



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**

Region IV, 61 Forsyth St., SW, Suite 4M60, Atlanta, GA 30303-8909 [www.acf.hhs.gov](http://www.acf.hhs.gov)

May 26, 2017

Ms. Danielle W. Barnes  
Commissioner  
TN Department of Human Services  
Citizens Plaza Building  
400 Deaderick Street, 15<sup>th</sup> floor  
Nashville, Tennessee 37243-1403

Dear Ms. Barnes:

Tennessee submitted a four-year Workforce Innovation and Opportunity Act (WIOA) combined state plan to the U.S. Departments of Labor, Education, and Health and Human Services for approval on April 1, 2016. The Departments of Labor and Education sent a joint letter dated June 30, 2016, informing the state that it had successfully corrected the portions of the combined plan that fall under the jurisdiction of the two Departments for both the core and combined state plan partner programs. On July 29, 2016, the Administration for Children and Families (ACF) sent Tennessee a letter notifying the state that we determined the TANF portion of its WIOA combined state plan to be complete.

You submitted a WIOA combined state plan amendment dated March 30, 2017, that removes deprivation as a requirement, aligns the child care policy with the new Child Care Development Block Grant rules, and adds Tennessee's tobacco store EBT restriction law. We have reviewed your amendment and have incorporated it into your combined WIOA plan with an effective date of July 1, 2016.

As we typically note in TANF state plan completion letters and plan amendment letters, the Secretary of Health and Human Services makes a finding of plan completeness but does not approve or disapprove a plan. Therefore, the determination of completeness should not be construed as an approval of any particular activity, or as a determination that any particular expenditure is an allowable use of TANF/maintenance-of-effort (MOE).

If you have questions, please contact Veronica Young, TANF Program Specialist for Region IV, at 404-562-2894.

Sincerely,

LaMonica Shelton  
TANF Regional Program Manager

## Temporary Assistance for Needy Families (TANF)

States that include TANF in the Combined State Plan must outline how the State will meet the requirements of section 402 of the Social Security Act including how it will:

(a) Conduct a program designed to serve all political subdivisions in the State (not necessarily in a uniform manner) that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work, and support services to enable them to leave the program, specifically cash assistance, and become self-sufficient (section 402(a)(1)(A)(i) of the Social Security Act).

In conformance with Section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), the Tennessee Department of Human Services (DHS) shall administer and supervise the Temporary Assistance for Needy Families (TANF) Program, known as the Families First (FF) Program in Tennessee.

Assistance payments shall be made on a monthly basis for all eligible assistance groups using a standardized budgeting and payment method per assistance group size. DHS has a gross income test, a consolidated standard of need, and a maximum standard payment amount per assistance group size. Some assistance groups receive a higher differential maximum payment amount, based on caretaker work exemptions. Disregards include a \$250.00 earned income disregard, a mandatory household member and income disregard for a three-month period beginning with the month following the month of marriage for new spouses (marriage during receipt policy), and child care disregards of \$200.00 per month for children under two years of age and \$175.00 per month for children two years of age or older, for parents who choose a deduction rather than having their child care paid directly to the provider by DHS.

The income standards are included in the following table.

<b>FAMILIES FIRST NEED/PAYMENT STANDARDS EFFECTIVE 7/1/08:</b>										
Number of Persons in AU	1	2	3	4	5	6	7	8	9	10
Gross Income Standard	1288	1658	1972	2240	2470	2666	2838	2991	3128	3256
Consolidated Need Standard	696	896	1066	1211	1335	1441	1534	1617	1691	1760
<b>Standard Payment Amount</b>	<b>95</b>	<b>142</b>	<b>185</b>	<b>226</b>	<b>264</b>	<b>305</b>	<b>345</b>	<b>386</b>	<b>425</b>	<b>467</b>
<i>Differential Grant Payment Amount</i>	<i>140</i>	<i>192</i>	<i>232</i>	<i>242</i>	<i>291</i>	<i>305</i>	<i>345</i>	<i>386</i>	<i>425</i>	<i>467</i>
<b>FAMILIES FIRST NEED/PAYMENT STANDARDS EFFECTIVE 7/1/08:</b>										
Number of Persons in AU	11	12	13	14	15	16	17	18	19	20
Gross Income Standard	3374	3487	3596	3702	3802	3898	3987	4064	4129	4175
Consolidated Need Standard	1824	1885	1944	2001	2055	2107	2155	2197	2232	2257
<b>Standard Payment Amount</b>	<b>508</b>	<b>549</b>	<b>589</b>	<b>630</b>	<b>670</b>	<b>711</b>	<b>750</b>	<b>790</b>	<b>831</b>	<b>871</b>
<i>Differential Grant Payment Amount</i>	<i>508</i>	<i>549</i>	<i>589</i>	<i>630</i>	<i>670</i>	<i>711</i>	<i>750</i>	<i>790</i>	<i>831</i>	<i>871</i>

DHS will continue to use fill-the-gap budgeting. Current month child support will be paid to the caretaker using the fill-the-gap budgeting method as permitted in Section 302 (e) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Families First payments shall be made through Tennessee's Electronic Benefit Transfer system to the caretaker, alternate payee, or protective payee. The payment will be made available on the first of each month for continuously eligible cases. Payments will be made from the date the signed application is received in the local office for all eligible applicants. Auxiliary payments will be issued to all assistance groups that have been underpaid.

### ***Eligibility***

Eligibility for Families First benefits will be determined based on the following criteria:

- The Assistance Unit (AU) lives in Tennessee.
- The AU includes either:
  - A child under age 18;
  - A child under age 19 who is expected to complete high school or an equivalent vocational/technical training on or before his/her 19th birthday;
  - A pregnant woman in her last trimester; or
  - The otherwise eligible parents or caretakers of a SSI child.
- The children live in the home of a parent or a relative who maintains care and control of the child.
- All members of the AU are citizens or qualified aliens and have provided a Social Security Number.
- Households meet income eligibility, including an income test and a resource test.

All AUs will be subject to a 60-month lifetime limit of Families First assistance. Months of TANF-funded assistance received in other States will count toward the lifetime limit. Those AUs that reach their 60-month limit and are exempt from the Families First work requirement and otherwise eligible may be considered for an extension. No more than 20% of the caseload can be on an extension at any given time.

**(b) Require a parent or caretaker receiving assistance to engage in work (defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once he or she has received 24 months of assistance, whichever is earlier, consistent with the child care exception at 407(e)(2) (section 402(a)(1)(A)(ii) of the Social Security Act)**

AUs with eligible adults who are not exempt must engage in 30 hours a week of countable work or training activities with the exception of those individuals who require a reduction in activity hours due to an Americans with Disabilities Act modification. The federally countable work activities being utilized in Tennessee are:

- Unsubsidized employment;
- Subsidized employment in the public or private sector when funding is available;
- Job Search and Job Readiness Assistance;
- Community Service;
- Work Experience;
- Vocational Education Training;
- Job skills training directly related to employment; and
- Adult Education (education directly related to employment).

- Vocational Rehabilitation

Families First use the federal definitions for the countable work activities. AUs with a work requirement will receive cash assistance as long as they comply with program requirements or meet the 60-month time limit.

All provisions of the Fair Labor Standards Act will apply to Work Experience and Community Service activities, including maximum number of hours and displacement safeguards. Work Experience is limited to six months and Community Services to three, with some exceptions.

Tennessee is divided into (8) eight Districts that cover all 95 counties across the State for the provision of work activities and supportive services. The Employment and Case Management Services (ECMS) Contractor is responsible for each district. After eligibility is determined and a referral is received from the district, the Contractor will complete an assessment and work with the client to develop an Individualized Career Plan (ICP) to determine job readiness. The ICP will outline their specific work requirements according to federally countable work activities and provide supportive services if needed. Individuals determined to be ready to engage in work will be immediately placed in work or work-related activities for up to 30 hours per week. After receipt of assistance for 24 months, all individuals not already participating in such activities will be required to engage in work activities, as defined in state policy. This excludes a single custodial parent caring for a child under age 6 who refuses to engage in work requirements and is able to demonstrate an inability to obtain needed child care.

Certain AUs will be exempt from the work requirement based on the following criteria:

- The caretaker is 65 years old or older;
- The caretaker is disabled;
- The caretaker is temporarily incapacitated;
- The caretaker is caring for an in-home disabled relative;
- The single parent caretaker is caring for an infant less than 1 year of age;
- The two-parent household is caring for an infant less than 16 weeks of age.

### **(c) Ensure that parents and caretakers receiving assistance engage in work in accordance with section 407 (section 402(a)(1)(A)(iii) of the Social Security Act)**

Families First will employ the following strategies for work and self-sufficiency:

- Families First participants will have goal-oriented, time-limited, Individualized Career Plans that carry them through logical and productive steps to self-sufficiency;
- Sanctions will be imposed when a family fails to comply with the Individualized Career Plan without good cause;
- Cash benefits will be limited to 60 months of eligibility in a lifetime, with some exceptions; and
- FF Participants who become employed and lose cash benefits may qualify to receive transitional child care assistance and transitional Supplemental Nutrition Assistance Program (SNAP) benefits.

Outcome goals have been set for all activities and all providers of services to assure clients receive the best available services in the shortest time possible. There is not a target goal set for transitioning clients off Families First. Client goals will be set with the ECMS contractor, keeping in mind the 60-month time limit.

The Secretary of State was sent a notification from the Governor of Tennessee opting out of the provision to require a FF parent or caretaker receiving assistance for two months who is not exempt and who is not

employed to participate in community service activity. The State plan requires all non-exempt individuals to have an Individualized Career Plan.

### ***Diversion Program***

Tennessee will operate a Diversion program to serve families who do not need ongoing assistance, but could achieve self-sufficiency and economic security with a lump sum payment.

An Assistance Unit (AU) must meet all of the following criteria to receive a Diversion payment:

- Families First eligibility criteria;
- The Assistance Unit has demonstrated residency in Tennessee for 6 months;
- The primary caretaker has a recent job history;
- The Assistance Unit does not face any major barriers to employment, such as drug/alcohol abuse;
- The primary caretaker has at least a high school diploma or equivalent; and

The household is facing a one-time financial need, and the Diversion payment would prevent ongoing need for TANF assistance. Money can be used for housing, transportation, child care, or job needs.

The Diversion payment will reduce the temporary cash assistance lifetime limit of sixty (60) months eligibility by the number of months the applicant receives a Diversion payment

Those who accept the Diversion payment will be ineligible to receive another Diversion payment or Families First cash benefits during the diversion months of assistance. Employed Diversion recipients may be eligible for twelve months of subsidized child care.

### ***Sanctions***

Sanctions shall be applied to all cases that are not in compliance with their Personal Responsibility Plans. A sanction may result in a percentage reduction in benefits for failure to provide immunizations, health checks, attend school, or ensure satisfactory attendance and/or progress of school aged children. Total assistance group ineligibility will be applied if the family fails to cooperate with child support or comply with their Individualized Career Plan activities without good cause.

### ***Other Program Policies***

Families First AUs have access to child care. AUs with an eligible adult can access Families First Child Care if they are engaged in countable work and/or training activities and require child care in order to participate. In addition, individuals who are exempt from a work requirement, but wish to volunteer for work/training activities may have access to child care. There is no co-pay fee.

Certain child-only Families First cases are eligible for At-Risk Child Only (ARCO) child care if funding is available.

Former Families First recipients who are employed or participating in an approved work and/or educational activities at least 30 hours a week can receive up to 18 months of Transitional Child Care (TCC) after their cases are closed. The eligibility period for TCC begins the first day of the month after the Families First (FF) cash assistance ends, however, the individual may not "qualify" for TCC until a later date. There is a co-pay fee for ARCO and TCC.

Families First AUs will be reviewed annually for continued eligibility.

If a single parent marries during the receipt of Families First assistance, he/she may choose to exclude the new spouse from the AU for 3 full months, regardless of income. Following the 3 months, the AU must meet TANF eligibility requirements to continue to receive assistance.

A Family Cap will be applied when a child is conceived and born during a period of eligibility. It may also be applied to a child born after or during a period of ineligibility, but within 10 months of a reapplication month. Exceptions will be granted when the birth is the result of rape or incest or when the birth is the first child born to a minor in an assistance unit.

**(d) Take such reasonable steps as the State deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the Federal Government (section 402(a)(1)(A)(iv) of the Social Security Act)**

#### **Privacy Provisions**

The rules of the Families First program regarding the use and disclosure of information about individuals and families receiving assistance are consistent with the rules that guided the program under Title IV-A of the Social Security Act prior to the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, thus protecting the rights of individuals and permitting the release of information to programs operating in connection with the TANF Program; i.e., federally funded or federally assisted programs providing assistance on the basis of need, appropriate audit, and appropriate local, State, and federal law enforcement officials.

**(e) Establish goals and take action to prevent and reduce out-of-wedlock pregnancies, with special emphasis on teenage pregnancies (section 402(a)(1)(A)(v) of the Social Security Act)**

#### **Efforts to Reduce Out-of-Wedlock Pregnancies**

“What’s the Rush?” is a Statewide initiative of the Tennessee District Attorneys (DA) General Conference aimed at raising awareness of the legal, financial, and social consequences of teen pregnancies Statewide. “What’s the Rush: Don’t be a Teen Parent” Campaign, provides informational videos and pamphlets via the DA’s Website. “What’s the Rush?” printed materials and videos were created for the DAs, Assistant District Attorneys (ADAs) or staff members to use when visiting schools and civic organizations to educate Tennessee’s youth about the consequences of becoming teen parents. These materials may also be provided to health departments, the Department of Human Services, courts, and other State-wide partners.

The Tennessee District Attorneys Conference created the campaign in 2008 in response to the number of court cases involving teen parents throughout the State. The following clause is included in the State of Tennessee’s contract with the DAs:

“A.39 The grantee shall conduct a teen pregnancy prevention campaign with a goal of decreasing the number of child support cases. This program shall target and provide resource materials to every high school and health department in the State. Further, the program shall be promoted, and readily assessable to teens through various means including, but not limited to, a web site, billboards, and other outreach efforts.”

**(f) Conduct a program designed to reach State and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded to include men (section 402(a)(1)(A)(vi) of the Social Security Act)**

## Efforts to Reduce Statutory Rape

The Department of Human Services (DHS) recognizes the correlation between teenage pregnancy and the possible occurrence of statutory rape by men.

- In Tennessee, *statutory rape* is defined as the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:
  1. The victim is at least thirteen (13) but less than fifteen (15) years of age and the defendant is at least four (4) years but less than ten (10) years older than the victim; or
  2. The victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is more than five (5) but less than ten (10) years older than the victim.
- *Statutory Rape* is a class E felony. Punishment for a Class E felony is a prison sentence ranging from 1-6 years.
- *Mitigated Statutory Rape* is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is at least four (4) but not more than five (5) years older than the victim. Mitigated Statutory Rape is a class E felony.
- *Aggravated Statutory Rape* is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when the victim is at least thirteen (13) but less than eighteen (18) years of age and the defendant is at least ten (10) years older than the victim. Aggravated Statutory Rape is a class D felony. Punishment for a class D felony is a prison sentence ranging from 2-12 years.

Local DHS offices will provide printed material regarding statutory rape to be displayed in DHS offices, contracted agencies, local schools, and other prominent public places where clients and related individuals, including the men who have allegedly committed the crime, can view the material. DHS staff will notify the proper authorities of a possible occurrence of statutory rape when an applicant for Families First or other programs designed to provide related services is:

- Thirteen (13) years of age but less than eighteen (18) years of age; or
- A parent, legal guardian, or custodian on behalf of such person.

**(g) Implement policies and procedures as necessary to prevent access to assistance provided under the State program funded under this part through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 408(a)(12), including a plan to ensure that recipients of the assistance have adequate access to their cash assistance (section 402(a)(1)(A)(vii) of the Social Security Act)**

### TANF Electronic Benefits Transfer (EBT) Restrictions Requirements

Tennessee EBT restrictions law became effective July 1, 2014. The Department of Human Services Program Integrity Unit (PIU) provides a list of restricted transactions from the PIU's monitoring efforts to our EBT vendor on a quarterly basis (at a minimum) to have ATMs at the restricted locations "Blocked" from accessing TANF benefits. Restricted locations for TANF transactions include any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. The DHS PIU will continue to monitor TANF transactions on a quarterly basis (at a minimum) to identify any new or additional restricted

locations and block ATM EBT access. The DHS PIU Division will determine and establish claims in the amount of benefits accessed in restricted locations by TANF recipients on and after July 1, 2014. Following appropriate investigation, the DHS PIU Division may also assess penalties on the businesses that violate the Federal and State law.

We will work to ensure that our TANF recipients have adequate access to their cash assistance. Business owners will provide the DHS PIU Division with ATM location details. Based on that information, the PIU will assess the restricted locations to determine if there are other nearby unrestricted businesses where benefits can be accessed. If there appears to be an access problem, the DHS PIU will then notify the EBT/TANF Restriction team concerning locations where an individual may not have adequate access to cash assistance as mandated by Federal and State law. If an access problem has been identified, the DHS team along with PIU will work with businesses in order to purchase POS systems that will be able to be used by individuals without being charged a surcharge fee. The Tennessee EBT Cash Access Location Report is available on [www.tn.gov](http://www.tn.gov). This report provides POS locations throughout the State of Tennessee with and without surcharge fees.

From analyzing the recipient data, locality information (addresses) where transactions occur will be cross-referenced with the ATM locality information from the self-reports of business owners in the area. This analysis will help us determine if there are "clusters" of transactions in particular locations that are restricted. If there are "clusters" of activity around a particular restricted location, the area will be investigated, as will other businesses or locations in the surrounding vicinity, to determine non-restricted areas where EBT cards can be used with minimal or no surcharge fees. We will advise clients by letter of the non-restricted ATMs and their locations.

DHS TANF recipients will have the opportunity to appeal any potential claim for using their benefits in a restricted location.

Beginning July 1, 2016, the effective date of Tennessee tobacco store EBT restriction law, TANF recipients will be prohibited to use their (EBT) cards at licensed retail stores that derive their largest category of sales from loose tobacco, cigars, cigarettes, pipes, and other smoking accessories.

DHS TANF recipients will have the opportunity to appeal any potential claim for using their benefits in a restricted location.

Brochures are provided by our EBT vendor, to every recipient who uses an EBT card to access his/her benefits. These brochures thoroughly explain use, fees, possible surcharges that apply to electronic fund transactions, and penalties for illegal use including those for use at restricted businesses.

**(h) Ensure that recipients of assistance provided under the State program funded under this part have the ability to use or withdraw assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and surcharges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available (section 402(a)(1)(A)(viii) of the Social Security Act)**

Information regarding assistance to recipients under the State program is included in the response to question (g) in this section.

**(i) Indicate whether it intends to treat families moving from another State differently from other families under the program, and if so how (section 402(a)(1)(B)(i) of the Social Security Act)**



### **Out-of-State Families**

The State will continue to apply Families First policies to all applicant/recipients who are residents, including those families who were past recipients in another state and move to Tennessee. The policies and procedures of the Families First Program will be applied uniformly to current and to new State residents. Families seeking the Diversion payment must demonstrate 6-months of residency in Tennessee and have not received a Diversion payment in any other state.

**(j) Indicate whether it intends to provide assistance to non-citizens, and if so include an overview of the assistance (section 402(a)(1)(B)(ii) of the Social Security Act)**

### **Treatment of Non-citizens**

The State will provide assistance to non-citizens using the rules outlined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the Trafficking Victim Protection Act of 2000, and federal rules regarding certain battered women and children. The State does not offer State-Only funded programs for non-citizens. The current Families First policy allows eligibility for individuals with the following non-citizen status and length of time in the U.S.:

- Refugee (admitted under Section 207) in the U.S. less than 5 years
- Asylee (admitted under Section 208) in the U.S. less than 5 years
- Deportation Withheld (under section 243(h)) in U.S. less than 5 years
- Honorably Discharged Veterans
- Armed Forces Active Duty
- Spouse/Child/ of Veteran
- Spouse/Child of Armed Forces Active Duty
- Hmong or Highland Laotian
- Spouse of Hmong or Highland Laotian
- Dependent Child of Hmong or Highland Laotian
- Filipinos who are considered US Armed Service Vets
- Legal Permanent Resident (LPR) with 40 Qualifying Quarters
- Legal Permanent Resident (LPR) ins US more than 5 years
- Amerasian Immigrant in U.S. less than 5 years
- Cuban/Haitian Entrant admitted under Section 21 (h)(5) in U.S. less than 5 years
- Conditional Entrant (admitted under INA Section 203 (a)(7) in eligible status for more than 5 years
- Parolee (status granted under INS Section 212 (d)(5) for 1 or more years - entry date on or after 8/22/96 after in "parolee" status for 5 or more years
- Trafficking Victims in accordance with 107(b)(1) of the Trafficking Victim Protection Act of 2000
- Certain Women and Children in battered status and in the U.S. less than 5 years

- Afghan Special Immigrant admitted under 101 (a)(27) effective 12/26/2007
- Afghan Special Immigrant admitted under 101 (a)(27) effective 12/19/2009 (in U.S. less than 5 years)
- Iraqi Special Immigrant admitted under 101 (a)(27) effective 1/28/2008
- Iraqi Special Immigrant admitted under 101 (a)(27) effective 12/19/2009 ( in U.S. less than 5 years)

**(k) Set forth objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including an explanation of how it will provide opportunities for recipients who have been adversely affected to be heard in a State administrative or appeal process (section 402(a)(1)(B)(iii) of the Social Security Act)**

#### **Ensuring Program Integrity**

Program integrity is twofold. It includes both the provision that benefits must be provided timely and provided correctly and that recipients are provided with an avenue to voice their complaints/concerns through an appeal process.

Appeals are handled by our Appeals and Hearings Division, an entity whose only purpose is to fulfill the function of determining whether the correct action was taken on a case when that action has resulted in client dissatisfaction. Any applicant for, or recipient of, Families First may file an appeal through the county office, district office, State Office, or our Family Assistance Service Center. Every applicant/recipient is informed of his/her right to appeal if he/she is aggrieved by an action or lack of action by DHS. Anyone who applies or wants to apply for Families First benefits is given an informational pamphlet that explains the right of Appeal and Fair Hearing, the method by which a hearing may be obtained, and that his/her case may be presented by a household member or a representative. All applicants/ recipients are informed about these rights.

Resources that were previously used for quality control purposes in the Aid to Families with Dependent Children (AFDC) program were redirected to monitor and evaluate Families First. Focusing on outcomes rather than process will continue to ensure accountability. A method remains in place to ensure that payment accuracy and standards of promptness are achieved. An Active Case Review team will review a statistically valid sample of cases that are actively receiving Families First (those not slated for closure); to ensure policy and payment accuracy and that appropriate case management services are provided. The results of these reviews are provided to the management team of each area in the State and are used to determine areas where additional training may be needed. Individual errors found in cases are also addressed and corrected.

**(l) Indicate whether the State intends to assist individuals to train for, seek, and maintain employment (Section 402(a)(1)(B)(v) of the Social Security Act)—**

- 1. providing direct care in a long-term care facility (as such terms are defined under section 1397j of this title); or**
- 2. in other occupations related to elder care, high-demand occupations, or occupations expected to experience labor shortages as, determined appropriate by the State for which the State identifies an unmet need for service personnel, and, if so, shall include an overview of such assistance.**

#### **Patient Protection and Affordable Care Act of 2010**

The Families First Program does not intend, at this time, to develop a specific program to assist individuals to train for, seek, and maintain employment in:

- Providing direct care in a long-term care facility (as such terms are defined under Section 1397j of Title VI; or
- Other occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel.

The State ECMS Contractors currently assist some Families First recipients with work and/or educational training that apply to the above criteria as part of their general work requirement activities based on their needs and abilities.

**(m) Provide for all MOE-funded services the following information: the name of the program benefit or service, and the financial eligibility criteria that families must meet in order to receive that benefit or service. In addition, for TANF MOE-funded services (co-mingled or segregated MOE) describe the program benefit provided to eligible families (SSP services do not have to include a description but the Department of Health and Human Services encourages it) (§263.2(b)(3) & §263.2(c) preamble pages 17826-7)**

#### **MOE Programs**

Tennessee has discontinued providing Families First assistance and services to some eligible families under a Separate State Program (SSP), using only State Maintenance of Efforts (MOE) funds. The State's MOE funds can be spent in any of the following categories: cash assistance, work/training related activities and associated support services, child support pass-through, Families First Program Administration, and Families First TANF MOE Child Care. The State does not currently have any SSP MOE Programs.

#### **Public Involvement**

Local governments have numerous opportunities to be involved in Families First and many serve as service contractors for education, training, or child care services. Urban county governments provide education and training services through sub-contracts with Families First Employment and Case Management Services (ECMS) Providers. Local Human Services offices are used in many instances for co-location of local government and in some instances, Human Services caseworkers are stationed in local training centers.

In 2004, a Governor's task force comprised of business leaders, former and current Families First clients, advocates, contracting agencies, and senior Department of Human Services officials came together to recommend ways to improve the program with the goal of "enabling even more Tennesseans to become self-sufficient, tax-paying citizens." Another goal of this group, in anticipation of the loss of Tennessee's waiver in June 2007, was to ensure a smooth transition into compliance with all anticipated Federal requirements. The findings and recommendations of this group helped to shape the current post-waiver Families First Program in Tennessee.

The State continues to uphold efforts to improve the Families First Program through public involvement by meeting on a quarterly basis with advocates groups to discuss the state of the Families First Program and proposed improvements.

#### **Americans with Disabilities Act Provisions**

The Families First Program, including any contracting agencies providing services to Families First clients, will comply with all ADA provisions in the application of policy and provision of services.

The State will operate a program to provide Temporary Assistance to Needy Families (TANF) so that children may 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 encourage the formation and maintenance of two-parent families.

The program is known as Families First.

The Executive Officer of the State is the Governor of Tennessee

In administering and operating a program that provides Temporary Assistance for Needy Families with minor children under Title IV-A of the Social Security Act, the Tennessee Department of Human Services will.

## TANF Certifications

States that include TANF in the Combined State Plan must provide a certification by the chief executive officer of that State, that during the fiscal year, the State will:

Operate a child support enforcement program under the State Plan approved under part D. (section 402(a)(2) of the Social Security Act) **Yes**

Operate a foster care and adoption assistance program under the State Plan approved under part E, and that the State will take such actions as are necessary to ensure that children receiving assistance under such part are eligible for medical assistance under The Unified or Combined State Plan under title XIX. (section 402(a)(3) of the Social Security Act) **Yes**

Specify which State agency or agencies will administer and supervise the program referred to in paragraph (1) for the fiscal year, which shall include assurances that local governments and private sector organizations (section 402(a)(4) of the Social Security Act)—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; **Yes**

Specify which State agency or agencies will administer and supervise the program referred to in paragraph (1) for the fiscal year, which shall include assurances that local governments and private sector organizations (section 402(a)(4) of the Social Security Act)—have had at least 45 days to submit comments on the plan and the design of such services **Yes**

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, with equitable access to assistance under the State program funded under this part attributable to funds provided by the Federal Government. (section 402(a)(5) of the Social Security Act) **Yes**

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. (section 402(a)(6) of the Social Security Act) **Yes**

(optional) Establish and Enforcing standards and procedures to (section 402(a)(7) of the Social Security Act).— screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals; **Yes**

(optional) Establish and Enforcing standards and procedures to (section 402(a)(7) of the Social Security Act).— refer such individuals to counseling and supportive services; **Yes**

(optional) Establish and Enforcing standards and procedures to (section 402(a)(7) of the Social Security Act).— waive, pursuant to a determination of good cause, other program requirements such as time limits (for so long as necessary) for individuals receiving assistance, residency requirements, child support cooperation requirements, and family cap provisions, 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 **Yes**