

State of Montana

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Montana's Temporary Assistance for Needy Families (TANF) State Plan

Effective October 1, 2012

Plan Amendment Effective February 14, 2014

In accordance with section 402(a) of the Social Security Act, Montana must periodically renew its funding status as an "eligible State" in order to continue to receive Federal funds under the Temporary Assistance for Needy Families (TANF) program. This renewal process requires that Montana submit a TANF plan, which contains all of the necessary elements listed in section 402 of the Social Security Act, including the State certifications specified under sections 402(a)(2)-(7).

A "New" complete plan is posted after notice from the U.S. Department of Health and Human Services, Administration for Children and Families is received informing the department that it has determined Montana's TANF State plan complete, approximately every 36 months. In accordance with Section 5501 of the Balanced Budget Act of 1997 (P.L. 105-33), sections 402(a) and 403(a)(1)(A) of the Social Security Act (Act). To determine whether a plan will enable the State to remain "eligible" for a fiscal year (FY), count back 27 months beginning with December (the end of the first quarter of a fiscal year). If the State has a State plan determined complete by the Secretary with an "effective date" within that 27- month period, it is "eligible" for that fiscal year.

Effective January 1, 2012 Montana continues to qualify as an "eligible State" under the TANF program.

**MONTANA STATE PLAN
for the
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM**

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Title IV-A of the Social Security Act

SEC. 402 [42 U.S.C. 602]

GENERAL PROVISIONS

The State of Montana will operate a TANF cash assistance program for needy families. The TANF cash assistance program provides job readiness preparation, supportive services, and case management; vigorously pursues child support; and assists in the development of community resources as a means to help families reach self-support. TANF cash assistance eligible families may receive Medicaid coverage and are categorically eligible for SNAP benefits. In the administration of its TANF program, the State of Montana will not discriminate based on age, disability, race, color, national origin, sex, religion or any other protected bases.

Of the seven (7) Montana Indian reservations, four (4) currently operate Tribal TANF Plans. Included are the Flathead Reservation of the Confederated Salish and Kootenai Tribes, the Fort Belknap Indian Community, Rocky Boy's Reservation of the Chippewa Cree Tribes, and the Blackfeet Nation of the Blackfeet Reservation.

- ▶ Also included in this Plan is the Emergency Assistance Program (Section 3 of Montana's AFDC State Plan in effect 8/21/96), which may provide cash assistance when an unforeseen event causes or threatens to cause the destitution of a minor child and/or situations where child abuse and/or neglect are evident (See Section 3).

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I. ASSISTANCE PROGRAMS

Temporary cash assistance is provided to eligible families through the TANF cash assistance program. This is the only assistance program that the state of Montana operates at this time.

The TANF cash assistance program is a time-limited cash assistance program designed to provide parents and other caretaker relatives with minor children a monthly cash grant, employment/training activities, and educational opportunities. The goal is to move the individual into employment as quickly as possible (as outlined in section C, part five (5)) leading to a permanent alternative to public assistance. Sanctions for noncompliance are imposed. Montana has added an extension of the TANF cash assistance program, the Post-Employment Program, for those families that were previously not eligible to receive TANF cash assistance because of their income. Post-Employment Program benefits are limited to three (3) consecutive months in a 12-month period. Families are also eligible for child care assistance according to the Child Care and Development Fund State Plan.

A family's TANF cash assistance eligibility is limited to sixty (60) months in the adult's lifetime. The time limits do not apply to dependent children.

TANF cash assistance program participants are considered eligible for Medicaid coverage if they meet Medicaid eligibility requirements. The adults have Basic Medicaid coverage; minor children, pregnant women, and disabled individuals receive full Medicaid coverage as stated in the Montana Medicaid State Plan. Participants are also considered categorically eligible for SNAP benefits.

DPHHS shall transfer state funds to Tribal TANF programs that are approved by the Federal Department of Health and Human Services after July 1, 1999. For purposes of claiming state funds granted to Tribal TANF grantees as maintenance-of-effort (MOE), Montana State will adopt the eligibility of any such Tribal TANF programs as its own eligibility.

A. ELIGIBILITY DETERMINATION

Montana has established objective criteria for the delivery of benefits and the determination of eligibility to assure the applicant receives fair and equitable treatment.

1. Individuals Potentially Eligible

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TANF cash assistance may be provided to the following eligible individuals for a period of time not to exceed 60 months in the adult caretaker relative's lifetime.

- a. Minor children (under age 18 or if age 18 but less than 19, is a full-time secondary school student).
- b. Specified caretaker relatives with whom the minor child is living such as a parent (defined as a natural/adoptive parent or a stepparent related by marriage to the child's natural/adoptive parent). A child's specified caretaker relative may be any relation by blood, marriage, or adoption who is within the fifth degree of kinship.
- c. The minor child's blood-related/adoptive minor siblings or minor step-siblings living with him/her.
- d. Pregnant women in their last trimester who have no other eligible children.
- e. Refugees, victims of severe forms of trafficking and other qualified aliens as defined in Title IV of Public Law 104-193 as amended. Aliens (unless excepted by federal law) who enter the United States on or after 8/22/96 are barred from receiving assistance for their first five years in qualified alien status.

2. Individuals Not Eligible

- a. A minor child or a specified caretaker relative, who is temporarily absent from the home for a period of time greater than 90 consecutive days with the following exceptions:
 - 1) The absent member is away from home for medical treatment and is otherwise eligible.
 - 2) The child's absence is for the sole purpose of attending a boarding school and the child is expected to return to the home at the end of the school term.

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- 3) The absent adult is away from home for a specific short-term training or employment.
- b. Minor children who are receiving Title IV-E Foster Care payments and whose absence from the home is not considered temporary.
- c. Individuals who are in violation of a condition of his/her probation or parole imposed under state or federal law.
- d. Individuals fleeing to avoid being prosecuted for a felony or fleeing to avoid custody or confinement after conviction of a felony.
- e. All members of a household which includes an individual who has been convicted after August 22, 1996, of any offense which is classified as a felony in the jurisdiction where the offense occurred and which has an element the possession, use, or distribution of a controlled substance as defined in section 102(6) of the Controlled Substances Act [21 U.S.C. 802 (6)] unless the individual is complying with the conditions of supervision, is actively participating in treatment if required, or the sentence associated with the felony conviction has been discharged.
- f. Unqualified aliens. Aliens (unless accepted by federal law) who enter the United States on or after 8/22/96 are barred from receiving assistance for their first five years in a qualified alien status.
- g. Individuals receiving Supplemental Security Income (SSI) under Title XVI of the Social Security Act.
- h. All members of a household which includes specified caretaker relatives who do not assign certain child support rights to the State, cooperate in establishing paternity, or obtain child support as required under Title IV-D.
- i. Teenage parents who are not living with a specified caretaker relative within the fifth degree of kinship and who are not approved to live independently or in an alternative adult supervised setting as defined by the State.

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- j. Individuals found to have fraudulently misrepresented residence in order to obtain assistance in two or more states.
- k. A specified caretaker relative who fails to report the absence of a child, lasting more than 90 consecutive days, by the end of the 5-day period which begins with the date on which it becomes clear to the caretaker relative that the child will be absent for more than 90 consecutive days.
- l. All members of a household which includes an adult who has received assistance for 60 months or more.
- m. All members of a household which includes individuals who fail or refuse to negotiate a Family Investment Agreement/ Employability Plan.
- n. All members of a household which includes an individual who has been sanctioned for a second or subsequent time and the sanction results in an ineligibility period.
- o. Individuals who are incarcerated, even if the individual is expected to return to the home within 90 days.
- p. All members of a household which includes a specified caretaker relative who fails or refuses to comply with third party liability.
- q. An individual who is serving an intentional program violation.
- r. All members of a household which include a specified caretaker relative who fails or refuses to comply without good cause with eligibility requirements including providing information and verification necessary to determine eligibility.
- s. All members of a household which include an individual who has been sanctioned for a second time and the sanctioned individual has not complied with the intensive case management meeting within 30 days of application for TANF.

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3. Resource Limitation - \$3000

The family's resources are evaluated and the equity value of countable resources as defined by the State cannot exceed \$3,000. Lump sum payments that can be prospectively are considered countable resources in the month received and in subsequent months to the extent retained. The receipt of such a payment may result in the redetermination of TANF cash assistance eligibility.

4. Income Standards and Budgeting Methodology

- a. Effective October 1, 2010, the benefit standard is set at 30% of the 2006 federal poverty index. The gross income standard is 185% of the net income standard. The net income standard is determined by dividing the benefit standard by 78.5 %.
- b. Effective October 2005, a payment standard was implemented. The payment standard was initially set at 33% of the 2005 federal poverty index, increased to 33% of the 2007 federal poverty index effective July 1, 2007 and is currently set at 33% of the 2009 federal poverty index, which was effective July 1, 2009.
- c. Countable earned and unearned income is tested prospectively against the Gross Monthly Income Standard (GMI) and the Benefit Standard for the household size and circumstances. If the family passes the GMI standard, income disregards are subtracted in a specific order from the monthly gross income to establish the family's countable monthly income. If the family's income equals or exceeds either of these standards, the family is not eligible for benefits. If the family's income is less than the Benefit Standard, the cash assistance grant amount is determined by subtracting the total countable income from the Payment Standard.
- d. The income (subject to certain disregards) of certain individuals is deemed when determining eligibility. These individuals are:
 - 1) The qualified alien's sponsor.
 - 2) The spouse of a pregnant woman who has no other eligible child in the home, in the last trimester of her pregnancy, or the father of her unborn child if the father resides with her.

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- 3) The spouse of the caretaker relative whose needs are included in the assistance unit's grant and who is not the natural or adoptive parent of the dependent child.

5. TANF Cash Income Disregards

- a. Before receiving any disregards, TANF cash assistance applicant's/participant's income must be less than the GMI standard.
- b. If the income is less than the GMI standard, earned income disregards are subtracted from the countable earnings of each wage earner. The earned income disregards are:
 - 1) \$200 work expense;
 - 2) Twenty-five percent (25%) of the balance; and
 - 3) A maximum of \$200 per month per child for child care expenses.
 - 4) The obligated disregard of legally-binding child support payments expected to be paid for dependents not living with the family.

6. TANF Post-Employment Income Disregards

- a. To determine eligibility for the TANF Post-Employment program, 100% of the monthly gross countable earned income is disregarded first, prior to applying the GMI test.
- b. If the countable unearned income of the household is less than the GMI test, the household is given a disregard of the obligated legally-binding child support payments expected to be paid for dependents not living with the family.

For both programs, the child support disregard is allowed only if payments are being made on a regular basis. The payment is subtracted from the total of the balance remaining after the earned income disregard and the unearned income of the filing unit are added together.

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7. Nonfinancial Eligibility Requirements
 - a. Minor child age limitations.
 - b. Minor child must live with a specified caretaker relative within the 5th degree of kinship.
 - c. Furnish a social security number or verification that one has been applied for.
 - d. Be a U.S. citizen or qualified alien.
 - e. Cooperate with Child Support Enforcement.
 - f. Cooperate with Third Party Liability requirements as defined by the State.
 - g. Cooperate with Health Insurance Premium Payment System (HIPPS)
 - h. Cooperate with Program Compliance reviews.
 - i. Negotiate and sign a Family Investment Agreement/Employability Plan (FIA/ EP).
 - j. Provide verification that any individual in the household who has been convicted of a drug-related felony after August 22, 1996, is actively complying with conditions of supervision, actively participating in treatment, if required, or provide documentation that the sentence has been discharged.
 - k. Comply with the Early Periodic Screening Diagnosis and Treatment (EPSDT) program.
 - l. The 60-month timeclock has not been exhausted.
 - m. Teen parent living in an approved adult supervised setting, unless he/she is approved to live independently.

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8. Benefit Issuance

Monthly cash benefits are issued by state warrant, direct deposit or electronic benefit transfer payable to the minor child's caretaker relative unless the caretaker relative has clearly demonstrated an inability or unwillingness to use the payment to meet the basic needs of the minor child as determined by a Department employee of the division which provides protective services to children. Under these circumstances, the Department will designate a protective payee with the caretaker relative's assistance. The protective payee may not be anyone directly involved in the determination and authorization of eligibility and/or benefits.

9. Redetermination of Eligibility

Benefits and eligibility are redetermined:

- a. Monthly on the basis of anticipated changes in the family's situation;
- b. Promptly after a report is obtained which indicates changes in the family's circumstances that may affect the amount of the cash payment or may make the family ineligible; and
- ▶ c. By conducting a face-to-face or phone review of all eligibility every twelve months for all participants.

10. Individual Responsibility Plan

- a. Each parent/caretaker relative, or minor child (age 16 or 17) not attending secondary school or other equivalent training program must develop a Family Investment Agreement/Employability Plan. The FIA/ EP is intended to help a family refocus its direction and begin to eliminate the barriers that brought about its need for public assistance. It sets forth a plan for moving the individual into paid employment or, if a minor child, school attendance or equivalency study.
- b. The FIA/EP includes eligibility requirements, work preparation activities as defined by the State, referrals to other community resources and any other activities leading to self-support. The

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participant signs the FIA/EP agreeing to comply with all activities stated therein. The Eligibility Case Manager and WoRC Case Manager also sign the FIA/EP on behalf of the State, acknowledging its obligation to assist the individual in his or her efforts to become self-supporting. Each FIA/EP is specifically tailored to address the family's needs and the participant's employment goals and responsibilities.

- c. Teen parents (under age eighteen and the biological parent of a child residing in the same home) are identified at the time of application or when infants are added to an existing assistance group. The case is screened and immediately flagged for intensive case management. The FIA/EP will be developed to include activities that assume teen parents stay in school and take parenting classes, life skills classes, and money management classes.
- d. When developing the FIA/EP with an individual, the Eligibility Case Manager and WoRC Case Manager will consider a participants' disability or their Limited English proficiency (LEP) and make reasonable accommodations when negotiating work activities and to ensure successful program completion.

B. NONCOMPLIANCE PENALTY (SANCTION)

Effective January 1, 2008, the consequence for failing to comply with the FIA/EP is as follows:

- a. The first non-compliance (sanction) will result in the loss of an amount equal to an individual's portion of cash assistance for one month. This is referred to as a penalty month.
- b. The second non-compliance (sanction) will result in total household ineligibility for a period of one month. This is referred to as an ineligibility period.
- c. The third non-compliance (sanction) will result in total household ineligibility for a period of three months. This is referred to as an ineligibility period.

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- d. The fourth or subsequent non-compliance (sanction) will result in total household ineligibility for a period of six months. This is referred to as an ineligibility period.

The ineligibility period will follow the household members even if they move to another household and apply for benefits as part of that household, with the following exceptions:

- a. The children are removed from the sanctioned household by Child and Family Services and are determined eligible for child only TANF in another household; or
- b. The children are determined eligible for child only TANF in another household.

The time clock continues to tick, if appropriate, for the sanctioned individual during the first non-compliance penalty period. The time clock will not tick for anyone in the family for a second or subsequent non-compliance because no benefit will be issued. The sanctioned individual may continue to receive Medicaid coverage if otherwise eligible.

For a first non-compliance, if the sanctioned individual is a “work-eligible” individual, they are required to negotiate a FIA/EP and agree to participate in allowable work activities during the sanction penalty month. Failure to do so will result in case closure as the negotiation of the FIA/EP is an eligibility requirement. If the sanctioned individual is not a “work-eligible” individual, they are not required to negotiate a FIA/EP and agree to participate in allowable work activities during the sanction penalty month. However, they must negotiate a FIA/EP for the following month prior to the end of the sanction penalty month, or the case will be closed for failing an eligibility requirement.

The State of Montana ensures that the imposition of sanctions is equitable through the use of a sanction review committee and review and tracking of state wide sanctions by Department personnel.

Non-compliance (sanction) does not apply for those individuals who are receiving TANF cash assistance through the Post-Employment Program; instead the entire household becomes ineligible for TANF cash assistance.

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C. WORK ACTIVITIES AND PARTICIPATION REQUIREMENTS

1. Participation hours for work activities are set forth in Title I of Public Law 104-193. Section 407 (a) (1) and (2).
2. Montana will disregard from the state's work participation rate calculation those individuals who are participating in a Tribal NEW program. Other tribal participants not participating in a Tribal NEW program will continue to count toward the state's participation rate.
3. Allowable work activities included in the participant's FIA/EP are based on activities allowed at 45 CFR 261.30 with the limitations and special provisions listed in 45 CFR 261.31 through 45 CFR 261.35 and on the TANF Reauthorization Regulations contained in the Deficit Reduction Act of 2005.

▶ In order to assist individuals in training for and seeking employment in the elder care workforce, Montana will approve the following as allowable work activities: work experience (WEX) placements in facilities that provide elder care; education and training for employment opportunities in the elder care workforce as well as employment in the elder care workforce arena. These types of activities will assist individuals to train for, seek and maintain employment in the eldercare workforce, including providing direct care in long-term care facilities or in other occupations related to elder care.

Allowable work activities include:

- a. Employment (Unsubsidized or Subsidized) – Unsubsidized employment activity means full or part-time employment or self-employment in the public or private sector that is not subsidized by TANF or any other public program. Subsidized employment is defined as employment for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employment of a recipient.
- b. Work Experience - The work experience activity means placement in a formal job site training experience that provides an individual with an opportunity to acquire the general skills, training,

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knowledge and work habits necessary to obtain employment. All work experience placements have a detailed training plan. The main purpose of work experience is to improve the employability of those who cannot find unsubsidized employment.

- c. Job Search and Job Readiness Assistance – The Job Search/Job Readiness activity means the act of seeking or obtaining employment, preparation to seek or obtain employment, including life skills training, and substance abuse treatment, mental health treatment or rehabilitation activities. Such treatment or therapy must be determined to be necessary and certified by a qualified medical or mental health professional.
- d. Community Service – The Community Service activity includes structured programs and embedded activities in which the participant performs work for the direct benefit of the community under the auspices of public or nonprofit organizations.
- e. Vocational Educational Training – The Vocational Educational Training activity means organized educational programs, up to a Baccalaureate or advanced degree, that are directly related to the preparation of individuals for employment in current or emerging occupations requiring training.



Effective 8/1/2011 Montana implemented the revised Parents As Scholars (PAS) program as a result of Senate Bill 385 (2011 legislature). PAS allows approval of Vocational Educational Training or continuation of studies to obtain a General Equivalency Degree (GED) as an allowable work activity above and beyond the restrictions noted in federal regulation (12 months of Vocational Educational Training and primary/secondary limitations for GED studies.) The PAS program is restricted to 25 eligible TANF participants. Montana recognizes these individuals are not considered to be meeting the work participation rate due to the federal restrictions on these activities and are reported as such.

- f. Job Skills Training (Directly Related to Employment) – The Job Skills Training activity means training or education for job skills required by an employer to provide an individual with the ability to

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obtain employment or to advance or adapt to the changing demands of the workplace.

- g. Education directly related to employment in the case of a participant who has not received a high school diploma or a certificate of high school equivalency means education related to a specific occupation, job or job offer. This may include education leading to a General Education Development (GED) or high school equivalency diploma, adult basic education and ESL.
 - h. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a participant who has not received a high school diploma or a certificate of high school equivalency means regular attendance, in accordance with the requirements of the secondary school or course of study at a secondary school, or in a course of study leading to a certificate of general equivalence.
- 4. Assessment activities can be used in conjunction with the following allowable work activities: wex placement, attendance at a secondary school, education related to employment, vocational educational training and community service. The assessment activity is time limited and provides an individual with the opportunity to assess and develop the skills that are needed to obtain employment. The main purpose of the assessment activity is to define and resolve the employability needs of an individual.
 - ▶ 5. Initial case management meetings and individualized assessments are completed with each participant within three (3) working days of referral to the employment and training program. This assessment is used in negotiating and determining appropriate work activities which the participant is expected to immediately engage in. Case management staff will take into consideration a participant's disability or Limited English Proficiency (LEP) and make reasonable accommodations to assist in negotiating and completing work activities.
 - 6. When negotiating work activities with participants, case management staff will take child care needs into consideration. Activities are negotiated based on the availability of child care. A temporary breakdown in child

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care arrangements will be considered a possible good cause reason for non compliance with allowable work activities.

D. NONDISPLACEMENT ON WORK SITE/GRIEVANCE PROCEDURE

1. Non-displacement on Work Experience and/or Internship work sites is established (prior to placement) through the negotiation of an agreement between the State and the employer.
2. A grievance procedure is in place to resolve complaints of alleged violations of the displacement rule and work site employers are informed of this procedure during the negotiation of the site agreement.

E. TIME-LIMITED BENEFITS

An eligible family may receive cash assistance not to exceed 60 months in the adult's lifetime. Montana's electronic eligibility determination system, TEAMS, maintains time clocks for all adults receiving cash assistance. TEAMS will **not** allow authorization of cash assistance beyond the adult's 60-month time limit unless an extension has been granted. A household may apply to receive an extension to the 60-month time limited benefits as allowed in Sec. 264.1 (c) of the CFR.

The TEAMS TANF-60 clock maintains the 60-month limit for federal purposes and reflects every non-excluded month of cash assistance received by an adult in Montana beginning February 1, 1997 (TANF State Plan effective date) and from another state or states beginning no earlier than October 1, 1996 nor later than July 1, 1997 depending on when that state's TANF State Plan became effective. Federal TANF exclusions stop this clock.

F. PARTICIPANTS NOT SUBJECT TO TANF 60-MONTH TIME LIMIT

1. Minor children under the age of 18 living with a specified caretaker relative.
2. Minor children, age 16 through the month of his/her 18th birthday, living with a specified caretaker relative, who are **not** attending school full-time, whether or not complying with his/her FIA/EP.

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3. Minor children under age 19 who are attending school full-time, living with a caretaker relative.
4. A teen parent (under age 18, unmarried) not living independently and attending school full-time, through the month of his/her 18th birthday.
5. A teen parent (under age 18, unmarried), not living independently and **not** attending school full-time, through the month of his/her 18th birthday, whether or not complying with his/her FIA/EP.
6. A teen parent (under age 18, unmarried), living independently and in compliance with his/her FIA/EP, through the month of his/her 18th birthday.
7. A minor parent (under age 18, married) in compliance with his/her FIA/EP, through the month of his/her 18th birthday.

G. TANF 60-MONTH TIME LIMIT EXCLUSION

In determining the number of months for which an adult (regardless of race) has received cash assistance, the State excludes any month during which an adult (regardless of race) lives within the exterior boundaries of an Indian reservation if, during the month, at least 50% of the adults were not employed. Joblessness is evaluated using the standards established jointly by the Administration for Children and Families and the tribe relying on the most reliable federal data available with respect to such month.

H. TANF 20% HARDSHIP EXEMPTION

Montana will extend TANF cash assistance payments beyond the Federal 60-month limit to households which apply for Extended Benefits, are otherwise eligible for TANF cash assistance, and who meet one of the following Extension Reason criteria:

1. Physical/mental illness or incapacity of a caretaker (this could be temporary or permanent) that prevents the individual from working.
2. Physical/mental illness or incapacity of a caretaker due to domestic violence (this could be temporary or permanent) that prevents the individual from working.

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3. Needed in the home full time as the primary caretaker for a household member who is suffering from a physical/mental illness or incapacity (if alternative care is available, this is not an allowable for an extension).
4. Dealing with a current domestic violence situation (this extension is granted in six-month blocks).

All adult household members must meet an extension criterion.

I. SUPPORTIVE SERVICES

Funds are available to pay expenses that are, or may be, incurred by a participant to comply with his/her FIA/EP activities. Each Employment and Training Contractor (WoRC) is allocated supportive services funds for payment of these expenses. As the FIA/EP is negotiated, an evaluation of the need for supportive services is made. Each case is limited to \$1250.00 per state fiscal year, \$650.00 for employment related expenses and \$600.00 for participation related expenses. Each WoRC Director or County Director can approve expenses in exception to these limits, based on an evaluation of the situation and the need for assistance. In all instances, care is taken to prevent participant dependency on the availability of these funds. Childcare assistance is provided by the Resource and Referral Agencies funded by the state and the Child Care and Development Fund.

Supportive services payments may be issued to vendors and/or the individual and are only issued by state warrant.

J. COMMUNITY ADVISORY COUNCIL/COMMUNITY OPERATING PLAN

1. People in various political subdivisions convene a group of local community members to develop plans to include strategies for assisting participants to become employed and self-supporting. These groups are known as Community Advisory Councils. Individuals may not be denied the opportunity to participate as a member of this advisory council based on their race, color or national origin. The Community Operating Plans focus on the myriad of services available to participants in each community.

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2. Community Operating Plans are used to ensure uniform application of policies within the allowable parameters.
3. Community Operating Plans are now combined with the Annual Agreement required by Montana statute 53-2-305. The Agreements are negotiated and signed by each of the three county commissioners in each of Montana's fifty-six counties. The plans are reviewed and re-negotiated every three years and more often if changes occur. The Community Advisory Council provides input for the plan, reviews the plan, requests tribal input if appropriate, and once the plan is finalized and signed, it is submitted to the Department for approval. Although communities maintain broad authority in the development of the operating plan, the plan must meet the statewide standards set by the Department.

K. OUT-OF-WEDLOCK PREGNANCIES/TEEN PREGNANCIES

Interagency Coordinating Council:

Montana continues its statewide efforts to prevent and reduce unintended pregnancies, with special emphasis on teenage pregnancies. The Interagency Coordinating Council (ICC) for State Prevention Programs is authorized in MCA 2-15.225, which outlines membership and duties of the Council.

Designated members of the Council are:

1. The Attorney General;
2. The Director of the Department of Public Health and Human Services;
3. The Superintendent of Public Instruction;
4. The presiding officer of the Montana Children's Trust Fund Board;
5. Two persons appointed by the Governor who have experiences related to the private or nonprofit provision of prevention programs and services;
6. The Administrator of the Board of Crime Control;
7. The Commissioner of Labor and Industry;
8. The state Coordinator of Indian Affairs;
9. The Adjutant General of the Department of Military Affairs;
10. The Director of the Department of Corrections;
11. The Director of the Department of Transportation provided for in;
12. The Commissioner of Higher Education;
13. The designated representative of a state agency desiring to participate who is accepted as a member by a majority of the current coordinating council members.

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One of the five ICC goals is “reducing teen pregnancy and sexually transmitted diseases by promoting the concept that sexual activity, pregnancy, and child rearing are serious responsibilities.” The Montana Prevention Resource Center continues to work with local communities to reduce teen pregnancy by way of their AmeriCorps VISTA* program and their publications: Hot News and Prevention Connection.

- ▶ The Women’s and Men’s Health Section (WMHS) of the Department of Public Health and Human Services has seen teen pregnancy and out of wedlock teen pregnancy rates remain relatively constant in recent years. The teen (15-19 years) pregnancy rate in 2004-2006 was 47.6 per 1000, compared to 47.1 in 2007-2009. Teen birth rates in Montana are below the national average (birth rates are more readily available than pregnancy rates at the national level). In 2003, the teen birth rate in Montana was 35.0 per 1000 and the US rate was 41.6 per 1000, whereas in 2008, the teen birth rate in Montana was 40.7 per 1000, compared to a US rate of 41.5 per 1000. The percent of births born out of wedlock to Montana teens has stayed fairly consistent. In 2007-2009, 85.9% of teens 15-19 years who gave birth were not married, compared to 84.2% in 2004-2006

The provision of family planning services throughout the state provides affordable, confidential education and birth control to 26 communities throughout the state. These services have contributed to the previous stability of the rate of births to Montana teens. One of the WMHS shared vision for Montana Family Planning program is to reduce unintended pregnancies, including focusing on teen pregnancy prevention. While no single approach can fully address or solve the complex problem of teen pregnancy, early and comprehensive teen pregnancy prevention strategies remain exceedingly more cost effective than the choices available once pregnancy occurs.

- ▶ **Montana Personal Responsibility Education Program (MT PREP)**
The WMHS has received \$250,000 per year for five years to educate adolescents on both abstinence and contraception to prevent pregnancy and sexually transmitted infections (STIs), including HIV/AIDS. Key activities of this grant include the provision of funds through an RFP process (issued in January 2011) to schools, community service centers, and other agencies that serve at-risk teens to implement the following evidence based interventions:

Draw the Line/Respect the Line curriculum helps students develop personal sexual limits and practice the skills needed to maintain those limits when

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challenged. Healthy sexual limits will keep youth safer from HIV, other STIs and unplanned pregnancy.

Reducing the Risk curriculum is designed for high school students and takes an active approach to prevention of teenage pregnancy and protection against HIV and other STIs that motivates students to change their high-risk behaviors.

Seven programs have been awarded PREP funds. Contractors must provide services to youth – defined as those between ages 10 and 19, except in the case of pregnant or parenting youth which may include participants under 21 years of age. Applicants are encouraged to serve youth populations that are the most high-risk or vulnerable for pregnancies. Because of disparate teen birth and pregnancy rates, a target population for this grant will be Native American adolescents as well as adolescents in counties with significantly higher teen pregnancy rates when compared with the state average. Contractors must also provide at least three of the four following adulthood preparation subjects: healthy relationships; adolescent development; educational and career success and/or healthy life skills.

► **Montana Out-of-School Time Grants:**

Montana’s Department of Public Health and Human Services (DPHHS) Early Childhood Services Bureau was approved for federal TANF funding for seventy five \$5,000 projects for a total of \$375,000 for State Fiscal Year (SFY) 2005. This funding was continued at the same level since then in a three year grant award of \$5000 per facility for each of three years. Grants have now been issued in a three-year cycle for 2011-2013.

Montana Out-of-School Time (MOST) projects seek to provide opportunities to improve or enhance the quality of care, activities, and services to school-age children (5 to 18 years of age) and their families before- and after-school, on school holidays, and in the summer. The purpose of the MOST project is to strengthen Montana families and promote healthy youth development by providing a program design that will improve academic, social competencies, positive values and positive physical outcomes for children.

Projects provide a range of high-quality services and extra learning opportunities to school age children. At the same time, these projects help working parents by providing a safe environment for students when school is not in session. Access to the services will lead to students’ healthy lifestyle choices and academic success. MOST project funds will be used in every region of Montana.

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L. EDUCATION AND TRAINING ON RAPE

▶ Montana continues to provide education and training regarding rape and sexual assault. Montana receives federal funding from the National Injury and Violence Prevention Center administered through the Centers for Disease Control. Montana received \$110,000 for FY2011. The program objectives are designed to strengthen sexual violence prevention efforts by supporting a primary prevention model providing education and training to young men and boys, and those serving those populations.

Currently, there are seven (7) contractors funded to provide services. The funds are used for the following:

- 1) Educational seminars;
- 2) Training programs for professionals;
- 3) Preparation of informational materials;
- 4) Education and training programs for students and campus personnel designed to reduce the incidence of sexual assault at colleges and universities;
- 5) Education to increase awareness about drugs used to facilitate rape or sexual assault; and,
- 6) Other efforts to increase awareness of the facts about, or to help prevent, sexual assault, including efforts to increase awareness in under-served communities and awareness among individuals with disabilities (as defined in Section 3 of the Americans with Disabilities Act of 1990).

Montana also received \$22,000 for FY 2011 in federal funding from the Preventive Health Services Block Grant administered through the National Centers for Disease Control. The program objectives are to prevent sexual assaults and to provide appropriate early intervention to persons who have been sexually assaulted.

1. Maintaining a 24-hour answering service for those who have been assaulted;
2. Providing immediate support services to survivors of sexual assault;
3. Training volunteers;
4. Presenting educational programs regarding sexual assault prevention and services; and,
5. Purchasing materials for education.

The Communicable Disease Control and Prevention Bureau, STD/HIV/HCV Section administer the funding and contracts.

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M. RESTRICTED USE/DISCLOSURE OF INFORMATION

1. Montana will continue to restrict the use and disclosure of information about individuals and families receiving cash assistance consistent with state and federal law. A release form is used by the Department and its contractors to ensure adherence to the maintenance of confidential information. Recipient information may be provided and used for the following purposes:
 - a. Reporting child abuse and neglect to the appropriate authority (MCA 41- 3-205).
 - b. Conducting child support enforcement activities.
 - c. Establishing eligibility and administering (including audits, investigations, prosecutions, etc.) federal programs or federally-assisted programs which provide assistance (cash, in-kind, or services) directly to individuals based on need.
 - d. Releasing the participant's address to a federal, state, or local law enforcement officer who presents a written request for information for individuals who are fleeing to avoid prosecution, custody or confinement for a felony; are violating a condition of parole or probation; or have information necessary for the officer to conduct official duties.
 - e. Notification of an appropriate person, authority or other entity that an applicant or participant is making threats to harm himself or herself or to harm others, in order to prevent or lessen the threatened harm.
2. Access to the Department's electronic eligibility system adheres to strict security measures to assure employees not directly involved in the administration of public assistance programs do not access recipient information. Requests for information about current or past participants that do not meet the above criteria must be submitted in writing to the Public Assistance Bureau, Central Office. When there is a question about a breach of confidentiality, the Central Office will refer the request to the Office of Legal Affairs.

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II. NON-ASSISTANCE PROGRAMS

A. The following programs are funded through the TANF Block Grant:

Child Support Supplemental Payment:

Effective July 1, 2005 a child support supplement payment, based on current collections of child support, will be authorized for an amount up to, but not exceeding \$100.00 per month per TANF family.

Family Economic Security Project:

Effective August 1, 2006 Montana implemented a Family Economic Security Services Demonstration Project through the TANF Block Grant. The goal of this project is to ensure that a limited number of low-income families will be provided structured, documented activities on creating family financial literacy and building personal assets that are in addition to Montana's safety net programs. Through innovative services this project will improve family economic security. Services under this project may include, but are not limited to the following:

- Completion of a comprehensive curriculum to increase the families' knowledge in financial literacy; AND
- Completion of a specific financial asset development strategy; OR
- Completion of a curriculum that trains on starting a small business; OR
- Receiving education or training in a high demand field leading to employment.

Families are eligible as long as their income does not exceed 185% of the federal poverty level and they are otherwise TANF eligible.

▶ **Working Caretaker Relative Child Care Program:**

Effective August 1, 2007 Montana implemented a Working Caretaker Relative Child Care Program through the TANF Block Grant. This program was the result of legislation contained in HB-2 of the 2007 Montana Legislative Session. This program is designed to assist specified caretaker relatives who are receiving child only TANF grants with child care costs associated with the minor child(ren) for whom they are receiving TANF cash assistance. In order to qualify for the program, the specified caretaker relative must:

- Be receiving child only TANF for a minor child or children;
- Be employed a minimum of 60 hours per month (120 hours per month in a 2 parent household);

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- Pay a monthly \$150.00 co-payment to the child care provider;
- Complete the application packet for the program and submit it to the Resource and Referral agency; and
- Beginning October 1, 2009 meet the income eligibility requirement of 250% of the current FPL.

► **TANF Employment Services Programs**

Effective October 1, 2011 Montana implemented the TANF Employment Services Programs through the TANF Block Grant. The TANF Employment Services Program includes the components from the TANF Accelerated Employment Support Program (AESP) and the Subsidized Employment Program (SEP) as outlined below. The goal of this program is to assist TANF participants in finding and retaining full-time employment that is sustainable and meets the needs of the family. Funding is provided through the TANF Block Grant in the amount of \$1,021,088 per fiscal year. The TANF Employment Services Program will be managed through existing Work Readiness Component (WoRC) Contractors. WoRC Contractors may choose to implement one or both components of the TANF Employment Services Program.

Participation is limited to a maximum of 700 hours per participant. Placements can be full or part-time employment and wages in both components must be paid at prevailing wage but not less than \$8.00 per hour.

- **Accelerated Employment Support Program (AESP)**

The AESP program will be available to employers that meet AESP criteria. A stipend will be provided to the employer to compensate for training costs of an unskilled or under skilled worker, hired as a permanent employee. Approved apprenticeship occupations will also be available to employers and participants. Contracts will be developed between the employer, employee and WoRC contractor.

To be eligible for the AESP program participants must meet the following criteria:

- a. They must be receiving TANF at the time they enter the AESP component;
- b. They must not already possess the skills necessary to perform the job;
- c. They must have resolved employment barriers e.g., transportation and child care;

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- d. They must have demonstrated full participation with allowable work activities; and
 - e. They must not be able to secure the employment without training assistance.
- **Subsidized Employment Program (SEP)**

The SEP program will be available to employers that meet SEP criteria. The program will provide work subsidy funds to an employer in exchange to provide customized, full or part-time training/experience, for participants who are not required to be hired with the expectation of being a permanent employee. Contracts are developed between the employer and the WoRC contractor.

To be eligible for the SEP program participants must meet the following criteria:

- a. They must be receiving TANF or be “otherwise TANF eligible” at the time they enter either the SEP component;
- b. The household must be at or below 200% of the Federal Poverty Level for 2011 (chart provided on application);
- c. The household must complete a SEP application attesting to their eligibility (application provided by Department);
- d. They must not already possess the skills necessary to perform the job;
- e. They must have resolved employment barriers e.g., transportation and child care;
- f. They must have demonstrated full participation with allowable work activities; and
- g. They must not be able to secure the employment without training assistance.

► **Montana Out-of-School Time Grants:**

Montana’s Department of Public Health and Human Services (DPHHS) Early Childhood Services Bureau was approved for federal TANF funding for seventy five \$5,000 projects for a total of \$375,000 for State Fiscal Year (SFY) 2005. This funding was continued at the same level since then in a three year grant award of \$5000 per facility for each of three years. Grants have now been issued in a three-year cycle for 2011-2013.

Montana Out-of-School Time (MOST) projects seek to provide opportunities to improve or enhance the quality of care, activities, and services to school-age children (5 to 18 years of age) and their families before- and after-school, on

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school holidays, and in the summer. The purpose of the MOST project is to strengthen Montana families and promote healthy youth development by providing a program design that will improve academic, social competencies, positive values and positive physical outcomes for children.

Projects provide a range of high-quality services and extra learning opportunities to school age children. At the same time, these projects help working parents by providing a safe environment for students when school is not in session. Access to the services will lead to students' healthy lifestyle choices and academic success. MOST project funds will be used in every region of Montana.

Food Programs

In this program the Contractor distributes food commodities to local agencies serving TANF eligible families. The Contractor agrees to maintain accurate distribution records and assure food commodities are not sold or exchanged for goods or services.

Employment and Training

Funds are used to provide education and training or other work activities to families who are eligible for TANF cash assistance. The funds are spent on case management, monitoring of activities, supportive services, targeted adult basic education services over and above what is available to the general public, short-term training, and other projects to help individuals participate in required and allowable activities.

Second Chance Home Services Support Program

Effective July 1, 2009 Montana implemented the Second Chance Home Services Support program through the TANF block grant. The purposes of this program include:

1. Provide therapeutic residential services for pregnant and parenting young women up to the age of 21. The objectives of these services are to promote family stabilization by providing assistance to needy families so that children may be cared for in their own homes and to assist in the prevention and reduction of out-of-wedlock pregnancies. These programs promote the creation of healthy relationships within the family.
2. Create a model of providing these services that could be followed by other programs and develop specific training resources.
Services that may be provided include:
 - Parenting classes

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- Education
- Family counseling
- Child development
- Job skills training
- Pre and post-natal education
- Nutritional education
- Independent living skills
- Case management

B. The following programs are funded through segregated Maintenance of Effort (MOE) funds:



Supplemental Services Program (SSP):

Montana operates a Supplemental Services Program (SSP) formerly known as the Children's Basic Coverage (CBC) program. This program utilizes segregated Maintenance of Effort (MOE) funds. This program provides mental health services for children and their families when the children are Medicaid, or Healthy Montana Kids (HMK) formerly known as CHIP Extended Mental Health Benefit recipients and those services are not covered by Medicaid or HMK. This program also covers services directed at family stabilization or reunification for Seriously Emotionally Disturbed (SED) children and their families who are eligible for Medicaid or HMK Extended Mental Health Benefits when the services are not paid by Medicaid or HMK. Medicaid or HMK enrolled families are eligible as long as the family's countable income does not exceed 185% of the Federal Poverty level and there is a child under the age of 19 who has been determined to be SED.



TANF Information and Referral (I & R): Categorical Eligibility

Federal regulations allow expanding categorical eligibility for SNAP if all members participate in a program, receive a service, or are authorized to receive a service that is funded by federal TANF or state Maintenance of Effort (MOE) dollars. The TANF service for Montana is a TANF Information & Referral (I & R) brochure which provides information and referrals to other agencies, programs, organizations and/or community resources that could benefit the entire SNAP household.

If any one household member receives the TANF I & R brochure, the whole household may be found expanded categorically eligible because the whole household benefits from the service. This includes elderly, disabled and childless

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individuals because the TANF I & R brochure is designed to educate and serve all individuals in the community who want to use the services.

Expanded categorically eligible households must pass a gross income test of 200 % of the federal poverty level and a net income test of 100% of the federal poverty level. All resources are excluded. Households with a disqualified member cannot be expanded categorically eligible and the disqualified member's resources are countable.

Tribal MOE

Non assistance funds are transferred to fulfill the state's statutory obligation to provide MOE to Tribal TANF programs that are approved by the Federal Department of Health and Human Services after July 1, 1999.

Supportive Services

Funds are available to pay expenses that are, or may be, incurred by a TANF Cash Assistance recipient to comply with his/her FIA/EP activities. Each Employment and Training Contractor (WoRC) is allocated supportive services funds for payment of these expenses. As the FIA/EP is negotiated, an evaluation of the need for supportive services is made. Each case is limited to \$1250.00 per state fiscal year, \$650.00 for employment related expenses and \$600.00 for participation related expenses. Each WoRC Director or County Director can approve expenses in exception to these limits, based on an evaluation of the situation and the need for assistance. In all instances, care is taken to prevent participant dependency on the availability of these funds. Childcare assistance is provided by the Resource and Referral Agencies funded by the state and the Child Care and Development Fund.

Employment and Training

Funds are used to provide education and training or other work activities to families who are eligible for TANF cash assistance. The funds are spent on case management, monitoring of activities, supportive services, targeted adult basic education services over and above what is available to the general public, short-term training, and other projects to help individuals participate in required and allowable activities.

SPECIAL PROVISIONS

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I. MIGRATION FROM STATE TO STATE

Montana will not treat U.S.-domiciled families moving into the State differently than families currently residing in the State and wishing to make application for assistance.

II. ASSISTANCE TO NON-CITIZENS

Montana does not intend to provide assistance to individuals who are not citizens of the United States unless they meet the criteria set by federal law for qualified aliens.

III. ADMINISTRATIVE APPEAL PROCESS

Montana will continue to provide the opportunity for participants who have been adversely affected to be heard in an administrative appeal process. A participant who wishes to appeal may file a request for an administrative hearing before a state Fair Hearing Officer. Following final action, an individual may seek judicial review of this decision.

IV. COMMUNITY SERVICE EMPLOYMENT AFTER TWO MONTHS

Montana has opted NOT to require a parent or caretaker relative, after receiving assistance for two months under the TANF cash assistance program, to participate in community service employment. These individuals will continue to participate and comply with FIA/EP activities.

V. FAMILY VIOLENCE OPTION

1. Montana has adopted the Family Violence Option as stated in below:
 - a. All applicants and participants are screened for the occurrence of domestic violence through a self-identification questionnaire. When domestic violence is identified, a referral is made to the Montana Coalition Against Domestic and Sexual Violence or other appropriate counselor/entity dealing with domestic violence/family safety and stabilization issues.
 - b. It is the participant's responsibility to meet with the Coalition counselor/other other entity that will make an assessment of the

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situation and either make a referral to other appropriate resources or continue to serve the participant.

- c.. In identified domestic violence situations, only that information necessary to refer to services and to determine eligibility for benefits or exemptions is required at the time of disclosure and any custodial parent information is suppressed when contact with the non-custodial parent(s) is necessary to meet child support enforcement requirements.
 - d.. The state may exempt a family from the application of subparagraph (A) of Section 408 (a)(7) by reason of hardship or if the family includes an individual who has been battered or subjected to extreme cruelty as defined in (iii) of this subparagraph.
2. At this time, all applicants and participants are screened for incidents of domestic violence. Specialized case management is provided to those whose screening indicates a domestic violence barrier. However, currently no individuals are exempted from work participation activities as defined in Section c and d above.

An individual may be approved for extended benefits based on their involvement in a current domestic violence situation and/or by suffering from temporary or permanent mental or physical illness or incapacity as a result of domestic violence. (See Section H)

VI. CERTIFICATIONS: The chief executive officer of the State of Montana, hereby certifies:

A. THE STATE WILL OPERATE A CHILD SUPPORT ENFORCEMENT PROGRAM under the State Plan approved under Part D.

B. THE STATE WILL OPERATE A FOSTER CARE AND ADOPTION ASSISTANCE PROGRAM UNDER THE STATE PLAN APPROVED UNDER PART E, and 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 State Plan under Title XIX of the Social Security Act. The State prohibits consideration of race, color and national origin in child adoptions and foster placements.

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C. THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES will administer and supervise the program in all political subdivisions of the State and assure that local governments and private sector organizations have been consulted regarding the plan and design of welfare services in the State and have had at least 45 days to submit comments so that services are provided in a manner appropriate to local populations.

D. THE STATE WILL PROVIDE INDIANS WITH EQUITABLE ACCESS TO ASSISTANCE. The State will provide each member of an Indian tribe, who is domiciled in the State and not eligible for assistance under a Tribal Assistance Plan approved under Section 412, the opportunity to make application for assistance under the State program funded under this part through a local office of public assistance or satellite office.

E. THE STATE HAS ESTABLISHED AND WILL ENFORCE STANDARDS AND PROCEDURES TO ENSURE AGAINST PROGRAM FRAUD AND ABUSE. The State has established 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.

F. THE STATE WILL SCREEN FOR AND IDENTIFY DOMESTIC VIOLENCE. The State will establish and enforce standards and procedures to screen and identify individuals receiving assistance with a history of domestic violence while maintaining the confidentiality of such individuals; refer such individuals to counseling and supportive services; and waive pursuant to a determination of good cause, other program requirements, in cases where compliance with such requirements would make it more difficult for individuals receiving assistance 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.

G. WITHIN 30 DAYS AFTER THE STATE AMENDS A PLAN SUBMITTED PURSUANT TO SUBSECTION (a), THE STATE WILL NOTIFY THE SECRETARY OF THE AMENDMENT.

H. A SUMMARY OF ANY PLAN OR PLAN AMENDMENT SUBMITTED HAS BEEN MADE AVAILABLE TO THE PUBLIC.

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CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:

BRIAN SCHWEITZER, Governor

Date

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EMERGENCY ASSISTANCE (AFDC 1996 State Plan – to allow TANF expenditures for services authorized solely under prior law)
SECTIONS

SECTION 3 EMERGENCY ASSISTANCE TO NEEDY FAMILIES WITH CHILDREN

233.120
406(e)

- A. Emergency assistance to needy families with children under the age of 21 is provided in accordance with 45 CFR 233.120.
- No (Paragraphs B.- D. of this Section does not apply.)
 Yes, as specified below:
- B. Families of migrant workers are covered.
- No
 Yes, on a statewide basis.
 Yes, but only in the following areas of the State:
- C. Other eligibility requirements are in effect.
- No
 Yes, as specified below:
- D. The kinds of emergency situations which are covered by this program and the kind of assistance and services provided to meet the emergency situations are detailed in Attachment 3-A.

TN# 83-01
Supercedes
TN# 76-11

APPROVAL
Date 03/23/1983

EFFECTIVE DATE
Date 10/01/1982

Section 3.c (cont.) ELIGIBILITY CONDITIONS

A family is eligible for this program in Montana if all of the following conditions are met:

1. An application is filed by the parent of the child in need, when the parent(s) is/are absent or unwilling to apply on behalf of the child, another adult relative or the state agency or its contractor acting on behalf of the child may file the application.
 - a. The FA-250, "Application for Assistance" or DFS/SRS-FA-020, "Emergency Assistance Request" is to be used by the Title IV-A agency (DPHHS).
2. An emergency, as defined above, exists in the family and the emergency did not arise out of a parent's refusal without good cause to accept employment or training for employment.
3. The child if (or with in 6-months prior to the month of application, has been) living with a specified relative in a place of residence maintained as the child's home.
4. All accessible liquid resources have been or can be applied to the emergency need. In the case of another adult relative or the state agency or its contractor making application for the child, the child's income alone is considered in the above test.
5. Non-residents of Montana, transients and migrant workers with families may make application, and assistance will be given in the same manner as residents.
6. Authorization is limited to one period of 30 consecutive days in any twelve consecutive months. Assistance given for situations involving abuse and/or neglect of the child is limited to a maximum duration of 364 days or less and must be authorized within the 30-day period.

IV-A

STATE OF MONTANA

EMERGENCY ASSISTANCE TO NEEDY FAMILIES
WITH CHILDREN

CITATIONS

233.120TREATMENT OF INCOME

A. KINDS OF EMERGENCIES COVERED

1. Emergency assistance (EA) may be provided when an unforeseen event causes or threatens to cause the destitution of a child.
 - a. An unforeseen event is one in which the applicant could not anticipate that the event would occur and was not able to avoid its outcome. EA is not provided to pay for any basic need or service that an applicant has chosen not to pay with currently available means.
 - b. If actual or projected expenditures total \$1,000 or more, review by Child and Family Services Division staff prior to approval is required.
2. Situations involving abuse and/or neglect of the child may be covered.
 - a. These situations may require the removal of the child from the home, placing a social worker in the home to prevent the need for the child's removal, expediting the early return of the child to the home, or preventing the need for protective services.
 - b. Assistance for these kinds of emergencies is limited to a maximum duration of 364 days or less as necessary and must be authorized within the 30-day period.
3. Households receiving Title XIX Medicaid are not eligible for medical assistance under Title IV-A Emergency Assistance.

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B. KINDS OF ASSISTANCE PROVIDED TO MEET EMERGENCY SITUATIONS:

1. Basic needs such as food, clothing, shelter (rent or temporary lodging), utilities, household supplies, and personal care items; temporary transportation; replacement of necessary appliances such as refrigerators; or replacement of necessary household furnishings such as beds and bedding.
2. Family support including social services delivered in the family home to those families whose children have been abused or neglected or are in immediate danger of becoming abused or neglected. This family support is intended to eliminate the need for protective services; prevent the need for placement; or expedite the early return of the child to the family home.
3. Substitute care to youth who are removed from or are without the care and supervision of their parents or guardians provided on a temporary basis while striving to reunite the child(ren) with his or her family as soon as possible. Substitute care is full-time care of a youth in a residential setting for the purpose of providing:

- *food
- *shelter
- *security
- *safety
- *guidance
- *direction
- *in-patient physiological services
- *treatment

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4. Emergency assistance is not allowed to pay for the following:
 1. legal fees
 2. property taxes
 3. Insurance - home, auto, life
 4. Burials
 5. Reimbursements
 6. rental/utility deposits
 7. mortgage payments
 8. medical services – Exception: prior approval of Child and Family Services Division, Public Assistance Bureau Central Office Staff
 9. medical past-due bills
 10. past-due bills
 11. purchase of vehicle
 12. any travel that would qualify under Medicaid Travel, AFDC Transition-To-Work Allowance, or JOBS Supportive Services

IV-A

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C. KINDS OF SERVICES PROVIDED TO MEET EMERGENCY SITUATIONS

1. Medical Services:
 - a. Medical services must be approved by Child and Family Services Division, Public Assistance Bureau Central Office Staff
2. Family Support deemed appropriate by DPHHS such as:
 - *home based services
 - *family based services
 - *homemaker services
 - *day care
 - *counseling
 - *psychological or other evaluations of families
 - *therapy
 - *training
 - *community based services
3. Substitute care services deemed appropriate by DPHHS:
 - *shelter care
 - *family foster care
 - *group home care
 - *transition centers
4. Social services on an "as needed" basis.
 - a. Information, referral to other agencies, counseling, securing family shelter, legal services, homemaker service, and other service needs that arise from the emergency situation.
5. In addition, DPHHS staff will engage in activities incidental to and necessary for the proper and efficient administration of the identified services involving abuse or neglect of the child.

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