Transition Assistance. The Transition Assistance benefit is not suspended, the month counts towards the six consecutive month period, and the household is eligible for the \$200.00 Job Retention benefit, JOBS Supportive Services and Special Items of Need.

Transition Assistance cannot be approved or, once approved, cannot continue and must be closed if the individual whose earned income caused the failure is:

1. An individual sanctioned due to non-compliance with JOBS (DI);
2. A minor parent who is not the head-of-household (IN);
3. An alien who is ineligible to receive assistance due to their immigration status (DA);
4. An individual in receipt of Supplemental Security Income (SSI) benefits (SS);
5. An individual who loses their earned income disregards due to unreported income.
6. A caretaker relative who chooses to be ineligible ('OU' - for reasons other than Pay After Performance).

A household that includes an individual whose financial needs are not included in the benefit due to the Pay after Performance requirements may be eligible for Transition Assistance.

Post-TANF Supportive Services 400-19-155

16. 400-19-155-05 – Added a new paragraph to the end of this section to address policy for households who were found TANF eligible incorrectly and became Post-TANF eligible.

Post-TANF Supportive Services 400-19-155

Post-TANF supportive services may be provided to assist former TANF or Transition Assistance recipients to succeed in the workforce and thus avoid the need to receive further TANF benefits. These supportive services may be provided to eligible individuals for up to six (6) months following the closure of their TANF or Transition Assistance case regardless of the reason for closure, provided, the individual was participating or required to participate in the JOBS or Tribal NEW

program in their last month of TANF or Transition eligibility. The six (6) month window of eligibility for Post-TANF supportive services begins on the first day of the first month following case closure.

During the six month period, benefits can be paid, effective the month the household requests Post-TANF supportive services. Retroactive payments will not be made unless it is determined that the payment was not made due to an administrative error.

Tribal NEW does not determine eligibility for Post-TANF supportive services. Instead, determining eligibility for and issuing payment of Post-TANF supportive services is the responsibility of the TANF Eligibility Worker.

There are two supportive services available to former TANF recipients:

1. Post-TANF Transportation; and
2. Discretionary.

Former TANF recipients are eligible for Post-TANF supportive services if they:

1. Have at least one deprived child residing in the home; and
2. Reside in the state; and
3. Are engaged in paid employment or a combination of paid employment and any education/training; and
4. Have not reached their TANF Lifetime limit;
5. Were required to or participate in the JOBS program in the last month of eligibility for TANF or Transition; and
6. Are not currently disqualified due to an Intentional Program Violation (IPV).

Note: Ineligibility for Post-TANF supportive services will occur even if the disqualification occurs after the individual's TANF case has been closed. It is the status of the individual in the month in which the request for Post-TANF supportive services

is made that determines the individual's eligibility for those payments.

The TANF Eligibility Worker or JOBS Employment Contractor may authorize the use of Post-TANF supportive services. When authorizing the use of these services, a reasonable effort must be made to determine if a former TANF recipient is eligible for Post-TANF supportive services. Reasonable efforts include asking the former TANF recipient if all six criteria are met.

The JOBS Employment Contractor or TANF Eligibility Worker must ensure the individual remains employed. When authorizing Discretionary supportive services, verification of expenses for which assistance is requested must be secured.

If the former TANF recipient is disqualified due to an IPV, the TANF Eligibility Worker should alert the JOBS Employment Contractor at the time of case closure or when an individual receives an IPV following case closure.

When a household has been determined ineligible for TANF benefits that resulted in apparent eligibility for Post-TANF Supportive Services:

- If the household has not yet received any Post-TANF Supportive Services, the household is not eligible for Post-TANF.
- If the household already received Post-TANF Supportive Services, payments must cease effective the date ineligibility is determined. In all cases, notification must be sent to the household.