



**TEMPORARY ASSISTANCE
for
NEEDY FAMILIES**

STATE PLAN RENEWAL

**October 1, 2020 – September 30, 2023
Economic Self-Sufficiency
Program Office**

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EXECUTIVE SUMMARY

Temporary Assistance to Needy Families State Plan October 1, 2020 - September 30, 2023

Florida prepared the Temporary Assistance for Needy Families (TANF) State Plan for October 1, 2020, through September 30, 2023, in accordance with the requirements of the U.S. Department of Health and Human Services, Administration for Children and Families, and in accordance with Title IV-A, Section 402 of the Social Security Act (SSA), as amended. The plan incorporates all applicable changes TANF-funded agencies made due to federal or state legislation.

The Florida Department of Children and Families, Economic Self-Sufficiency (ESS) program office administers the TANF/Temporary Cash Assistance (TCA) program. As the State continues making cutting-edge technological advances, Florida emphasizes broader access to services through its web application which is also accessible through community partner sites. The advances encourage customers' self-reliance and self-management of their case through the MyACCESS Account. The MyACCESS Account is available 24/7 allowing customers to register their unique username and password and view screens that give them a complete description of their case. Some of the items included are benefit amounts, availability dates, scheduled interviews, received or needed verification for case processing, review dates, etc. The customer can print a temporary Medicaid card from this site and has the ability to upload verification documents.

By providing streamlined processes and procedures, and new levels of access and technological support, the Department of Children and Families encourages customers to achieve new levels of self-sufficiency. Florida is working to provide enhanced services to our clients through its Care Coordination Program. This program model expands current services to truly help Floridians reach their definition of economic self-sufficiency by providing a human-centered approach and connecting customers to other resources. The central idea of the program is to work with clients in identifying barriers at an individual level, assist in making referrals, and facilitate information between the client and other service providers.

In accordance with public access provisions of Title IV-A, S. 402, of the SSA, in June the ESS policy unit sent the notice of intent to renew the TANF State plan to each agency and program with TANF and/or MOE funding, and their comments and revisions are incorporated in the plan. Following Governor DeSantis' approval and signature, the Florida Administrative Weekly (FAW) will publish the plan for general public comment. The FAW notice will provide addresses and telephone numbers for obtaining a copy of the plan and for providing written comments on the proposed plan.

DCF will forward any substantive comments to the Office of Family Assistance, within Administration of Children and Families (ACF).

SECTION 1: GENERAL PROVISIONS

1.1 STATE PLAN REQUIREMENTS

Florida's TANF State Plan is outlined and updated in accordance with Section 402 of the Social Security Act (SSA), as amended by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (Public Law 104-193) and further amended by the Balanced Budget Act of 1997 (Public Law 105-33), the Deficit Reduction Act (DRA) of 2005 (Public Law 109-171), and the Elder Justice Act of 2009, Section 6703(a)(2) of the Patient Protection and Affordable Care Act of 2010 (P.L. 111-148). The information submitted below provides information on the provisions of the State's program as synchronized with federal requirements.

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

1.2 BACKGROUND

The Florida TANF and TANF/MOE program continues to commit its TANF block grant and maintenance of effort (MOE) resources to a work-oriented, family support public assistance program.

DCF operates call centers with an Interactive Voice Response (IVR) for 24/7 service availability and engage an extensive network with community partners equipped with internet access to offer assistance to applicants needing to complete on-line applications and provide verification. The technological improvements made with the web application, MyACCESS Account, and the number of partnerships provided through the community partner network have contributed to the encouragement of self-sufficiency in the program's participants.

The web-based application is available in English, Spanish, and Creole. The paper application is available in 10 different languages. Whether applying through DCF or a community partner, applicants requiring language assistance or reasonable accommodations for disabling conditions can request and receive the services they seek.

To ensure effective communication and meaningful access to programs and services, DCF notifies individuals with disabilities and/or Limited English Proficient (LEP) persons about the availability of services at no cost. Such services may include, but are not limited to, sign language and foreign language interpretation services.

Documents notifying applicants and program participants of adverse actions are communicated in plain language, provided in the applicant or program participant's primary language, and advises the program participant how to have the document interpreted free of charge.

Florida's program currently focuses its block grant and MOE funding primarily on TANF purpose one, to make sure children are safe in their homes or the homes of relatives, and purpose two, program participants are prepared to enter and retain employment. The TANF program works cooperatively with other federal, state, faith-based, and non-profit programs that devote significant amounts of funding toward purpose three, reducing out of wedlock pregnancies, and purpose four, encouraging the formation and maintenance of two-parent families.

1.3 PROGRAM ADMINISTRATION

The State's Workforce Innovation Act of 2000 separated the TANF-funded eligibility and TCA functions from the TANF-funded workforce functions statutorily and operationally. Chapter 414, F.S., sets forth provisions for receipt of TCA and requires all individuals who do not meet TCA exemptions to participate in work or alternative plan activities. Chapter 445, F.S., consolidates the State workforce policy direction under the State Board, administratively staffed by CareerSource Florida, Inc. (CSF), and designates the Department of Economic Opportunity (DEO) as the administrative, fiscal, and implementing agency for TCA work activities and supportive services, the Welfare Transition (WT) program.

See Chapter 414, Family Self-Sufficiency and Chapter 445, Workforce Innovation
<http://www.leg.state.fl.us/statutes/>.

1.4 OVERSIGHT AND ACCOUNTABILITY

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

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

- b. Department of Economic Opportunity (DEO): Administration and Accountability.** The DEO is the designated State agency for administering workforce programs, funding, and personnel. The Florida Legislature appropriates TANF funds to DEO, and charges it with providing administrative and program guidance for the merged workforce and TANF/WT support delivery system. DEO also serves as the administrative and fiscal entity for the State Board, and DEO ensures the appropriate administration of workforce programs and funds.
- c. State Workforce Development Board (SWDB) and CareerSource Florida, Inc. (CSF): Planning, Policy, and Strategic Direction.** Pursuant to the Workforce Innovation and Opportunity Act (WIOA) the SWDB consists of a board of directors and chair appointed by the Governor. The SWDB is the state's chief workforce policy organization. The SWDB provides policy direction and oversight to Florida's 24 Local Workforce Development Boards (LWDBs). CSF is the administrative entity created by the Florida Legislature to act under the SWDB. The state's broad workforce strategic vision and goals are expressed through the WIOA Unified State Plan.
- d. Local Workforce Development Board (LWDBs): Local Control, Accountability, and Delivery of Services.** Twenty-four LWDBs are responsible for implementing the state's workforce programs, including WT, other TANF non-assistance programs and employment support services at local career centers. The LWDBs develop innovative programs tailored to the specific economic and employment needs of the community. Primarily made up of local business representatives in each area, the LWDBs focus on planning, policy implementation, and fiscal and programmatic oversight of the local workforce system.
- e. Workforce System: Job Training, Education, and Employment Options.** The workforce system provides a full menu of job training, education, and employment options for workers, job seekers, WT participants, and local businesses at the local career centers or via electronic access. The workforce delivery system includes numerous partners, including DCF, working together under memoranda of agreement, customer referral procedures, specifying services provided, and cost allocation formulas.
- f. Department of Education, Office of Early Learning (DOE, OEL): Administration of TANF Childcare Services.** OEL functions as the funding and oversight entity for the local coalitions providing childcare assistance to current and transitional TANF participants.

NON-DISCRIMINATION STATEMENT:

This institution is prohibited from discriminating on the basis of race, color, national origin, disability, age, sex and in some cases religion or political beliefs.

The U.S. Department of Agriculture also prohibits discrimination based on race, color, national origin, sex, religious creed, disability, age, political beliefs or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027), found online at: [How to File a Complaint](#), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish or call the [State Information/Hotline Numbers](#) (click the link for a listing of hotline numbers by State); found online at: [SNAP Hotline](#).

To file a complaint of discrimination regarding a program receiving Federal financial assistance through the U.S. Department of Health and Human Services (HHS), write: HHS Director, Office for Civil Rights, Room 515-F, 200 Independence Avenue, S.W., Washington, D.C. 20201 or call (202) 619-0403 (voice) or (800) 537-7697 (TTY).

This institution is an equal opportunity provider.

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

For a more complete description of non-discrimination policies by agency see: http://www.floridajobs.org/civilrights/docs/Discrimination_Complaint_Procedures.pdf

1.5 PROGRAM GOALS

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

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

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

The Workforce Innovation and Opportunity Act of 2014 requires states to develop a state plan that consists of strategic and operations planning elements. Section 445.006 F.S., provides that the SWDB, in conjunction with state and local partners in the workforce system, shall develop a state plan that produces an educated and skilled workforce. The state plan must consist of strategic and operational planning elements. The strategic planning elements must include criteria for allocating workforce resources to LWDBs.

<https://floridajobs.org/local-workforce-development-board-resources/programs-and-resources/local-workforce-development-area-wioa-plans>

1.7 PUBLIC INVOLVEMENT

In accordance with public access provisions of Title IV-A, S. 402, of the SSA, DCF-ESS policy unit sent the notice of intent to renew the TANF State Plan to each agency and program with TANF and/or MOE funding, and their comments and revisions were incorporated into the plan. Following the Governor's approval and signature, the Florida Administrative Weekly (FAW) will publish the plan for general public comment. The FAW notice will provide addresses and telephone numbers for obtaining a copy of the plan and for providing written comments on the proposed plan. DCF will forward substantive

comments to the Office of Family Assistance. As an additional opportunity for public involvement, Florida Statutes provide for the promulgation of administrative rules that detail state policies governing the TANF/TCA program. Any new policy or modification to a current policy requires the publication of the intent to develop an administrative rule or change a current administrative rule, a detailed description of the policy and a minimum of a 90-day period for comments. (An emergency rule has a 30-day adoption period.)

The State Plan publication and comment period and the Florida Administrative Rules process provide for input from other state agencies, public and private organizations, general public, and other pertinent entities during development and implementation. Following certification by the Office of Family Assistance that the State Plan is “complete,” DCF posts the state plan on its website.

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

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

1.9 DEFINITIONS (s. 414.0252 & s. 445.002, F.S.)

The following terms relate to Florida’s administration of the TANF Program:

- a. **DEO:** Department of Economic Opportunity
- b. **Department or DCF:** Department of Children and Families
- c. **Domestic Violence:** any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense that results in the physical injury or death of one family or household member by another.
- d. **Drug Test:** collection and testing of samples (usually urine samples) from donors for the presence of controlled substances. The test consists of an initial screening, a confirmation test, if a controlled substance is detected in the initial screening and review of test results by a Medical Review Officer (MRO). The MRO reports final test results to DCF.
- e. **DWS:** Division of Workforce Services in the Department of Economic Opportunity, the state’s employment and training partner in the TANF Program.
- f. **Family:** the assistance group or the individuals whose needs, resources, and income are considered when determining eligibility for Temporary Cash Assistance. The family for purposes of Temporary Cash Assistance includes the minor child(ren) and

custodial parent(s), or caretaker relative(s) who reside in the same house or living unit. The family may include individuals whose income and resources count in whole or in part in determining eligibility for temporary assistance but whose needs, due to federal or state restrictions, do not count. These individuals include, but are not limited to, ineligible noncitizens and sanctioned individuals. For non-assistance, family includes any individual whose needs, resources, and income count when determining eligibility for the non-assistance. This may include the minor child(ren), custodial parent(s), relative caretaker(s), non-custodial parent(s) or other household member.

- g. Family or household member:** spouses, former spouses, non-cohabitating partners, persons related by blood or marriage, persons presently residing together as if a family or who have resided together in the past as if a family, and persons who have a child in common, regardless of whether they have been married or resided together at any time.
- h. Homeless:** an individual who lacks a fixed, regular, and adequate nighttime residence or an individual who has a primary nighttime residence that is:

 1. A supervised publicly or privately-operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transitional housing for the mentally ill;
 2. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 3. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
- i. Minor child:** a child under 18 years of age, or under 19 years of age if the child is a full-time student in a secondary school or at the equivalent level of vocational or technical training, and does not include anyone who is married or divorced.
- j. Participant:** an individual who has applied for and receives Temporary Cash Assistance, or for non-assistance TANF programs, a participant is a person determined eligible and enrolled based on the TANF purpose served.
- k. Public assistance:** benefits paid based on the Temporary Cash Assistance, food assistance, Medicaid, or optional state supplementation programs.
- l. Relative caretaker or caretaker relative:** an adult who assumed the primary responsibility of caring for a child and is related to the child by blood or marriage.
- m. Support Services and one-time payments or services/non-assistance:** when used in reference to individuals not receiving Temporary Cash Assistance, these are both non-recurring, short-term benefits designed to deal with a specific crisis situation

or episode of need and other services.

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

- n. **Temporary Cash Assistance:** cash assistance provided under the state program certified under Title IV-A of the Social Security Act, as amended.
- o. **Welfare Transition (WT) services:** workforce services provided to applicants of TCA, and current or former recipients of TCA under Chapter 414, F.S.

SECTION 2: NEEDY FAMILIES

2.1 ELIGIBILITY FOR TANF-FUNDED ASSISTANCE AND NON-ASSISTANCE (ss. 414.045, 414.0652, 414.075, 414.085, & 414.095, F.S.)

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

- be U.S. citizens or qualified noncitizens,
- be legal residents of the state,
- be a family with a minor child living with a custodial parent or caretaker relative,
- be a pregnant woman,
- be a needy family with income commensurate with the financial eligibility required by the program (Exception is programs under TANF purposes 3 and 4 funded with segregated TANF funds), and
- pass a drug test. (Limited to adult applicants and teen parents living independent of adult supervision.) **Note:** Drug testing was discontinued due to a Federal District Court ruling that Florida's drug testing was unconstitutional. The U.S. Appellate Court upheld this ruling. Florida is not appealing the U.S Appellate Court's ruling.

Florida has two definitions for "needy." The first definition applies to a family applying to receive Temporary Cash Assistance for on-going basic needs, and the second applies to families seeking eligibility for a non-assistance service or activity.

Consistent with the four purposes under section 402(a)(1)(A)(i) of PRWORA, the state defines the following groups as "TANF-eligible families" and the level of income that establishes their status as "needy":

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

remains at or below 200% of the federal poverty level.

- d. Non-custodial parents with income at or below 200% of the federal poverty level referred by the court to cooperate in employment and training activities or work activities, or both, to secure employment and cooperate with child support/court requirements are eligible. Non-custodial parents who volunteer may also participate in the TANF programs.
- e. To the extent permitted by federal law and subject to appropriations, adopting families of children with special needs who meet the state's definition of needy under TANF and have income at or below 200% of the federal poverty level are eligible for TANF services.

See TANF-Eligible Families and TANF-Eligible Parents summary chart at the end of this section.

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

Criteria for eligibility include:

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

Court ruling that Florida's drug testing was unconstitutional. The U.S. Appellate Court upheld this ruling. Florida is not appealing the U.S Appellate Court's ruling.

- j. Not using Temporary Cash Assistance benefits out-of-state for more than 30 consecutive days, unless the recipient is temporarily absent from the state more than 30 days and provides the reason for the prolonged absence, plans to return, and the date of the return.

2.3 TWO-PARENT FAMILY

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

To encourage two-parent families to participate in WT, Florida removed the restrictions and complex eligibility criteria that often served as barriers to participation in the former Job Opportunities and Basic Skills (JOBS) program. Two-parent families must meet the same eligibility requirements as single-parent families, receive the same benefits and services, satisfy the federal work activity requirements, and have state time limitations applied.

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

2.4 NONCITIZEN ELIGIBILITY (s. 414.095(3), F.S.)

Florida provides assistance to qualified noncitizens as allowed by federal law and in accordance with state law. Qualified noncitizens who receive TCA are subject to the same work requirements and time limits as other recipients.

2.5 ELIGIBILITY OF FAMILIES MOVING TO FLORIDA FROM ANOTHER STATE (s.414.105(4), F.S.)

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

2.6 CONDITIONS OF ELIGIBILITY

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

the earned income of a child if the child is a member of the eligible family, attends high school or the equivalent, and is 19 years of age or younger. Florida disregards earned income from temporary census employees with the U.S. Census Bureau when conducting the decennial census. This policy became effective April 2000.

- b. Drug Screening for Applicants of TCA (s. 414.0652, F.S.): Note:** Drug testing was discontinued due to a Federal District Court ruling that Florida's drug testing was unconstitutional. The U.S. Appellate Court upheld this ruling. Florida is not appealing the U.S Appellate Court's ruling.
- c. Learnfare (s. 414.1251, F.S.):** Florida reduces TCA benefits when a participant's dependent school-age child(ren) becomes habitually truant or a school dropout, or if the parent or caretaker relative whose needs are included in the TCA assistance group fails to attend a school conference each semester without good cause.
- d. Family Cap (s. 414.115, F.S.):** Florida limits assistance to recipients who give birth to a child either while receiving assistance or if the family's case was closed for more than six continuous months when the family reapplies for assistance. Families receive only 50% of the maximum incremental increase for the first child born more than ten months after the initial date of application and no additional benefits for additional children.
- e. Immunizations (s. 414.13, F.S.):** Applicants and participants with a child between the ages of 0 to 5 must begin and complete childhood immunizations. DCF advises them of the availability of childhood immunizations through the county health department. Failure to meet the immunization requirement results in the removal of the child from the benefit until the family meets immunization requirements, unless the failure to immunize is due to religious reasons or other good cause.
- f. Child Support Enforcement (s. 414.095 (6) and (14) (d) F.S.):** The parent or caretaker relative or teen parent must cooperate with child support enforcement (CSE) in establishing paternity, modifying or enforcing a support order unless CSE determines good cause. The entire family loses Temporary Cash Assistance until it satisfies the requirement of cooperation.
- g. Felony Drug Conviction (s. 414.095 (1) F.S.):** Florida does not deny eligibility for Temporary Cash Assistance to individuals convicted of a drug felony unless the conviction is for trafficking including agreeing, conspiring, or confederating with another person to commit felony drug trafficking if the illegal behavior or offense that lead to the conviction occurred on or after August 22, 1996. To be eligible under this provision, the individual must meet the requirements of the TCA program, including any substance abuse testing or treatment requirements.

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

TCA, at the no shelter expense level, is available for a teen parent who is less than 19 years old and their child(ren). The following requirements apply to teen parent eligibility:

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

2.8 DIVERSION PROGRAMS

Florida established a number of diversion programs to assist families who may not need ongoing TCA or meet the income eligibility limitations. The LWDB or other local contracted agencies administer these programs in cooperation with the SWDB, DEO, and DCF. These short-term programs are:

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

Up-Front Diversion is a four-step process that includes: (1) Linking the applicant to a job opportunity as a first option; (2) Offering services such as child care and transportation assistance; (3) Screening for emergency needs of the family and responding to those needs and; (4) Offering a one-time payment of up to \$1,000 per family. (The design of the first three steps is to eliminate a need for the fourth.) The family must demonstrate a need and secure a means to meet on-going expenses when it receives the diversion payment.

A family must agree not to apply for assistance for three months after receiving diversion assistance unless it can demonstrate an emergency to the LWDB.

See Program Guidance, 04-013, Up-Front Diversion Policy and Procedure
<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>

- b. Diversion Program for Victims of Domestic Violence (s. 414.157, F.S.):** This program provides services and one-time payments (not to exceed \$1,000) to assist victims of domestic violence and their children in making the transition to independence. Eligible participants are a parent or caretaker with one or more minor children or a pregnant woman, with income at or below 200% of federal poverty level. To extend services to larger numbers of domestic violence victims, the program does not offer cash payments directly to participants; one-time payments not to exceed \$1,000 are made directly to a vendor (such as a landlord). Services include those mandated by statute: emergency shelter, 24-hour hotline, information and referral, case management, child assessment, counseling, community education, and professional training. Centers may offer other services on a case-by-case basis. The program also assists participants in applying for other state and/or local benefits and services.
- c. Secondary Prevention or Diversion Program to Prevent or Reduce Child Abuse or Neglect (Healthy Families Florida Program) (s. 414.158, F.S.):** This program provides a community-based, voluntary home visiting program for expectant families and families of newborns who is a U.S. citizen or qualified noncitizen with income at or below 200% of poverty level who are experiencing stressful life situations, including homelessness or the threat of homelessness. The program goal is to stabilize families, prevent child abuse and neglect before it occurs and promote healthy childhood growth and development. TANF funds allowed the program to expand the number of sites and increase the counties receiving services. Major activities include home visits to teach parent-child interaction, child development, discipline practices, problem solving skills, emergency supports, and referral to other community services such as medical care, family planning, mental health, substance abuse, domestic violence, child care, food assistance, and Medicaid programs.
- d. Emergency Assistance Program (Homelessness Prevention Grant Program) (s. 414.161 F.S.):** The goal of the Homelessness Prevention grant program is to help prevent homelessness among families facing eviction or foreclosure for nonpayment of rent or mortgage because of a financial or other crisis. The family may use the grant funds for payment of past due rent, mortgage, and utility payments (for up to four months). Each household assisted by the grant must reside in Florida, have at least one household member who is a U.S. citizen or qualified noncitizen, include a parent or caretaker relative of a minor child under age eighteen (18), or under age nineteen (19), if attending a secondary school or its equivalent, and have household

income less than two-hundred percent (200%) of the federal poverty level.

- e. **Diversion Services for Families at Risk of Welfare Dependency due to Substance Abuse or Mental Illness (s. 414.1585, F.S.):** TANF funds may be utilized to provide substance use and mental health services for families at risk of welfare dependency as a result of a behavioral health disorder. The goal is to provide services that allow families to be self-sufficient and care for their children in their own homes or in the homes of relatives. DCF must determine that the family meets the income level (at or below 200% of poverty level) and establish that one or more individuals in the family are at risk or are impaired due to substance use or mental illness. Applicants must be one of the following:
1. A parent or relative caretaker with one or more minor children living in the home,
 2. A pregnant woman,
 3. A family whose children were removed from the home by the Office of Child Welfare and behavioral health treatment is included or added to the family reunification goals in the case plan,
 4. A family receiving Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) income with work directed goals, or
 5. A non-custodial parent with a court order to pay child support.

Services provided with TANF funds are limited to **only non-medical treatment services** (See *Medical Services Definition at the end of Section 2.*) Referral mechanisms are available to assist families with medical needs.

The Department's Office of Substance Abuse and Mental Health (SAMH) contracts with seven Managing Entities to manage behavioral health services in specific service areas. MEs do not provide direct services, but contract with local network service providers for the provision of prevention, treatment, and recovery services, using various funding sources including TANF. With respect to TANF, the Managing Entities are responsible for:

1. Acknowledging each new or renewed participant via electronic submission prior to reimbursement approval for each participant;
2. Providing technical assistance to network service providers as needed;
3. Identifying outreach services and promoting interagency collaboration for linkages in the community;
4. Overseeing all TANF SAMH requirements and invoice approvals;
5. Monitoring and following-up on monitoring to ensure that corrective action plans are completed;
6. Documenting, investigating, and resolving complaints, with additional technical assistance, when needed;
7. Monitoring length of stay for residential treatment to ensure that TANF is used as an appropriate funding stream; and
8. Implementing new federal and state requirements related to the reauthorization of TANF legislation.

More detailed information may be obtained in [Guidance 17](https://www.myflfamilies.com/service-programs/samh/managing-entities/2020-contract-docs.shtml)
<https://www.myflfamilies.com/service-programs/samh/managing-entities/2020-contract-docs.shtml>.

- f. **Relocation Assistance Program (s. 445.021, F.S.):** The program provides relocation funds and services to families receiving TCA or who meet eligibility requirements for the diversion program and who have significant barriers to finding and retaining employment. A family may use the funds to relocate to communities where there is greater opportunity for attaining self-sufficiency. LWDB or service provider staff determine eligibility, establish a written relocation plan, verify the community receiving the family has the capacity to provide needed services and employment opportunities, and monitor the family's relocation.

See Program Guidance, 04-023, Welfare Transition Relocation Assistance.

<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>

- g. **Diversion Program to Strengthen Florida's Families (s. 445.018, F.S.):** This program provides services to help families avoid welfare dependency. LWDB or service provider staff determine TANF-eligible families with income at or below 200% of the federal poverty level to be eligible for entry into the program. When a family has been determined eligible for the program, the family is eligible under the program for 12 months without a redetermination or re-evaluation of eligibility. The program provides services to enable employable adults in the family to find employment, remain employed, or pursue career advancement. All services must be employment-related. A family must agree not to apply for TCA for six months following entry into employment subsidized by the program unless it can demonstrate an unanticipated emergency to the LWDB. If the family applies for, and receives TCA without a documented emergency, the family must repay the value of the diversion services. The Department may prorate the repayment over eight months through a deduction from the family's TCA payment. This program is contingent on availability of TANF funds.
- h. **Teen Parent and Pregnancy Prevention Diversion Program (s. 445.019, F.S.):** This program was an abstinence-focused program offered through the Department of Health with segregated TANF funds. The Florida Legislature has shifted funding from TANF to another source. This program no longer uses TANF or MOE funds. The Florida statute requires this program to remain in the TANF State Plan.

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

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

- a. An individual who receives benefits under the SSI or SSDI program,
- b. An adult not defined as a work-eligible individual under federal law,
- c. A single parent of a child less than three months of age, except the parent may be required to attend parenting classes or other activities to prepare for the responsibility of raising a child, or

- d. Individuals who are exempt from the time limit pursuant to s. 414.105, F.S.

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

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

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

A hardship extension allows individuals to receive additional months of TCA payments beyond the state established limit of 48 months. DCF reviews the individual's TCA payment history to determine if they have reached 42 of the 48-month lifetime limit. If the individual has received 42 months of time-limited TCA, DCF notifies the LWDB. The LWDB or provider staff then schedules an interview with the participant to assess employment prospects and employment barriers, evaluate the individual's participation in the WT program, and determine if a hardship extension is needed. If staff determines that an extension is needed, they recommend that DCF extend TCA payments beyond the 48-month time limit. Upon this recommendation, DCF extends the TCA payments for the number of months recommended by the LWDB. If staff determines that an extension is not needed, the individual will only receive the allowable 48 months. Participants may also request a hardship extension later by completing the hardship extension review process. Hardship extension eligibility criteria include:

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

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

See Program Guidance, 025, Hardship Extensions to TCA Time Limits
<https://floridajobs.org/local-workforce-development-board-resources/policy-and->

[guidance/guidance-papers](#)

2.12 INDIVIDUAL RESPONSIBILITY PLAN AND ALTERNATIVE REQUIREMENT PLAN

- a. **Assessment:** The goal of the assessment is to gather information about the program participant. The assessment is designed to:
- Identify barriers to employment and/or full participation in countable work activities,
 - Identify the participant's skills that will translate into employment and training opportunities,
 - Review the participant's work history, and
 - Identify other employability issues that could help or hinder the participant's move toward employment.

The assessment may also include elements that help identify whether an individual may need to seek other forms of long-term assistance due to a limitation or limitations that are considered barriers to employment and/or economic self-sufficiency. Additionally, the assessment is used to identify barriers that may be quickly resolved to allow the participant to move them into employment or full participation in the program, such as referrals and access to childcare and transportation services. The assessment is also used to develop, jointly with the participant, an Individual Responsibility Plan (IRP).

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

b. **Individual Responsibility Plan (IRP) 45 CFR 261.12:**

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

- The participant's employment goal,
- The participant's assigned activities, including countable work activities, and barrier removal/management activities. For example: in-depth screening or assessments for hidden disabilities, such as learning disabilities and limited English proficiency (LEP),
- The services for which the individual is being referred to program partners and community agencies,
- The services the individual is being offered through the workforce system,

- The number of hours the participant is expected to complete, and
- The expected completion dates or deadlines associated with the participant's engagement for a particular activity or activities.

The participant and WT program staff must both sign the plan.

Alternative Requirement Plan

Some participants may have circumstances that prevent them from participating in traditional work activities and may be assigned to alternative activities as part of their program participation. Some examples include: individuals who may have self-identified as a victim of domestic violence, have medical limitations, substance abuse or mental health issues, learning, or other hidden disabilities. In these situations, WT program staff and the participant will jointly develop an Alternative Requirement Plan (ARP). The ARP will outline alternative activities in which the participant will engage in to move them towards program participation and/or employment by allowing alternative activities until they are no longer needed.

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

TANF-ELIGIBLE FAMILIES AND TANF-ELIGIBLE PARENTS

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

Florida Statutes	Description	Eligible for Assistance	Eligible for Services?
414.045 Cash Assistance Workforce Participant (Work Eligible) Under TANF State Plan	This includes families (one or two parents) with minor children (or a pregnant individual) containing adult(s) (a parent or a relative who chooses to be included in the TCA assistance group) or teen head of household who is subject to the work activity requirements or time limits. This includes individuals currently exempt from work activities or who have an exception to the work activity requirement but who will be subject to the requirements at some point in the future. For example, individuals with a child under three months of age, or individuals meeting an exception due to illness or incapacity. This also includes families where the parent is under a second or third level work sanction and removed from the assistance group.	Yes	Yes
414.045 Cash Assistance Not Work Eligible Participant	This includes families without an eligible adult subject to the work activity requirement or the time limit under federal or state law. These include “child-only” situations such as grandparents or other relatives receiving assistance for the children, families where the parent or parents are receiving SSI benefits and are excluded from the TCA assistance Group, and families where the parent or parents are ineligible (for example, due to immigration status).	Yes	Yes
39.5085 414.045 Cash Assistance Relative Caregiver Program	This is a specific program created to provide assistance to relative caregivers when children have been placed with a relative or non-relative by the court as part of a dependency action. Benefits in this program are limited to families under the supervision of the child welfare office. Note: Non-relative eligibility added by the 2014 legislature effective 7/1/14, using non-TANF/MOE funds.	Yes (Relatives only)	Yes (Relatives only)
414.045(1)(b) 5 Adopting Families of Children with Special Needs	Assistance with services necessary for families who have adopted children (living with a caretaker relative) with special needs who have income at or below 200 % of the federal poverty level and who meet the state's definition of needy under TANF. Services may include specialized counseling, purchase of adaptive equipment, or accommodations in the home. The program does not provide for on-going, basic needs.	Yes	Yes

414.065(5) Non-custodial parents	Services for a non-custodial parent who is a parent ordered by the court to participate in activities leading to employment so that the parent can obtain employment and fulfill obligations to provide support payments. To be eligible for services, the non-custodial parent would have to have family income at or below 200% of the federal poverty level. A parent whose child is in emergency shelter or foster care or other substitute care who is ordered by the court to participate in work activities as part of a reunification plan when the parent would have been eligible to participate in work activities if the child was in the home.	No	Yes
445.017 Cash assistance diversion	One-time payment of up to \$1,000 and services designed to divert an applicant from ongoing TCA when the applicant does not need ongoing TCA.	No	Yes
445.028, 445.029, 445.030, 445.031, 445.032. Transitional Services	Former TCA recipients who left TCA due to employment and remain eligible for transitional Medicaid, childcare, education and training, or transportation.	No	Yes
445.018 Diversion program to strengthen Florida's Families	Provides an extensive array of services to families at or below 200% of the federal poverty level that include a child living with a parent or relative or a pregnant woman. Services include assessment, service planning and coordination, job placement, employment related education or training, childcare services, transportation services, relocation services, workplace employment support services, individual or family counseling, or a Retention Incentive Training Account (RITA) designed to prevent the family from becoming dependent on welfare by enabling employable adults in the family to find employment, remain employed or pursue career advancement.	No	Yes
445.028 Transitional benefits and services	Transitional benefits and services such as childcare, transportation, education, or training for families who leave TCA due to employment. Transitional benefits are generally available for two years after leaving TCA except for transitional Medicaid, which is available for one year (federal law).	No	Yes
414.157 Diversion program for victims of domestic violence	Families with children (or a pregnant woman) in need of services who have income at or below 200% of the federal poverty level and who are victims of domestic violence (as determined by the domestic violence program).	No	Yes
414.158 Diversion program to prevent or reduce child abuse and neglect	Families with children (or a pregnant woman) in need of services who have income at or below 200% of the federal poverty level and include one or more children determined by DCF to be at risk of abuse, neglect or threatened harm, or meets the criteria of a voluntary assessment performed by the Healthy Families Florida program, or is homeless or living in a facility that provides shelter to homeless families.	No	Yes

<p>414.1585 Diversion program for families at risk of welfare dependency due to substance abuse or mental illness</p>	<p>Families with children (or a pregnant woman) who are at risk of welfare dependency due to substance abuse or mental illness and who have income at or below 200% of the federal poverty level.</p>	<p>No</p>	<p>Yes</p>
<p>445.019 Teen parent and pregnancy prevention diversion program</p>	<p>Teens at risk of pregnancy or teens who already have a child, DEO may provide TANF-funded pre-pregnancy family planning services or related services and assistance in completing education or employment programs without regard to family income. Receipt of services does not preclude eligibility for or receipt of other assistance or services.</p>	<p>No</p>	<p>Yes Was funded with segregated TANF funds. Not currently receiving TANF or MOE.</p>
<p>414.161 Emergency Assistance Program (Homeless Prevention Grants)</p>	<p>Families with one or more children that face eviction or foreclosure due to a financial or other crisis. Families must have income below 200% of the Federal Poverty Level and may not have assets available to meet the emergency.</p>	<p>No</p>	<p>Yes</p>
<p>445.023 Program for dependent care for families with children with special needs</p>	<p>Families with a child or children age 13 to 17 who have special needs such as a disability and who meet the income guidelines of the subsidized childcare program. TCA recipients may also receive dependent care through this provision.</p>	<p>No</p>	<p>Yes</p>
<p>1002.81 1002.84 1002.87 Subsidized childcare program</p>	<p>Childcare for children younger than 13, in a family whose income is at or below 150 percent of the Federal Poverty Level (FPL) for initial eligibility and at or below 85 percent of the State Median Income (SMI) for continued eligibility. In addition, childcare is provided for children of Welfare Transition Program participants and for children who are at risk of abuse, neglect or abandonment, homeless, or victims of domestic violence. Families must pay a fee on a sliding scale, unless the fee is waived.</p>	<p>No</p>	<p>Yes</p>
<p>Title IV-A State Plan in Effect as of September 30, 1995</p>	<p>Assistance or services authorized under the former Title IV-A plan. Any individual who was eligible for assistance or service authorized under the Title IV-A (AFDC/JOBS) State Plan which was in effect as of September 30, 1995 shall be eligible for such assistance or service in accordance with sec. 404(a)(1) of the Social Security Act, as amended [42 U.S.C. 604(a)(1)].</p>	<p>Yes</p>	<p>Yes</p>

Medical Services Guidance

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

Purpose:

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

GENERAL:

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

GUIDELINES:

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

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

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

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

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

4. Counseling, including job counseling or individual or family counseling related to a TANF purpose is not a medical service. Psychotherapy or treatment provided by a psychiatrist is a medical service.

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

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

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

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

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

PROTOCOL FOR QUESTIONS REGARDING MEDICAL SERVICES:

The guidelines will cover many questions about the permissible use of TANF funds. Pose additional specific questions about uses of TANF funds to the ESS Florida Program Office or the DCF Office of Budget Services.

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

SECTION 3: WORK REQUIREMENTS

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

Individuals who apply for TCA and are not exempt must complete the work registration process as a condition of eligibility for TCA. F.S. 414.095 requires that an individual must meet certain eligibility requirements before receiving services or TCA, except that a participant shall be required to register to work and engage in work activities in accordance with F.S. 445.024. Florida operates an online process that allows applicants to complete up-front work registration requirements. These requirements include an overview of the WT program and an assessment. The LWDBs may require additional registration tasks when the participant completes the online program overview and assessment. The additional requirements display immediately after the applicant completes the online portion of work registration. As part of the work registration process, participants learn about the WT program, their opportunities, and their responsibilities. They engage in work activities based on their ability to comply. If a participant is not able to begin immediate involvement in job search or other activities because of medical limitations, mental health issues, substance abuse issues, or domestic violence, the participant is engaged in a modified work registration process. An individual who needs assistance in order to look for work, to participate in work activities, or who requires special accommodations to participate are offered services based on his/her particular needs.

Failure to complete the work registration process, unless the applicant meets an exemption, results in a denial of benefits. Individuals who are not able to work because of a medical incapacity, substance abuse or mental health issue, domestic violence or other disability/limitation may be excused from having to work, register, or participate in work activities prior to receiving assistance. DCF refers non-exempt individuals to the LWDB for assessment and assignment to appropriate work activities.

Section 445.024, F.S., specifies the work activity requirements of the WT Program. These requirements ensure that TANF-eligible parents and caretakers engage in work in accordance with sections 402(a)(1)(A)(ii) and 407 of the Social Security Act as amended by the PRWORA, the Deficit Reduction Act and 45 CFR Parts 261, 262, 263 and 265, Reauthorization of the Temporary Assistance for Needy Families Program, Final Rule published February 5, 2008. Unless a parent or caretaker meets a specified exemption, the statute requires immediate entry into work or other activities, subject to federal and state funding.

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

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

LWDBs may develop activities under each of the following categories of work activities. They may use the following categories of work activities, based on federal law and

regulations, individually, or in combination to satisfy the work requirement for a participant in the WT program:

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

Florida defines its work activities in its approved Work Verification Plan. The state uses the same definition for each work activity as described in the Deficit Reconciliation Act of 2005 Final Regulations, 45 CFR Parts 261, 262, 263 and 265, Reauthorization of the Temporary Assistance for Needy Families Program, Final Rule published February 5, 2008.

See [Florida's Work Verification Plan](#)

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

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

- a. Child Care:** The LWDB provider authorizes childcare for the hours of work activity or employment plus a reasonable time to travel to and from the childcare facility and the place to work activity/employment and return. Each family must contribute to the cost of the childcare through a parent co-payment, using the fee schedule established by the local School Readiness Programs or Early Learning Coalitions. The child receiving care must be within the specified degree of relationship to the participant to be eligible to receive TANF-funded assistance and must be included in the assistance group. Childcare is no longer in F.S. 445.025; however, it is a service offered via referral through the workforce system as outlined in Florida Administrative Code 65A-4.218 – <https://www.flrules.org/gateway/RuleNo.asp?ID=65A-4.218>
See Section 5.4, School Readiness Programs or Early Learning Coalitions for more information.
- b. Transportation:** Transportation expenses for participants include bus tokens or passes, transit vouchers, car repairs, and gasoline. LWDB staff or service providers pay participants for transportation in advance or reimburse against receipts or invoices. If funds are available, providers may help pay for vehicle operation and repair expenditures necessary to make a vehicle serviceable, vehicle registration and driver license fees and liability insurance for up to six months, in accordance with their local operating procedures.
- c. Ancillary Expenses:** These may include books, tools, clothing, education or training fees, background checks, drug screening, or other costs to comply with employers' hiring conditions, or other expenses necessary to complete work or alternative requirement plan activities, such as paying the fee for a medical form certifying disability or other medical condition to be completed by a physician licensed under Florida Statute Chapter 458 or 459. The completion of a medical form or statement is not a service Medicaid covers.
- d. Personal and Family Counseling Therapy:** The LWDB staff or service provider may refer participants to counseling who have personal or family problems caused by substance abuse or mental health issues that are barriers to participation or employment. These providers refer participants to community services that are available without additional cost. If the community services are not available at no cost, the LWDB staff or service provider may use support service funds.
- e. Medical Services:** Families that meet Medicaid eligibility requirements receive medical services under the Medicaid program. Florida does not use TANF funds to pay for medical services, except for as outlined on page 26.

3.4 CHILD CARE RELATED DEFINITIONS

A participant cannot be sanctioned if acceptable childcare is not available. Federal TANF regulations at 45 CFR section 261.56(b) require states to define the following four terms as

they relate to determining if childcare is unavailable:

- a. **Appropriate childcare:** An eligible childcare provider as defined in 45 CFR 98.2., and s.1002.88, F.S. Childcare options must have hours of operation that meets the needs of the parents work schedule and meet any special needs of the individual child.
- b. **Reasonable distance:** Reasonable distance depends on the geographic area and availability of public transportation. Program staff discusses and determines mileage and/or time needed for travel to and from the job site with the participant.
- c. **Unsuitability of informal childcare:** Informal childcare is suitable only to the extent such care is provided within the constraints of applicable federal and state laws, regulations, and requirements.
- d. **Affordable childcare arrangements:** Annually, the Child Care Resource and Referral Network surveys all legally operating childcare providers to obtain program and rate information. Biennially, the Office of Early Learning uses the rate information to determine the prevailing market rate by age category and provider type at the county-level. Coalitions use the prevailing market rate to set the maximum reimbursement rates for their service area, as approved by OEL.

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

Florida recognizes that certain participants are not immediately able to engage in work activities due to a variety of medical reasons. Those who are excused for good cause from certain work activities due to medical incapacity must:

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

See Program Guidance, 051, Medical Incapacity

<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>

3.6 DOMESTIC VIOLENCE

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

- a. The implementation details that describe the provision of support services to reduce the incidence and effects of domestic violence on individuals and families receiving TANF/TCA can be found in WT Domestic Violence Program Final Guidance Paper, WPDG 026.

<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>

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

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

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

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

- e. Court appearance,
- f. Temporarily caring for a disabled family member when the participant provided verification of the need for care and alternative care is not available, or
- g. Domestic violence.

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

The failure or refusal of the participant to become fully engaged in work or barrier removal/management activities may result in a termination of benefits. The program applies full family penalties when participants fail to meet program requirements without good cause in accordance with s. 414.065, F.S.

The LWDB offers services to participants who need accommodations, including language services, to become fully engaged in work activities. Such services are designed to ensure that activities are meaningful and help the participant move toward self-sufficiency. Program staff engage those who are not able to participate in countable work activities full-time, as required under federal and state law, because of a medical, mental health, substance abuse, or domestic violence issue or some other disability/limitation in barrier removal or management activities, such as following a treatment plan documented as necessary by a licensed physician. WT program staff engage participants excused from participation in countable work activities, as mandated in federal law in a plan, according to section 2.12(b) of the state plan.

If a participant requires access to services or accommodations to engage in activities and the LWDB does not offer such services, the participant may have good cause for not complying with work activity requirements.

To ensure effective communication and meaningful access to programs and services, DEO will notify individuals with disabilities and/or limited English proficient (LEP) persons of the availability of services at no cost. Such services may include, but are not limited to, sign language and foreign language interpretation services.

Documents notifying applicants and program participants of adverse actions will be communicated in plain language, will be provided in the applicant or program participant's primary language, and/or will advise the program participant how to have the document interpreted free of charge.

See Program Guidance, 03-037, Work Penalties & the Pre-Penalty Counseling
<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>

TCA penalties:

1. First noncompliance: The program terminates TCA for the entire family for a minimum of 10 days or until the individual complies. The individual may comply at any time and have the penalty lifted after the minimum 10-day penalty period.
2. Second noncompliance: The program terminates TCA for the entire family for one month or until the individual complies, whichever is later. When the customer meets this requirement, the program reinstates TCA to the date of compliance or the first day of the month following the penalty period, whichever is later. TCA may be continued for the children, under age 16, through a Protective Payee.
3. Third noncompliance: The program terminates TCA for the entire family for three months or until the individual complies, whichever is later. The noncompliant individual must comply with the required work activity upon completion of the three-month penalty period before reinstatement of TCA. The program reinstates TCA to the date of compliance or the first day of the month following the penalty period, whichever is later. TCA may be continued for children, under age 16, through a Protective Payee.

Food Assistance penalties:

The program applies food assistance penalties and TCA penalties in accordance with the state or federal Food Assistance Program policy. The penalties are different, depending on family composition and conditions:

1. Food Assistance exempt: If the participant is exempt from work requirements according to food assistance rules, the program applies no food assistance penalty. The food assistance budget remains the same as it was before the program removed TCA from the individual's budget because of the penalty. This applies regardless of the penalty level.
2. Food Assistance non-exempt: If the noncompliant individual is the head of household, the program disqualifies the entire household from receipt of food assistance. If the noncompliant individual is a non-head of household member, the program removes only the individual's needs from the benefit.

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

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

3.10 IMPACT OF PENALTIES ON TIME LIMITS

DCF considers any month a family receives a TCA payment, including payments to a Protective Payee, a time limited month. It does not consider any month a family does not receive a payment as a time limited month for calculating time limits, even if the total absence of payment is due to a penalty for noncompliance. The “time clock” is only counting months of TCA receipt toward the 48-month lifetime limit.

WT program staff inform participants during noncompliance counseling that continuation of TCA through a Protective Payee counts toward the family’s cumulative lifetime limit.

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

The WT program may offer transitional services to support employed families as they move toward full self-sufficiency. Transitional benefits may include:

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

See Program Guidance, 024, Cash Assistance Severance Benefit
<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>

- b. **Medical Benefits:** In accordance with s. 445.029 F.S., families losing eligibility for TCA due to earned income have continued eligibility for Medicaid for the immediate succeeding 12-month period. A family will lose eligibility for Medicaid for any month the family does not include a dependent child, or, if during the last six months the family’s average gross monthly income exceeds 185% of the federal poverty level.
- c. **Education and Training:** In accordance with s. 445.030, F.S., former recipients of TCA who are working or actively seeking employment in continuing their training and upgrading their skills are eligible to receive employment-related education, training and related support services, such as child care and transportation, to continue training or to upgrade skills for up to two years after the family no longer receives assistance. If funds are insufficient for the services, the SWDB may limit or otherwise prioritize transitional education and training.

- d. **Retention Incentive Training Accounts (RITA):** LWDBs may establish these accounts and use them to promote job retention and to enable upward mobility to higher skilled, higher paying jobs for participants who have gained employment, in accordance with s. 445.022, F.S. RITAs must complement the Individual Training Accounts required by the federal WIOA. Participants may use RITAs to pay for tuition, fees, educational materials, coaching and mentoring, transportation to and from class, childcare and other such costs as the LWDBs determine are necessary to effect successful job retention and advancement, while participating in training activities.
- e. **Child Care:** Participants who lose eligibility for TCA due to earned income or who opt to receive an up-front diversion payment are eligible to receive transitional child care (TCC) while they actively seek employment, continue employment, and improve their employment prospects through Transitional Education in accordance with s. 445.032 F.S., for up to two years if the family's income does not exceed 200% of the federal poverty level and funds are available.
- See Program Guidance, 04-020, Transitional Child Care*
<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>
- f. **Transportation:** If funds are available, former TCA participants with family income that does not exceed 200% of the federal poverty level may receive transitional transportation for up to two years to sustain employment or educational opportunities that promote job retention and upward mobility in accordance with s. 445.031, F.S.

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

Families receiving TCA may save earned income to purchase a first home, pay for college, or start a business in accordance with s. 404(h)(4) of the PRWORA and s. 445.051(12), F.S., using Individual Development Accounts (IDAs). LWDBs have the option to implement the program and match IDA contributions with TANF block grant and other funds. Eligible participants may deposit earned income in savings accounts while receiving TCA or transitional services. The IDA matches the deposited funds according to the program's established match ratio. Additional information about program definitions, contribution requirements, use of funds, withdrawal of funds, dispute resolution related to fund withdrawal, establishment of IDA with financial institutions and other requirements, may be found in the WT IDA 027 guidance.

See Program Guidance, 02-027, Individual Development Accounts (IDA)
<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>

SECTION 4: PARTICIPANT CONFIDENTIALITY

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

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

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

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

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

SECTION 5: PRO-FAMILY ACTIVITIES

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

NOTE: Section 5 in this TANF State Plan Submission for 2020-2023 describes only programs and activities funded directly with TANF segregated funds, TANF/MOE funds or both. In previous plan submissions, Florida had included additional programs funded from other sources to show that Florida has a public policy climate supportive of pro-family programs funded through a variety of federal, state, and local sources.

Under these plans, the LWDBs have developed, or are partners in, a variety of pro-family initiatives. With the exception of the TANF-funded or TANF-MOE funded programs, the majority of them receive other federal funds, the state's general revenue appropriations, faith-based initiatives, and private and community sources.

Programs: The following programs receive segregated TANF funding, MOE funding or both.

5.1 PREPAID TUITION SCHOLARSHIPS

1. The Welfare Transition Scholarship Program (MOE funded)

- a. **Purpose:** Project STARS (Scholarship Tuition for At-Risk Students) is a prepaid college tuition program administered by the Florida Prepaid College Foundation. The scholarships serve as incentives for at risk students from low-income families to graduate from high school.
- b. **Eligibility Criteria:** This program is an MOE funded program. The students who receive these scholarships must be from needy families with a child living with a custodial parent or caretaker relative and meet the income test required for Department of Agriculture's free and reduced lunch program (185% FPL). They must remain drug free, crime free and refrain from other risky behaviors in order to maintain their eligibility for the scholarships.

The Florida Prepaid Tuition Scholarship Program is established to provide economically disadvantaged youth with prepaid postsecondary tuition scholarships. The direct-support organization established pursuant to s. 1009.983 shall administer the program with the assistance and cooperation of the Department of Education to:

- (1) Provide an incentive for economically disadvantaged youth to improve school attendance and academic performance in order to graduate and pursue a postsecondary education.
- (2) Obtain the commitment and involvement of private sector entities by virtue of

funding matches with a ratio of 50 percent provided by the private sector and 50 percent provided by the state.

(3) Purchase prepaid tuition scholarships for students certified by the Department of Education to the direct-support organization who meet minimum economic and school requirements and remain drug free and crime free.

(a) For the purpose of this subsection, “drug free” means not being convicted of, or adjudicated delinquent for, any violation of chapter 893 after being designated a recipient of a Florida prepaid tuition scholarship.

(b) For the purpose of this subsection, “crime free” means not being convicted of, or adjudicated delinquent for, any felony or first-degree misdemeanor as defined in ss. 775.08 and 775.081 after being designated a recipient of a Florida prepaid tuition scholarship.

5.2 PROTECTIVE INVESTIGATIONS

- a. **Purpose:** DCF investigates child maltreatment reports to ensure the safety and well-being of children alleged to be or who have been abused, neglected, or abandoned. DCF and other agencies conduct the investigations in accordance with Florida Statutes.
- b. **Eligibility:** This program receives TANF and MOE funds. These needy children must be under age 18 and live with a custodial parent or specified caretaker relative and the family must have a family income at or below 200% of the federal poverty level to receive TANF funded services, be U.S. citizens or qualified noncitizens, and be Florida residents.
- c. **Restriction on Amount, Frequency, or Duration of Services or Payments:** Funds help defray the administrative costs associated with operating the Florida Abuse Hotline and supporting protective investigations staff.
- d. **Major Activities:** DCF completes TANF/MOE eligibility determinations on all children who are subjects of an abuse report to the Florida Abuse Hotline which leads to the commencement of an In-Home or other investigation type.
- e. **Referral to Other Programs to Assist Transition from Welfare to Work:** The families receive complete case management, case related legal services, and referrals to other appropriate services as needed.

5.3 ADOPTION SUBSIDIES AND SERVICES

- a. **Purpose:** The program provides a Maintenance Adoption Subsidy to “special needs children” who are ineligible for Title IV-E adoption assistance. The subsidy helps to minimize adoption disruption for families who have adopted a special needs child. The family may use these TANF funds for on-going counseling, educational, and other needs so that the child may thrive in his or her new home and remain part of a permanent family.
- b. **Eligibility Criteria:** The program receives TANF and MOE funds. The needy child must be under age 18 and ineligible for Title IV-E adoption assistance, the child must have income at or below 200% of the federal poverty level, be a U.S. citizen or a qualified noncitizen, living with a caretaker relative during the adoption process, and be a Florida resident, and meet Special Needs criteria under 409.166(2)(a), F.S.
- c. **Restriction on Amount, Frequency, or Duration of Payments:** DCF determines the child’s continued eligibility for the subsidy every 12 months and reviews eligibility when any of the eligibility conditions change.
- d. **Referral to Other Programs to Assist Transition from Welfare to Work:** The families receive complete case management, case related legal services, and appropriate referrals to other services, as needed.

5.4 GUARDIANSHIP ASSISTANCE PROGRAM AND SERVICES

- a. **Purpose:** The program provides financial assistance to a relative who is caring full-time for an eligible child and that child cannot return to the care and custody of his or her parents and adoption is not in the best interest of the child. The specified guardian is a licensed foster parent prior to entering into a Guardianship Assistance Agreement for ongoing care of the child. The child is determined to not meet Title IV-E foster care eligibility requirements. The TANF payment aids in supporting the relative, or next of kin, who is assuming permanent guardianship of the child. The relative may use these TANF funds for on-going counseling, educational, or other needs so that the child may remain part of a permanent family.
- b. **Eligibility Criteria:** The program receives TANF and MOE funds. The needy child must be under the age of 18 and is determined to not meet Title IV-E foster care eligibility requirements. The child must have income at or below 200% of the federal poverty level, a U.S. citizen or a qualified noncitizen, a Florida resident, and has been living in foster care in the home of the relative. The relative must be eligible to receive a foster care board payment on behalf of the child for at least 6 consecutive months.
- c. **Restrictions on Amount, Frequency, or Duration of Services or Payments:** DCF determines the child’s continued eligibility for the payment every 12 months and reviews eligibility when any eligibility conditions change.
- d. **Referral to Other Programs to Assist Transition around Welfare to Work:** The

families receive case management, case related legal services, and appropriate referrals to other services as needed.

5.5 SCHOOL READINESS PROGRAMS OR EARLY LEARNING COALITIONS (s. 1002, PART VI, F.S.)

The Office of Early Learning's School Readiness (SR) Program is housed within the Florida Department of Education. SR provides financial assistance for quality childcare for eligible families so parents can work or prepare for work, or to children who are at risk of abuse, neglect or abandonment, homeless, or victims of domestic violence. Services vary based on individual need and range from extended day to extended year and school age care. These services help families become financially self-sufficient and prepare children for success in life by providing developmentally appropriate educational experiences.

- a. **Purpose:** The Florida Legislature created the SR program to increase children's chances of achieving future educational success and becoming productive members of society. Programs must be developmentally appropriate, research-based, involve parents as their child's first teacher, serve as preventive measures for children at risk of future school failure, enhance the educational readiness of eligible children, and support family education. Each SR program must provide the elements necessary to prepare at-risk children for school, including health screening and referral, and an appropriate educational program.
- b. **Eligibility Criteria:** The SR program offers qualified parents financial assistance for childcare through a variety of services. Childcare services may include extended day, extended year, and school age care to support parents in becoming financially self-sufficient. Children are eligible for the SR program from birth to younger than thirteen (13) years of age, according to eligibility priority criteria. Parents are required to pay a copayment for services based on a percentage of their family income. In accordance with s.1002.87(1), F.S., each early learning coalition shall give priority for participation in the SR program as follows:
 1. Priority shall be given first to a child younger than 13 years of age from a family that includes a parent who is receiving temporary cash assistance under chapter 414 and subject to the federal work requirements.
 2. Priority shall be given next to an at-risk child younger than 9 years of age.
 3. Subsequent priority shall be given, based on the early learning coalition's local priorities identified under s. 1002.85(2)(j), F.S., to children who meet the following criteria:
 - a. A child from birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2, F.S., who is from a working family that is economically disadvantaged, and may include such child's eligible siblings, beginning with the school year in which the sibling is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2, F.S., until the beginning of the school year in which the sibling is

eligible to begin 6th grade, provided that the first priority for funding an eligible sibling is local revenues available to the coalition for funding direct services.

- b. A child of a parent who transitions from the work program into employment as described in s. 445.032, F.S., from birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2, F.S.
- c. An at-risk child who is at least 9 years of age but younger than 13 years of age. An at-risk child whose sibling is enrolled in the school readiness program within an eligibility priority category listed in paragraphs (1) and (2) and subparagraph (a) shall be given priority over other children who are eligible under this paragraph.
- d. A child who is younger than 13 years of age from a working family that is economically disadvantaged.
- e. A child of a parent who transitions from the work program into employment as described in s. 445.032, F.S., who is younger than 13 years of age.
- f. A child who has special needs, has been determined eligible as a student with a disability, has a current individual education plan with a Florida school district, and is not younger than 3 years of age. A special needs child eligible under this paragraph remains eligible until the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2, F.S.
- g. A child who otherwise meets one of the eligibility criteria in paragraphs 1 and 2 above and subparagraphs (a) and (b) but who is also enrolled concurrently in the federal Head Start Program and the Voluntary Prekindergarten Education Program.

5.6 THE HOME INSTRUCTION PROGRAM FOR PARENTS OF PRESCHOOL YOUNGSTERS (HIPPY)

- a. **Purpose:** HIPPY provides home instruction services to at-risk children ages three through five who are TANF-eligible. HIPPY works with families in the home to support parents as their child's first teacher and to actively prepare their children for success in school. Parents are provided with a set of carefully developed curriculum, books, and materials designed to strengthen their children's cognitive skills, early literacy skills, social/emotional, and physical development.
- b. **Eligibility Criteria:** The program restricts the segregated Federal TANF funds for serving needy families who have a minor child who is a U.S. citizen or qualified noncitizens, ages three through five years of age, living with a custodial parent or caretaker relative. Eligible participants must be TANF eligible children whose parents meet the following criteria:
 - 1. Legal residents of the state,

2. A family with a minor child living with a custodial parent or relative caretaker, and
 3. A family with gross income
 - At or below 185 percent of the federal poverty level and eligible to receive Temporary Cash Assistance, or
 - At or below 200 percent of the federal poverty level and eligible for TANF non-assistance services.
- c. Restrictions on Amount, Frequency, or Duration of Services or Payments:** Restricted to the level of the legislative appropriation in the state budget per fiscal year.
- d. Major Activities:** HIPPY provides parents opportunities to help their children with enriching experiences needed for school readiness. The program uses three developmentally appropriate, home-based curricula of pre-academic activities that parents use with their three, four, and five-year-old children, role playing as an instructional technique for parents, professional coordinator, and a staff of paraprofessional home visitors to provide services, home visits, and parent group meetings. The home visitors go into the home and role-play the activities outlined in the curriculum with the parents and support each family throughout their participation in the program.
- e. Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** N/A

5.7 RELATIVE CAREGIVER PROGRAM

- a. Purpose:** This is a program that provides financial assistance to relatives who are caring full-time for an eligible child who is adjudicated dependent and ordered by the court into the custody of the relative, decreasing the likelihood of the child's placement in foster care, and avoiding the trauma to the child that could result from such a placement.
- b. Eligibility Criteria:** The relative caregiver must be within the fifth degree of relationship by blood, marriage, or adoption to the parent or stepparent of the child for whom the relative caregiver is providing full-time care. The household must meet the technical and financial requirements of the TANF "child-only" program, including the requirement that neither parent reside in the home, with the following eligibility requirements:
1. The monthly amount of the payment before any deductions from income of the child are:
 - Age zero through five years-\$242
 - Age six through 12 years-\$249
 - Age 13 to 18 years-\$298
 2. DCF bases financial eligibility on a comparison of the income of the child to the benefit payment standard for the child's age. The difference between the Relative Caregiver Program payment standard for the child's age and the income of the

child is the amount of the payment.

3. Each child applying for or receiving a Relative Caregiver Program payment is a filing unit of one, and the program uses only the child's income and assets to establish and maintain eligibility.

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

The 2014 Legislature passed Senate Bill 1666, which established provisions for non-relatives to be eligible for the Relative Caregiver Program. Funding for the non-relative caregivers does NOT come from TANF funds, so this section does not apply to non-relative caregivers.

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

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

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

The birth rate among teens 19 and under in Florida and the nation is steadily declining. In Florida, the birth rate for female teenagers between the ages of 15 and 19 was 50.6 per 1,000 females in 2000. In 2018, this rate declined to 16.7 per 1,000 females.

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

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

Examples: Education Now and Babies Later (ENABL)
Teen Pregnancy Programs in school districts
Sexual Risk Avoidance Programs
Family Planning Clinics and Programs
Juvenile Redirections Programs
Practical Academic Cultural Education (PACE) for Girls
Children In Need of Services/Families In Need of Services (CINS/FINS)

5.9 SUBSIDIZED EMPLOYMENT FOR YOUTH

- a. **Purpose:** The purpose of the program is to extend the use of TANF funding to support subsidized summer employment opportunities for youth up to the age of 18, or 19 if the youth is in school full time in a secondary school or its equivalent (as defined by Florida's definition of "minor child") with public sector organizations, private sector companies, and nonprofit organizations.
- b. **Eligibility Criteria:** Youths eligible to participate are from families that are currently receiving TCA, or youth in families that have an annual income at or below 200% of the federal poverty level.
- c. **Restriction on the Amount, Frequency, or Duration of Services or Payments:** The LWDBs determine any restrictions in negotiation with the potential employer.
- d. **Major Activities:** Major activities include recruitment of and contract negotiation with employers in the community, recruitment of youth participants, provide work experience activities that will teach personal responsibility and reinforce obligations and rewards of retaining a job and provide documented learning experiences relevant to the type of work performed.

SECTION 6: STATUTORY RAPE PREVENTION AND MALE INVOLVEMENT

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


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

6.1 VIOLENCE INTERVENTION AND PREVENTION PROGRAM

The Violence Intervention and Prevention Section's Rape Prevention and Education (RPE) initiative is funded by the Centers for Disease Control and Prevention to educate the public, professionals, and underserved populations on sexual violence interventions and prevention through creation of safe, healthy environments, and behaviors.

Green Dot is an evidenced-based strategy that empowers potential bystanders to actively engage peers in both reactive responses (i.e., intervening in a potential sexual violence or dating violence incident) and proactive approaches (preventing future incidents through modeling behavior aligned with social norms that do not tolerate violence) to reduce sexual violence and related forms of interpersonal violence. The strategy is theory-based and supported by research drawn from bystander psychology, diffusion of innovation theory, and sexual violence perpetration characteristics. Male and female students are trained to recognize situations and behaviors that can contribute to violence and determine actions they could safely take to reduce the likelihood or effect of violence. These bystander behaviors are called "green dots" to distinguish them from "red dots," or behaviors that contribute to violence. Thirteen agencies and organizations throughout Florida are funded to implement Green Dot. The strategy is conducted in high schools, universities, and specific community locations, and includes personal communications, overview speeches, bystander trainings, action events, and social marketing campaigns.

In February 2019, Green Dot sites began incorporating community-level strategies into their existing individual-level prevention programming through the implementation of the CDC's STOP SV Technical Package. This package uses the best available evidence to provide a select group of strategies with the greatest potential to reduce sexual violence. These strategies focus on promoting social norms that protect against violence (S); teaching skills to prevent SV (T); providing economic and social opportunities to empower and support girls and women (O); creating protective environments (P); and supporting victims/survivors to lessen harms (SV). The approaches included for these strategies address shared risk and protective factors for multiple forms of violence across the socio-ecological spectrum.

		
	Strategy	Approach
S	Promote Social Norms that Protect Against Violence	<ul style="list-style-type: none"> Bystander approaches Mobilizing men and boys as allies
T	Teach Skills to Prevent Sexual Violence	<ul style="list-style-type: none"> Social-emotional learning Teaching healthy, safe dating and intimate relationship skills to adolescents Promoting healthy sexuality Empowerment-based training
O	Provide Opportunities to Empower and Support Girls and Women	<ul style="list-style-type: none"> Strengthening economic supports for women and families Strengthening leadership and opportunities for girls
P	Create Protective Environments	<ul style="list-style-type: none"> Improving safety and monitoring in schools Establishing and consistently applying workplace policies Addressing community-level risks through environmental approaches
SV	Support Victims/Survivors to Lessen Harms	<ul style="list-style-type: none"> Victim-centered services Treatment for victims of SV Treatment for at-risk children and families to prevent problem behavior including sex offending

Research evidence presented in the co-text guidance “Connecting the Dots” shows that children and families living in communities with many risk factors, e.g. high poverty, unemployment and crime, are more likely to experience multiple forms of violence than children and families in other communities. Similarly, people living in communities with protective factors, like coordination of resources and services, access to mental health and substance abuse services and community support and connectedness are less likely to experience violence and are more resilient to the experience if they do. Addressing shared risk and protective factors allows the Violence and Injury Prevention Section, RPE sub-recipients and traditional and non-traditional community stakeholders to move beyond individual-level programming to address the co-occurrence of multiple forms of violence on the community level.

Florida’s STOP SV Action Plan for 2020-2024 will continue advocating for individual change agents. However, applying strategies to address factors on all levels of the social ecological model (SEM) is a key public health approach and will maximize impact on the entire population. For the next five years, Florida’s efforts will focus on building capacity to impact multiple forms of violence by addressing shared risk and protective factors.

In order to assess the progress being made through the activities included in the State

Action Plan, Florida developed a corresponding Evaluation Plan. The overarching goal, or long-term outcome of Florida's sexual violence prevention efforts is decreased rates of perpetration and victimization. The purpose of both the FL STOP SV State Action Plan and Evaluation Plan is to utilize the best available evidence to prevent sexual violence. This will be achieved by making data-driven decisions based on available information for the indicators selected for each outcome.

6.2 RAPE CRISIS PROGRAM TRUST FUND

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

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

The Act created a funding system for distribution of monies generated by a \$151 surcharge assessed on each offender who pleads guilty or nolo contendere or found guilty of sexual battery and other offenses that included many of the aggravated battery and other battery offenses. While the clerk of the court retained \$1 of the surcharge, the Department deposits \$150 in the Rape Crisis Program Trust Fund. This Act requires the Department of Health to contract with a statewide, nonprofit association to distribute these funds to provide sexual battery recovery services.

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

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

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

ESS Program Policy requires all eligibility staff to report suspicion of abuse through statutory rape to the Florida Abuse Hotline.

Excerpt from ESS Program Policy Manual

0420.0300 Report of Abuse (TCA)

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

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

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

- b. Section 409.2355, F.S., directs DCF to establish a program (if the Legislature appropriates funds) so local communities may apply for grants through the state attorney's office of each judicial circuit to fund innovative programs for the prosecution of males over age 21 who victimize girls younger than 16 years old in violation of ss. 794.05, 794.011, 800.04, 827.04(4), or 847.0315 (5), F.S.
- c. Section 382.356, F.S., directs the Office of Vital Statistics of the Department of Health, the Department of Revenue, and the Florida Prosecuting Attorneys Association to develop a protocol for sharing birth certificate information to facilitate the prosecution of offenses in which a male over the age of 21 impregnates a child less than 17 years old.

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

The local plan for these designated areas must contain provisions to focus on initiatives that increase support for children from non-custodial parents. Florida made provisions for non-custodial parents to participate in job training programs in order to improve their employability and income potential.

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

The court may order a non-custodial parent to participate, the child support enforcement agency may refer the non-custodial parent to participate, or the non-custodial parent may volunteer to participate in work activities under the WT or other workforce programs

because of the following circumstances:

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

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

6.5 NON-CUSTODIAL PARENT (NCP) PROGRAMS

The following are examples of TANF special projects that serve non-custodial parents through LWDBs:

- a. **Purpose:** The LWDB refers the NCP to the appropriate program through coordination of an integrated workforce system and court systems. TANF programs for NCP include:
 - 1. Programs that provide eligible non-custodial non-assistance services to end or prevent dependence of needy parents on governmental benefits, and
 - 2. Programs that encourage the formation and maintenance of two parent families.
- b. **Eligibility Criteria:** Non-custodial parents receiving non-assistance services must have a family income at or below 200% of the federal poverty level. Depending on the referral agency, there may be additional eligibility criteria, such as:
 - 1. The contracted provider serves non-custodial parents of children who receive public assistance or are qualified as TANF eligible.
 - 2. For NCP programs serving TANF purpose number two: the NCP must be either employed, under-employed with difficulty or inability to pay child support, or be unemployed with a need to secure work to pay child support.
 - 3. The court may have ordered the NCP to seek employment, participate in work activities, or the NCP was unable to enroll in the program voluntarily.
- c. **Restriction on Amount, Frequency, or Duration of Services or Payments:** None
- d. **Major Activities:** Activities may include, but are not limited to the following:
 - 1. Informing participants of program opportunities and responsibilities,

2. Case management,
3. Various types of assessment,
4. Parenting education,
5. Employment and accountability plan development,
6. Industry related training, credential achievement, and certification (if needed),
7. Employability skills and work readiness skills training (if needed),
8. Employment placement and retention services,
9. Visitation services,
10. Mentoring, or
11. Child support accountability.

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

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

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

SECTION 7: FAIR AND EQUITABLE TREATMENT

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

The Workforce Innovation Act provides for applicant/participant protections against erroneous and arbitrary decision-making through opportunities for hearings and appeals in accordance with s. 409.285, F.S. Participants are subject to the same health, safety, and nondiscrimination standards established under federal, state, or local laws that otherwise apply to other individuals engaged in similar activities who are not participants in the WT. The act also provides DCF with administrative rulemaking authority and directs DCF to adopt such administrative rules to ensure participant protection and due process in accordance with s. 414.45, F.S. The Florida Department of Children and Families does not discriminate against any person on the basis of race, color, national origin, disability, sex, or age in admission, treatment, or participation in its programs, services and activities, or in employment.

7.2 FAIR HEARING/APPEAL/GRIEVANCE PROCESS

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

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

For more complete description of services available to ensure equal opportunities for persons with disabilities and/or limited English proficiency (LEP) see:

<http://www.myflfamilies.com/service-programs/deaf-and-hard-hearing>

<http://www.myflfamilies.com/about-us/dcf-training/lep-training>

<http://www.myflfamilies.com/service-programs/deaf-and-hard-hearing/auxiliary-aids-plan>

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

The participant must file the request within 90 days of the date of a Notice of Adverse Action. If the participant files the request by the end of the last day of the month prior to the effective date of the adverse action, DCF continues assistance through the month the hearing officer hands down a decision. If the fair hearing decision is not in

the participant's favor, the individual may have to repay benefits. If the individual is under sanction for noncompliance with TANF work requirements and requests a fair hearing, the LWDB or service provider must attend the fair hearing, bring relevant documentation, and participate in the fair hearing process.

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

The appropriate authority affords individuals who require reasonable accommodations, including language assistance or document translation, to file a grievance, attend a grievance, or review the grievance determination.

See Program Guidance, 00-004, Grievance, Complaint & Hearing/Appeal Procedures
<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>

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

Regular employees may file a grievance about displacement by a Workforce Investment Act (WIOA) participant or WT/TANF participant in accordance with the DEO grievance guideline (WPDG 00-004). The guidelines describe displacement action prohibitions and available relief specifications for WIOA in 20 CFR 667.279 and TANF in 45 CFR 261.70.

See Program Guidance, 00-004, Grievance/Complaint & Hearing/Appeal Procedures
<https://floridajobs.org/local-workforce-development-board-resources/policy-and-guidance/guidance-papers>

7.4 PROGRAM INTEGRITY

Provisions related to strengthening and maintaining program integrity, from fraud prevention activities, recovery of erroneously paid benefits, and the federal provisions for audits are included in ss. 414.095(15), 414.122, 414.39, 414.391, 414.392, 414.41, 414.42, 414.27, 414.28, 414.17, F.S. *See, Chapter 414.*

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

<http://www.leg.state.fl.us/Statutes/index.cfm?Mode=View%20Statutes&Submenu=1>

7.5 CIVIL RIGHTS GRIEVANCE PROCEDURES

No person shall, on the basis of race, color, religion, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be subject to unlawful discrimination under any program or activity receiving or benefiting from federal financial assistance and administered by DCF.

Individuals wishing to file a complaint, alleging violations of this policy, may contact the Office of Civil Rights, Florida Department of Children and Families, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or call 1-850-487-1901, or TDD 1-850-922-9220. The attached documents also list regional 504 coordinators.

https://www.myflfamilies.com/service-programs/individual-with-disability/docs/HHS_CivilRightsOfficers-ADA-504Coordinators.pdf

Individuals may file civil rights complaints by writing the U.S. Department of Health and Human Services, Director, Office of Civil Rights, Room 506-F, 200 Independence Avenue, S.W., Washington, D.C. 20201 or call (202) 619-0403 (voice) or 1-800-537-7697 (TTY).

Individuals may also file complaints with the U.S. Department of Agriculture (USDA) by writing USDA, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410 or call toll free (866) 632-9992 (voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339; or (800) 845-6136 (Spanish).

See attached document for a summary of Florida's policy and procedures for handling civil rights disability complaints and a copy of the January 6, 2010 HHS settlement agreement which address procedures to ensure persons who are deaf or hard-of-hearing have an equal opportunity to receive DCF administered benefits and services.

<https://www.myflfamilies.com/service-programs/individual-with-disability/clients/docs/Summary%20of%20DCF%20Policy%20for%20Filing%20Complaints%20by%20Reason%20of%20Disability.pdf>

https://www.myflfamilies.com/service-programs/individual-with-disability/docs/HHS_SettlementAgreement-Signed1262010.pdf

SECTION 8: DISQUALIFICATIONS

Florida disqualifies individuals who have committed intentional program violations through administrative disqualification hearings, signed disqualification waivers, or criminal court proceedings.

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

- a. According to Florida law, DCF must use an error-prone profile within its public assistance information system and must screen each application for public assistance, including food assistance, Medicaid, and TCA, against the profile to identify cases with a potential for error or fraud. Each identified case must complete a pre-eligibility fraud screening.
- b. For non-fraud (agency or recipient) error cases, a claim is limited to four years prior to the month the overpayment initially discovered by, or reported to, an ESS Specialist.
- c. The statute of limitations restricts suspected fraud overpayment claim establishment for criminal prosecutions for fraud. DCF must refer a case to the Department of Public Assistance Fraud involving fraud before two years for a misdemeanor or three years for a felony, has elapsed from the date the fraud occurred until the case is filed with the State Attorney.
- d. The court must define disqualification periods, when specified in a court order. In the absence of court ordered specifications, the TCA disqualification periods are:
 1. 12 months for the first violation
 2. 24 months for the second violation
 3. Permanent disqualification for the third violation

8.2 OTHER PROGRAM VIOLATIONS

- a. Convictions for felony drug trafficking pursuant to F.S. 893.135 including agreeing, conspiring, combining, or confederating with another person to commit the act committed on or after August 22, 1996, results in the permanent disqualification for TCA benefits with the first violation, provided the conviction has not been expunged by a court.
- b. Fraudulent statements or representations about identity or residence to receive multiple benefits results in a disqualification period of ten years for each violation.
- c. For all other TCA program violations, the disqualification periods are:

1. 12 months for the first violation
2. 24 months for the second violation
3. Permanent disqualification for the third violation

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

Not later than one year after the date of enactment of this Act (PRWORA), unless the chief executive officer of the state opts out of this provision by notifying the Secretary, a State must, consistent with the exception provided in section 407(e)(2), require a parent or caretaker receiving assistance under the program who, after receiving such assistance for 2 months is not exempt from work requirements and is not engaged in work, as determined under section 407(c), to participate in community service employment, with minimum hours per week and tasks to be determined by the State. (s. 402(a)(1)(B)(iv))

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

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

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

SECTION 11: SPECIAL PROVISION RELATED TO THE “ELDER JUSTICE ACT OF 2009”

This Special Provision Section is added to Florida’s TANF State Plan as required by TANF-ACF-PI-2011-06 to comply with Title VI, Subtitle H, Sections 6701-6703 of the Patient Protection and Affordable Care Act of 2010 (PPACA), the “Elder Justice Act of 2009.” Section 6703 (a) (2) of the PPACA amends section 402 (a) (1) (B) of the Social Security Act (42 U.S.C. 602 (a) (1) (B)).

Florida affirms that it is including health care needs of elders in its planning for workforce and economic development.

Florida intends to “*assist individuals to train for, seek, and maintain employment in other (health care) occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel....*” (Required language.)

The following is a brief description of some of the labor market analysis, training opportunities, and health care related initiatives in Florida. While not all demand occupations mentioned below are for elder care exclusively, the fact that Florida is one of the primary locations for the nation’s retirement population means that most health care workers will cope with the issues of elder care during their career.

Description: Florida has been the destination of choice for decades for retirees seeking a home in a state with year-round sunshine, a relatively low cost of living and no state income tax, so that their retirement funds stretch further. The state currently ranks number one in the percentage of citizens who are elders and will likely continue. For this reason, Florida has long been aware of the need to train a labor force with the skills to care for the needs of this large segment of its population. Florida’s technical schools, community colleges, and universities all have strong records of preparing individuals for all areas of the elder health care industry—from physicians specializing in gerontology to in-home caregivers. The Florida Statewide Demand Occupations List, which sets the training agenda for all workforce training programs in Florida, has on it more than 18 health-related occupations, all listed as high skill, high wage occupations. The list does not include all the beginning-level training programs, such as Certified Nurse Assistants, where many individuals start their career path in elder health care in the state’s multitude of assisted living facilities and nursing homes.

As an integral part of the workforce system in Florida, TANF-funded Welfare Transition Program participants are encouraged to train for occupations with growth and high wage potential.

SECTION 12: ELECTRONIC BENEFITS TRANSFER (EBT) RESTRICTIONS AND ASSURANCE OF ADEQUATE ACCESS TO CASH ASSISTANCE

In accordance with section 4004(c) of Public Law 112-96 this section of the TANF State Plan describes Florida's policies and procedures to prevent access to the TANF/TCA benefits through electronic fund transactions at casinos, liquor stores, and establishments providing adult-orientated entertainment. This section also explains how the state ensures that recipients have adequate access to their TCA and can withdraw the TCA with minimal fees or charges, including the opportunity to access the TCA with no fee or charge and how information on fees are communicated to recipients.

EBT Restriction:

Effective July 1, 2015, the Legislature amended Florida Statute 402.82(4)(a) to prohibit the use or acceptance of an electronic benefit transfer card for the purchase of an alcoholic beverage as defined in s. 561.01 and sold pursuant to the Beverage Law.

October 1, 2013, legislative language in Florida Statute 402.82(4) (b) through (f) prohibiting use or acceptance of an EBT card at the following locations remains unchanged:

- An adult entertainment establishment as defined in s. 847.001
- A pari-mutuel facility as defined in s. 550.002
- A slot machine facility as defined in s. 551.102
- A commercial bingo facility that operates outside the provisions of s. 849.0931 or
- A casino, gaming facility, or gambling facility, or any gaming activities authorized under part II of chapter 285

Florida will also continue to prohibit the use or acceptance of an EBT card at liquor stores as required by federal law.

Procedures to prevent access to TCA through use of EBT cards at the above locations will require the EBT vendor to block both Point of Sale (POS) machines and Automated Teller Machines (ATM) at the prohibited locations.

The vendor will block POS transactions from businesses identified by the Merchant Category Code (MCC), developed by the "Card Association," at package stores (beer, wine, and liquor), high risk adult entertainment, and betting, which includes lottery/casino/wagers. The state will identify which MCC codes the vendor should block. If the MCC code is present and on the vendor's "no process" list, the transaction will be declined.

The EBT vendor will block ATM transactions by programming a block on the specific ATM terminal ID. ATM transactions are reviewed monthly through a data analysis process to identify ATM terminal IDs in prohibited locations. The EBT vendor will then enter this terminal ID into their system to block any EBT cash transactions from the ATM machine at

the prohibited location.

Retail stores, other than liquor stores where use of the EBT card is prohibited, will be responsible for ensuring the EBT card is not used for the purchase of an alcoholic beverage as defined in s. 561.01. The Florida Retail Association has advised all retail stores of the new state law.

Adequate Access to Temporary Cash Assistance:

Recipients may redeem TCA benefits at any commercial POS machine that displays the QUEST® logo and any financial institution's ATM that displays the QUEST®, STAR®, or PRESTO® logos. Merchants that accept the Florida EBT card display the QUEST® logo to let cardholders know they can use their cards at these locations.

ATMs offer TCA withdrawal services only. POS machines offer TCA purchase transactions and may offer TCA back with a TCA purchase and TCA withdrawal transactions. Transactions performed at ATMs and some POS machine merchants are subject to surcharges by the financial institution or owner. ATMs and POS machines that redeem EBT TCA benefits will have a dollar sign on their QUEST® logos.

The cardholder can use their EBT card in all fifty states plus Washington, DC and the U. S. territories of Guam and the Virgin Islands.

Fees and Surcharges

1. Fees:

The first two TCA only withdrawal transactions each month are provided at no cost to the cardholder. There is a \$.85 fee for the third and subsequent TCA only withdrawal transactions. There is no fee charged by DCF or its fiscal agent (FIS eFunds) for TCA purchases, or for receiving TCA back with a purchase.

2. Surcharges:

A surcharge is an additional fee that may be charged for using a card at an ATM machine, or for withdrawing cash only at some point of sale machines in retail stores. The surcharge is charged by the owner of the equipment or financial institution supporting the ATM.

Banks and other retailers may have varying surcharges. For example, some banks charge a \$1.50 surcharge to customers who do not have an account with them. Other ATMs/financial institutions may charge anywhere from \$1.00 up to \$3.50 for the same service. Some ATM networks do not surcharge EBT cash cardholders.

Direct Deposit

Customers can choose to have their TCA benefits deposited into their own bank accounts through direct deposit. TCA benefits are deposited into recipient's bank account on the same schedule as those posted to EBT accounts at the financial institution designated on the Direct Deposit Authorization form.

DCF provides information on accessing TCA benefits with minimal fees or charges, including an opportunity to access TCA with no fee or charge to the EBT cardholder in a printed informational brochure included with EBT cards. EBT account access, card use,

and customer service information is available on the DCF's Website at: <http://www.myflfamilies.com/service-programs/access-florida-food-medical-assistance-cash/welcome-ebt>

CERTIFICATIONS

Executive Officer of the State: **Ron DeSantis, Governor**

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

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

The Department of Children and Families (ESS Program): DCF determines eligibility for temporary cash assistance and provides ongoing assistance and services to needy families.

The Department of Health: DOH administers programs related to the prevention of teenage pregnancies and out-of-wedlock births. (There is no direct TANF funding appropriated at this time.)

CareerSource Florida, Inc.: CareerSource Florida, Inc. is the administrative entity created by the Florida Legislature tasked with providing staff and support to the State Workforce Development Board, the principal workforce policy organization of the State.

Department of Economic Opportunity: DEO is responsible for work activities and support services for participants subject to the time limits and work requirements and eligibility for diversion payments.

Department of Education: Administrative home of the Office of Early Learning's School Readiness (Child Care) Program.
2. Assure that local governments and private sector organizations:
 - a. Have been consulted about the plan and design of welfare services in the state so services are provided in a manner appropriate to local populations, and
 - b. Have at least 45 days to submit comments on the plan and design of such services.
3. Operate a Child Support Enforcement program under the State plan approved under part D, Title IV-A of the Social Security Act, as amended. In accordance with section 409.2557, Florida Statutes (F.S.), the Department of Revenue is the state agency designated to administer and supervise this program.
4. Operate a Foster Care and Adoption Assistance program in accordance with Part E, Title IV-A of the Social Security Act, as amended, and certify that the state will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance.
5. Provide each member of an Indian tribe, who is domiciled in the state and is not eligible for assistance under a Tribal Family Assistance plan approved under Section 412, Title IV-A of the Social Security Act, as amended, with equitable access to assistance under the state program funded under this part attributable to funds provided by the Federal Government.
6. Establish and enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the state program, kickbacks, and the use of political patronage. The state administers the program through staff who meet the standards and requirements of a uniformed personnel system that includes prohibitions against such conduct.
7. Make the State plan available to the public.

Section 402(a)(7) OPTIONAL CERTIFICATION

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

Section 402(a)(8) Certification that the State will provide information to victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking.

- (A) In general. A certification by the chief executive officer of the State that the State has established and is enforcing standards and procedures to:
- i. Ensure that applicants and potential applicants for assistance under the State program funded under this part are notified of assistance made available by the State to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking.
 - ii. Ensure that case workers and other agency personnel responsible for administering the State program funded under this part are trained in:
 - I. The nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking.
 - II. State standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking.
 - III. Methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment, domestic violence, sexual assault, or stalking.
 - iii. Ensure that, if a State has elected to establish and enforce standards and procedures regarding the screening for, and identification of, domestic violence, sexual assault, or stalking pursuant to paragraph (7):
 - I. The State program funded under this part provides information about the options under this part to current and potential beneficiaries.
 - II. Case workers and other agency personnel responsible for administering the State program.

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE

2-28-23
DATE


RON DESANTIS
GOVERNOR OF FLORIDA