

Overview of Temporary Assistance for Needy Families

Roles and Responsibilities

The Temporary Assistance for Needy Families (TANF) program is administered by the Administration for Children and Families (ACF), United States Department of Health and Human Services (HHS). The four purposes of the TANF program are:

- Assisting needy families so that children can be cared for in their own homes;
- Reducing the dependency of needy parents by promoting job preparation, work and marriage;
- Preventing out-of-wedlock pregnancies and
- Encouraging the formation and maintenance of two-parent families.

Each state is required to administer a TANF program by determining eligibility for TANF benefits, and providing support and services for TANF recipients to engage in employment and training activities. The goal is for families to become independent of the need for cash assistance.

In Missouri the TANF program is called Temporary Assistance (TA). The Family Support Division (FSD) within the Department of Social Services (DSS) administers TA by processing applications for benefits and determining eligibility. In addition, the FSD administers the Missouri Work Assistance (MWA) program by contracting with providers to provide employment and training activities and ensure TA recipients are completing their federally required work hours.

State and Federal Laws and Regulations

Federal and state regulations govern the TA program. The legal basis for program administration and eligibility determination for individuals is set forth in Title IV-A of the Social Security Act, Title 45 Chapter 11 Sections 200-209, RSMo 208, and Title 13 Code of State Regulations Division 40 Chapter 2. The statutory authority for Rules and Regulations of the Family Support Division is set forth in Section 207.020, RSMo 1959 as amended.

Eligibility criteria includes, but is not limited to, a child under the age of 18 in the home with a verified relationship between the payee and child(ren) or the child is attending high school (or equivalent) and is expected to graduate before age 19, citizenship or eligible noncitizen status, household composition, Social Security numbers, resources under \$1000 at application (\$5000 once a TA recipient), and income under the gross and net maximums.

Funding

Benefits are a combination of federal and state funds. Federal funds are received through the TANF block grant. Federal regulations require that each state have a Maintenance-of-Effort (MOE) of at least 80 percent of the amount it spent on welfare and related programs in fiscal year 1994, before TANF was created. If a state does not meet its MOE requirements in any fiscal year, the federal government will reduce dollar-for-dollar the state's federal TANF grant in the following year. The state MOE includes a portion of expenditures on the TANF cash grant as well as expenditures from other programs that meet one of the four purposes of TANF.

Eligibility Periods

Once approved, a TA recipient can continue receiving TA cash benefits as long as they meet the eligibility criteria. Benefits are limited to 45 months (effective January 1, 2016) unless the parent or legal guardian is a teen parent under age 18 attending school, is age 60 or over, is disabled or is needed in the home to care for a disabled family member.

Once a TA application is submitted, FSD verifies:

- Income,
- Resources,
- Age of the children,
- Relationship of the children to the payee,
- Children living in the home of the payee,
- Status of any noncitizen that provides documentation (individuals can decline to provide documentation, but then cannot receive benefits on themselves), and
- Social Security numbers.

At annual review, FSD verifies income and resources. For any new household members, FSD also verifies that individual's Social Security number and citizenship status.

If TA benefits are misused, a protective payee may be assigned. Misuse is defined as the payee spending the grant primarily for their purposes and use rather than for the children's necessities. There are several ways FSD may learn of possible misuse, including but not limited to:

- Voluntary reports,
- Anonymous calls,
- Community calls,
- Law enforcement reports, and
- Other government agency reports.

Applications

TA applications can be mailed or dropped off at any FSD Resource Center. A face-to-face interview is not required before the application is approved. A face-to-face interview is not required during the annual review or to add a new household member after a TA case is active.

Residency

Individuals who are currently residing in Missouri may be eligible for TA in Missouri. To be eligible, the household must live in the state voluntarily, with the intent to make a home here, not for a temporary purpose.

Drug Testing Requirements

- Missouri law requires the FSD to ask TA applicants age 18 or older and who are head-of-household to answer questions about illegal drug use.
 - If the applicant refuses to answer these questions, they are ineligible for TA for themselves for three years.
1. The TA recipient may be required to take a drug test:
 - They will receive a letter from the drug testing company telling them where and when to take the drug test.
 - If they do not show up for the appointment or do not complete the drug test, they will not receive TA benefits for three years for themselves.
 2. The TA recipient can go directly to substance abuse treatment instead of taking a drug test:
 - If they are using illegal drugs, they can agree to go to treatment right away.
 3. If the TA recipient tests positive for drugs:
 - They must agree to join, participate, and successfully complete a substance abuse treatment program through the Department of Mental Health (DMH) or they will be ineligible for TA for themselves for three years.
 4. If a TA recipient is referred to a drug treatment program:
 - The DMH will contact them to assess the need for treatment.
 - If they do not show up for treatment or do not complete the treatment, they are ineligible for TA for themselves for three years.
 5. If a TA recipient is ineligible for TA, they must tell the FSD who their Protective Payee is:
 - They must choose a protective payee to receive the TA benefit for the rest of the household.
 - If they do not choose a protective payee, the FSD will choose this person.

Ongoing Drug Test Referrals

TA recipients who are age 18 or older and the head of the household will be matched with records from the Missouri Highway Patrol (MHP).

1. The FSD will send the name to the MHP.
2. The MHP will match the name with their records.
3. The MHP will send the FSD information on drug-related arrests or convictions within the last 12 months.
4. If the TA recipient had a drug related arrest or conviction, the name will be sent to a drug testing company.
5. The drug testing company will send the TA recipient a letter telling them where and when to take your drug test.
 - If they test positive, they must agree to join, participate, and successfully complete a substance abuse treatment program through the Department of Mental Health (DMH) or they will be ineligible for TA for themselves for three years.
 - If they are referred to a drug treatment program, the DMH will contact them to assess their need for treatment. If they do not show up for treatment or do not complete the treatment, they are ineligible for TA for themselves for three years.
6. If they do not show up for the appointment or do not complete the drug test, they are ineligible for TA for themselves for three years.

TA Recipients Required to Enter & Complete Substance Abuse Treatment Programs

TA recipients referred to a treatment program will be assessed for appropriate level of care and an initial treatment plan. TA recipients must actively participate in the substance abuse treatment program and must:

- Complete the assessment;
- Enroll in appropriate treatment program;
- Consent to communication between and among the treatment provider, Family Support Division, and Department of Mental Health personnel about participation and progress in treatment;
- Help develop an individual treatment plan and
- Make satisfactory progress toward treatment goals.

The Department of Mental Health or the treatment provider will inform Family Support Division of the date the TANF recipient entered the program, and the date they did or did not successfully complete program.

Assignment of Protective Payee

A TA recipient head-of-household who becomes ineligible for benefits will have a protective payee assigned to administer the TA benefits within 45 days of the administrative hearing or when a new protective payee must be designated. Assignment of a protective payee is required any time a TA head-of-household refuses to complete screening process, refuses to submit to a drug test for illegal use of a controlled substance and does not enter or successfully completes a substance abuse treatment program. A relative, friend, clergy person, or other qualified adult may be designated as a protective payee.

Administrative Hearing

A TA applicant or recipient is notified in writing that they have the right to request an administrative hearing with the FSD anytime they disagree with a decision made, including but not limited to: application denial, reduction in benefits, case closure and disqualifications.

Applicant and Recipient Responsibility

Responsibilities of the TA applicant and TA recipient include:

- Reviewing the standardized TA Program Orientation which explains the program rules and requirements;
- Reporting correct information on the application;
- Selecting work activities on the Personal Responsibility Plan and signing the plan;
- Cooperating with FSD to complete the application process;
- Registering with the state employment website at jobs.mo.gov (effective January 1, 2016);
- Providing appropriate verification as requested;
- Reporting changes in household circumstances;
- Completing an annual review conducted by FSD and providing requested verification;
- Cooperating with FSD in determining ongoing eligibility when changes are reported;
- Cooperating with Child Support requirements and
- Participating in work activities.

Penalties for Non-Cooperation with Child Support

If the applicant is approved for Temporary Assistance, the rights for child support must be assigned to the Family Support Division and the applicant must cooperate in attempting to collect Child Support, or the TA benefit will be reduced by 25%. The Child Support requirement may be waived if the applicant can prove this would be physically or emotionally harmful to themselves or the household member children.

Penalties for Non-Participation in Employment and Training Activities

TA recipients who do not meet an exemption or temporary waiver are required to meet with a Missouri Work Assistance (MWA) case manager. The employment and training activity required hours and sanctions for non-cooperation are discussed at this meeting to ensure the TA recipient understands what they must do to continue receiving TA.

If the TA recipient does not meet the work requirements within six weeks, the TA benefit will be reduced by fifty percent. During the next ten weeks, the TA recipient must complete an average of 30 hours for 4 consecutive weeks or the TA case will be closed.

When a TA case is closed due to non-compliance with work activities, the family will not receive TA until the head-of-household has completed a minimum of 30 hours in a work activity for one week within one month of the TA application.

Electronic Benefits Transfer (EBT) Cards

TA recipients access benefits through the use of an Electronic Benefits Transfer (EBT) card at a Point of Sale (POS) terminal (cash register) or an automatic teller machine (ATM). TA recipients are prohibited from using their TA EBT card in certain businesses. Individuals, store owners, or proprietors of these businesses are also prohibited from accepting TA EBT transactions in the following locations:

- Liquor stores;
- Casinos, or gaming establishments;
- Retail establishments that provide adult-oriented entertainment; and
- Any places or for any items that are used by adults 18 or older and are not in the best interest of the child or household.

The following items are prohibited for purchase with an EBT card:

- Lottery tickets,
- Alcohol,
- Tobacco products, and
- Any item that is primarily marketed for or used by adults 18 or older and is not in the best interest of the child or household.

TA recipients who make an EBT purchase in violation of the federal and state laws related to EBT transactions shall reimburse the Department of Social Services for such purchases.

Interim Contacts

Participants are required to report changes to their circumstances, such as address changes, income or employment changes, household member changes and resource changes. FSD takes action on reported changes as well as changes that are reported through other sources, such as wage matches, Social Security matches, etc.

Out of State Use of Benefits

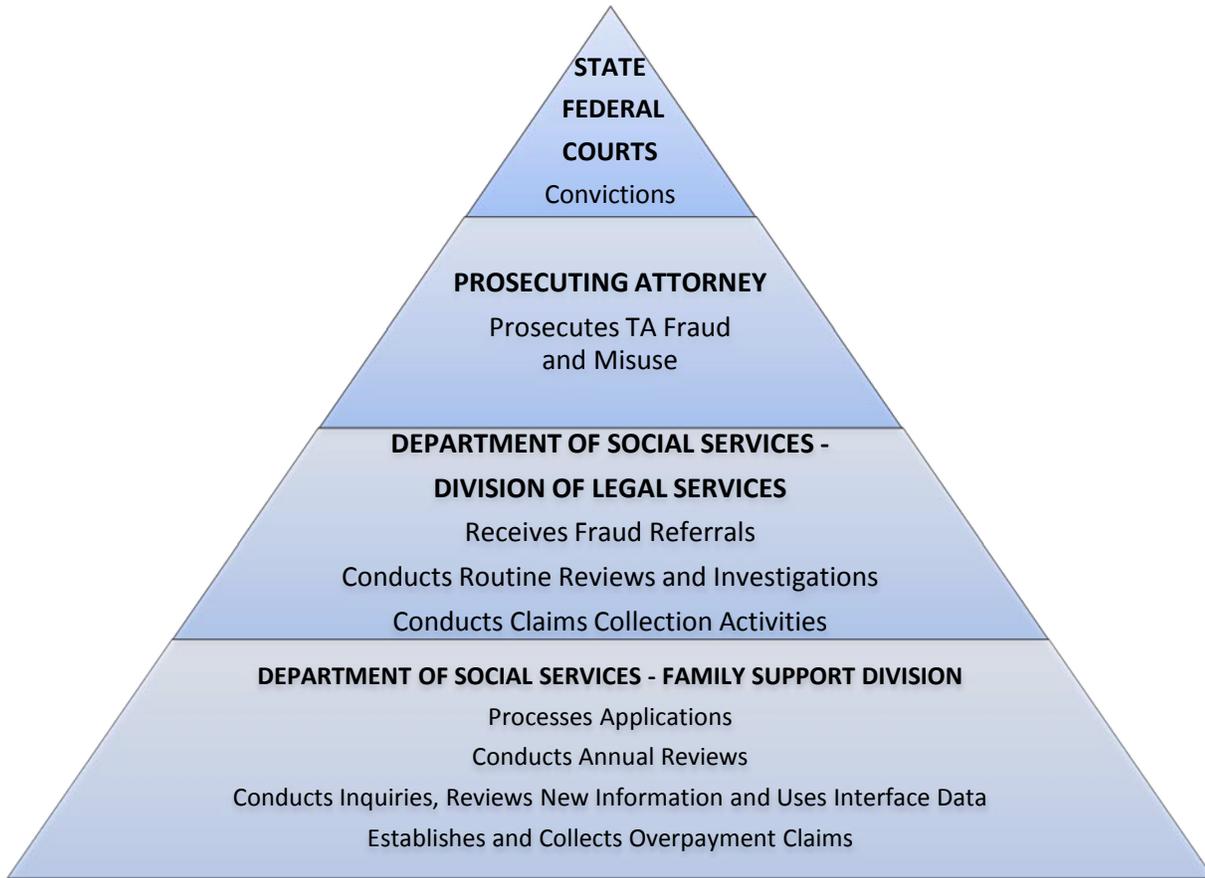
Benefits may be used out of state; however, there are restrictions on the length of time a TA participant may be out of state using their EBT card. To identify and control duplicate participation, the Public Assistance Reporting Information System (PARIS) matches participating states' public assistance records with other participating states' public assistance records (Interstate Match), Veterans Administration records (VA Match) and federal records for active or retired military and federal employees (Federal Match).

There are possible reasons a household may be using benefits in another state:

- It is more convenient and/or cost effective to shop in a bordering state;
- Military families are receiving benefits in Missouri are transferred to another state;
- There are events such as natural disasters, domestic violence, divorce, etc. which make it necessary to seek shelter from out-of-state family members or friends;
- The family moved to find employment opportunities;
- The family is seeking medical care or in-home care from family members; or
- A household member is providing temporary care for aging parents or sick family members.

Monitoring Usage of Benefits

There are several lines of defense in determining and combating fraudulent use and application for TA benefits. The agencies involved and their specific roles are provided in the diagram below.



Temporary Assistance Program Over-Payments

Claims are established when a household receives TA benefits they were not eligible for. Overpayments can occur due to non-reporting of income or property, using EBT cards for prohibited purchases or at restricted locations, or due to an FSD error. The amount of the claim is computed by determining the number of months of overpayment and the amount of overpayment for each month.

Welfare Investigation Unit (WIU)

The Department of Social Services (DSS), Division of Legal Services' Welfare Investigation Unit (WIU) is divided into five regions having offices in Independence, Jefferson City, St. Louis, Springfield and Sikeston. The WIU investigates employee threat referrals from all divisions of DSS, but primarily investigates allegations of recipient fraud and abuse involving the various DSS public assistance programs including but not limited to:

- Food Stamps,
- TA,
- Blind Pension,
- Child Care,
- MO HealthNet (MHD),
- Energy Assistance and
- Complaints of EBT trafficking.

Eligibility Fraud and Abuse

The majority of investigations of eligibility fraud involve FS and TA benefits. Most of these investigations are referred to the WIU by the FSD. Referrals are also received from various means including:

- Daily reports generated by FSD listing overpayments that clients have received,
- Other FSD requests to obtain needed information to establish a claim,
- Individuals reporting fraud by calling the DLS Welfare Fraud Hotline at (877) 770-8055, or by e-mailing complaints to DLS.ReportFraud@dss.mo.gov and
- Letters, legislative referrals, and information obtained through other state agencies as well as local, state or federal law enforcement agencies.

Eligibility Fraud Cases

The typical eligibility fraud case involves the TA recipient's failure to report income, assets, employment, or changes in household composition that result in an overpayment of benefits. When an investigator initiates an investigation regarding allegations of eligibility fraud or similar cases, the following investigation steps include, but aren't limited to:

- Review the FSD case file;
- Communicate with the FSD eligibility specialist;
- Gather appropriate documentary evidence;
- Conduct interviews and
- Write a report that either proves or disproves the allegation.

If the subject is currently receiving TA benefits, recoupment (grant reductions) is initiated.

Electronic Benefit Transfer (EBT) Fraud

The United States Department of Agriculture (USDA) has primary jurisdiction for pursuing cases of retailer EBT fraud. WIU will assist the USDA by analyzing EBT card usage to detect suspected cases of retailer fraud and, in some instances; WIU will independently pursue cases of suspected recipient EBT fraud as well.

Prosecution

An investigation can be presented to the local prosecuting attorney or in some instances, the United States Attorney. It is at the discretion of the prosecutor whether or not charges will be filed.

In some instances the local prosecutors use prosecutorial deferment and collect monthly payments of the fraudulent claim. WIU is notified and communicates with prosecutors to ascertain the progress of each case submitted and to determine if or when the prosecutor will proceed on the case.

August 2015