



## TANF 802-1 Extended Benefits

**Supersedes: TANF 802-1 (8/01/20)**

**Reference:** ARM 37.78.201, .202 and .228

**Overview:** Federal regulations allow states, on a case-by-case basis, to extend TANF benefits for households that include an adult who has received 60 or more months of TANF cash assistance. The 60 months do not need to be consecutive.

Each household must request consideration for and comply with the extended benefit application/eligibility determination process. Staff will not encourage or discourage households to submit an extended benefit application. All adults in the assistance unit must qualify for extended benefits for the household to be eligible.

Effective July 1, 2023, households may be eligible for up to a maximum of 24 months of extended benefits.

### **BASIC REQUIREMENTS:**

Montana will extend TANF cash assistance payments beyond the Federal 60-month limit to households that meet all the following:

1. Apply for and meet all financial and non-financial eligibility requirements for TANF Cash assistance using the HCS-250 Application for Assistance or continue to meet all financial and non-financial eligibility requirements for ongoing cases.
  - a. An HCS-250 Application for Assistance is only required if the effective date of closure has passed.
2. Apply for extended benefits;
  - a. An application for extended TANF cash assistance benefits is made by completing and submitting an HCS-175 Application for the Extension of TANF Cash Assistance for each applicant/client who is required to participate in Employment and Training.
3. If the 60-month time clock has been exhausted, all adult assistance unit members must meet an extension criterion to be eligible for extended TANF cash assistance.
4. The household has at least one adult receiving (or eligible to receive) benefits; and
5. All individuals which require participation in Employment and Training meet one of the following extension reason criteria:
  - a. Physical and/or mental incapacity;
  - b. Household member physical and/or mental incapacity;

- c. Domestic violence; or
- d. Physical and/or mental incapacity due to domestic violence.

Monthly benefits will be issued to eligible households according to TANF cash assistance benefit standards. In addition, these households are:

1. Subject to all TANF cash assistance eligibility requirements;
2. Required to participate in Employment and Training activities. Continued participation for current clients and from the date of application for new applicants; and
3. Subject to all TANF reporting requirements.

Extended benefit households may, if otherwise eligible, qualify for:

1. Supportive Service payments; and
2. Best Beginnings Child Care.

**EXTENSION HARDSHIP CRITERIA DETAILED:**

1. Physical/Mental Incapacity: Either a temporary or permanent mental or physical illness or incapacity that prevents the individual from working any type of job. The length of extended benefits period will be determined by the TANF Extended Benefits Review Committee.

The client must provide proof of the illness or incapacity as follows:

- a. Provide verification they receive disability payments from Social Security Disability Insurance (SSDI); or
  - b. Provide copies of what has already been given to the Social Security Administration for a pending application or appeal (including a copy of the application and medical verification submitted); or
  - c. Complete the HCS-176 Illness/Incapacity Determination for Extended TANF Cash Assistance and provide supporting medical verification and an HCS-209 Request for Health/ Employability Evaluation of Extended Benefits completed by each medical provider.
2. Household member physical and/or mental incapacity: The individual is needed in the home full-time to care for a disabled child or disabled family member (of any age, but within the 5th degree of kinship) who lives in the client's home. The person needing care must have a temporary or permanent mental or physical illness or incapacity and no other care is available. The length of extended benefits period will be determined by the TANF Extended Benefits Review Committee.

The client must provide the following documentation:

- a. The HCS 205 Pathways Request for Needed in the Home and must be completed by a medical provider.

3. Domestic Violence: The client must be attempting to resolve a current, within the past six (6) months, domestic violence situation. A client may receive extended benefits up to six (6) months at a time due to current domestic violence.

The client must provide the following documentation:

- a. Domestic violence documentation may include; police reports, medical records, or a statement from a service provider such as a counselor or Domestic Violence advocate.
  - b. Evidence that the individual contacted a domestic violence program.
4. Physical/Mental Incapacity due to Domestic Violence: Illness or incapacity is the result of domestic violence, prevents the person from working any type of job and includes medical verification. The length of extended benefits period will be determined by the TANF Extended Benefits Review Committee.

The client must provide proof of the physical/mental incapacity as follows:

- a. HCS 176-Illness/Incapacity Determination for Extended TANF Cash Assistance if claiming physical or mental incapacity due to domestic violence. Recommended but not required, **and**
- b. Completed, signed HCS-209 Request for Health/Employability Evaluation of Extended Benefits form. (Pathways must document in person notes if a client chooses not to use the HCS-209 forms), or
- c. Other medical verification chosen by the client and medical provider. If client provided verification is incomplete or questionable, additional information can be a condition of eligibility.

### **ADMINISTRATIVE ISSUANCE**

Administrative issuance occurs when OPA inadvertently issues benefits to households exceeding the 60-month time limits due to special circumstances i.e.; client moves from another state and months used are unknown, other agency error, etc. These cases will be included in the 20% exception group.

### **EXTENDED BENEFITS REVIEW COMMITTEE**

The department's TANF Extended Benefit Review committee reviews all applications for TANF Extended benefits prior to the Office of Public Assistance sending an approval or denial notice to the client. Once approved in CHIMES by the committee, OPA can deny the case or make a Pathways referral and issue benefits.

The review committee is comprised of:

1. OPA supervisor or designee;
2. Pathways supervisor/Tribal NEW supervisor;
3. Pathways Client Advocate/Tribal NEW case manager; and
4. Department Contract Monitor.

The TANF Extended Benefit Review committee will each give their recommendations about the approval or denial of extended benefits including; the time frame for extended benefits and date for re-evaluation. The committee may request additional documentation as necessary to make a determination. Approval and denials are based on the documentation provided and TANF Policy.

**TANF CASH EXTENSION REQUESTED/GUIDANCE:**

Households can request an extended benefit application either verbally or in writing.

If an individual requests assistance in completing the extension process, staff must provide neutral guidance to the applicant(s). Guidance is assisting applicants in understanding the forms, explaining the types of verifications that are necessary, and the steps needed to get the verifications. Guidance does not include completing the forms for the household or telling them what to write.

**EMPLOYABILITY/SERVICE PLAN - EXTENSION PENDING:**

Applicants for extended TANF cash assistance must be referred to Employment and Training while the application is pending. Applicants must negotiate an Employability/Service Plan. Compliance with the plan while the application is pending, or a sanction history is not a consideration in extension approval or denial.

**APPLICATION DATE:**

The application date is:

1. The date the HCS-250 Application for Assistance is received for new applicants for households that apply after the effective closure date.
2. The date the HCS-175 Application for the Extension of TANF Cash Assistance is received for closed cases where the:
  - a. effective date of closure has not passed; or
  - b. ten (10) days to provide additional verification has been extended past the effective date of closure.

**TANF EXTENDED BENEFIT START DATE:**

1. For ongoing cases, the benefit start date is the first day of the 61st month.
2. For new applications, the start date is the date the first page of the HCS-250 Application for Assistance is received in the Office of Public Assistance and date stamped. (Refer to TANF 103-1)

If the household includes one or more individuals who are required to enroll in an Employment and Training program (Pathways or Tribal NEW), the benefit start date will be the application date or will be prorated from the date the client(s) enroll in an employment and training program, refer to TANF policy 103-5 "Benefit Start Date".

### **EMPLOYABILITY/SERVICE PLAN:**

When approved for extended benefits, the Employability/Service Plan must be modified so most participation activities are employment focused.

Clients referred to Employment and Training must participate in frequent and regular meetings. Weekly In person meetings are required..

### **CHANGE REPORTING /INFORMAL RE-EVALUATION:**

Eligibility for households receiving extended benefits must be re-evaluated any time a change in household circumstances is reported.

Earnings of any adult approved due to a total inability to work will cause case closure due to no longer meeting extension criterion regardless of the amount of earnings.

Exception: Adults currently resolving a domestic violence situation are not automatically closed if they earn income or if the abuser returns to the home. They must continue to comply with addressing the concern and if the abuser is a required adult filing unit member, he or she must also meet extension criterion.

### **FORMAL RE-EVALUATION:**

A formal re-evaluation date is set by the review committee and is based on the approved extension time frame. Extensions beyond the re-evaluation date must include an approved HCS-181 TANF Extended Benefits Re-Evaluation form.

### **PARTICIPATION/NON-COMPLIANCE:**

Compliance with Employment and Training activities is an eligibility requirement. When any member of the extended benefit household fails to comply with negotiated activities and required weekly meetings, without good cause and chooses not to re-engage in activities, the extended benefit case will be closed with timely notice. Sanction policy does not apply to extended benefit cases.

### **FAIR HEARING:**

Extended benefit households may request a fair hearing for any adverse action.

Continued benefits are not allowed pending a fair hearing decision. Benefits may be reinstated if the hearing is in the client's favor.

**CASE CLOSURE:**

Once extension criterion is no longer met, the case will close with timely notice. A closure notice must be sent.

Households may be eligible for an extension under a new criterion. The client must apply for a new extension determination using the HCS-175 and the HCS-250.

**Effective Date:** July 1, 2023