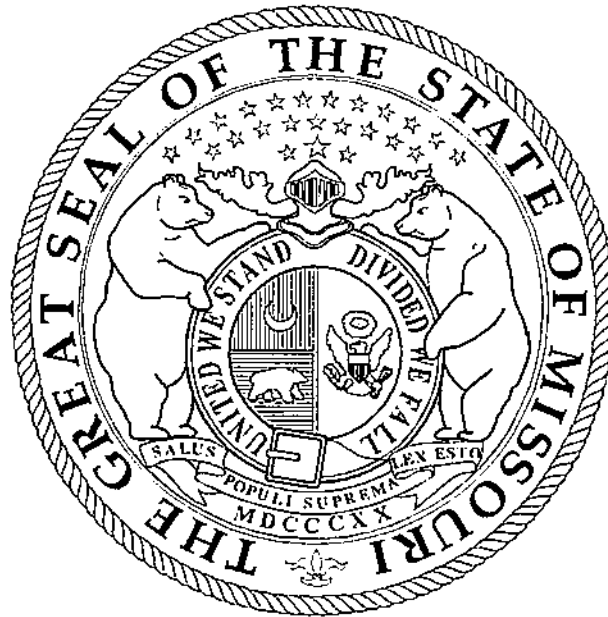


**SOCIAL SERVICES BLOCK GRANT  
PRE-EXPENDITURE REPORT  
07/01/19 – 06/30/20**



**MISSOURI  
DEPARTMENT OF SOCIAL SERVICES  
JEFFERSON CITY, MISSOURI**

## Missouri's Social Services Block Grant (SSBG) Pre-expenditure Report July 2020

- I. State Fiscal Year Covered: SFY 2020, July 1, 2019 – June 30, 2020
- II. State SSBG Official: Helen Jaco, Chief Financial Officer  
Department of Social Services (DSS)  
State of Missouri  
P.O. Box 1082  
Jefferson City, Missouri 65102  
Phone: (573) 751-7533  
Fax: (573) 751-7598
- III. SSBG Program Contact Person: Garret Bialczyk, Assistant Grants Manager  
Department of Social Services  
Division of Finance and  
Administrative Services (DFAS)  
P.O. Box 1082  
Jefferson City, Missouri 65102  
Phone: (573) 751-3714  
Fax: (573) 751-7598

IV. Public Inspection of Pre-expenditure Report:

The SSBG plan for SFY 2020, at the time of the budget process was a continuation of the SFY 2019 plan. The State used the SFY 2019 State Legislature's public notice and public hearing process for review and input on the proposed Administration goals, objectives and outcomes priorities, budget priorities, spending and financial plan for SFY 2020 mission essential functions, including means of financing. Legislative and public input included the transfer of Temporary Assistance for Needy Families (TANF) funds into SSBG for SSBG use. The budget process is outlined in State Statute, available at the following link: <http://revisor.mo.gov/main/OneChapter.aspx?chapter=33>. The schedule for legislative hearings on budget actions can be found at the following link: <https://house.mo.gov/MediaCenter.aspx?selected=BudgetArchive>.

The SFY 2020 Pre-Expenditure Report will be posted on the Missouri Department of Social Services' (the DSS) website for public review.

SSBG funds are for the provision of social services directed toward:

- Achieving or maintaining economic self-support to prevent, reduce or eliminate dependency;
- Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
- Preventing or remedying neglect, abuse, or the exploitation of children and adults; preserving, rehabilitating or reuniting families;
- Preventing or reducing inappropriate institutional care by providing for community-based, home-based care, or other forms of less intensive care; and
- Securing referral or admission for institutional care, when other forms of care are not appropriate or providing services to individuals in institutions.

SSBG funds, through a public notice and input process and with prior approval from the Federal oversight agency, can be flexibly used for a range of social services to attain any of these broad goals and targeted outcomes. Another funding flexibility, under Federal law, is the allowed transfer of up to 10% of Temporary Assistance for Needy Families (TANF) allotment to SSBG. The law stipulates that any TANF funds transferred into SSBG must be used for families with income no higher than 200% of the Federal poverty guidelines.

## V. Pre-expenditure Report Narrative

### A. Administrative Operations

#### 1. State Administrative Agency

The DSS is the designated agency to administer the State's SSBG program. The DSS is responsible for coordinating programs to provide public assistance to children and their parents, access to health care, child support and enforcement assistance and to provide specialized assistance to troubled youth. While many programs give needed financial assistance and services, other units work toward reducing financial dependency of the citizens on government.

The DSS has four program divisions and two administrative divisions:

- Children's Division (CD);
- Family Support Division;
- MO HealthNet Division;
- Division of Youth Services (DYS);
- Division of Finance and Administrative Services; and
- Division of Legal Services.

#### 2. State Entities Allocated SSBG Funds:

The Department of Health and Senior Services (DHSS) Division of Senior and Disability Services for:

- Investigation of Reports of Abuse, Neglect and Exploitation;
- In-home Services;
- Counseling;
- Information and Referral;
- Placement;
- Congregate Meals;
- Home Delivered Meals; and
- Transportation.

## B. Fiscal Operations

### 1. Criteria for Distribution/Allocation of SSBG funds to State Entities

Annually the DSS reviews its programmatic and budgetary plans for the upcoming year and its financing strategy for implementing mission essential functions and the State Administration's priorities for improvement and sustainability. SSBG is one of the funding sources utilized in the financing strategy.

### 2. Description of Planning Process for Determining the State's Use of SSBG Funds

In the process of setting program and budget priorities, the DSS Director reviews the program and budget plans of his administration, consults with and gathers input from stakeholders, and formulates decisions on allocating resources for goal/outcomes achievement.

### 3. Description of Financial Operations System

The DSS is assigned the responsibility of administering the SSBG grant based on the priorities established by the DSS Director. The DFAS formulates the annual expenditure plan for state fiscal year based on the DSS priorities established for the use of SSBG funds. This expenditure plan is sent to each State Entity responsible for implementing the SSBG-funded programs/services and for monitoring/overseeing spending in accordance with the plan.

Staff of the DSS Division of Finance and Administrative Services monitors and reports on SSBG expenditures through two annual reports to the Federal Oversight Agency: (1) the electronically transmitted Form 425, which reports expenditures by Federal Grant Award and (2) the SSBG Post Expenditure Report, which reports actual expenditures against the SFY plan and in relation to program information on clients actually served.

Missouri's Single Audit report is found at:

## C. Program Operations

### 1. Children's Division

The Children's Division of the DSS provides services under the SSBG to families and children. SSBG funds are used for staff salaries, training and payments to providers for purchased services. SSBG funds allocated to children's services programs will be used for staff that prepare service plans, provide direct services, make referrals for purchased services, and monitor service delivery.

The Children's Division is legally responsible for the provision of child welfare services to abused and neglected children. Often it is necessary for the state to take custody of these children and provide alternative care services. Growing out of the state's responsibility for children in alternative care is the goal to provide children with permanent families, either through successful return to their homes, or through adoption or guardianship placements. Simply stated, it is the goal of the Children's Division to provide treatment services to abused and neglected children and their families. Temporary alternative care and permanency planning services are utilized when necessary.

The Children's Division will deliver five social service programs under the block grant. All of the service programs are available on a statewide basis. Children and their families are eligible for these programs based on a report of child abuse or neglect, order of the juvenile court (in the instance of certain treatment service programs), or when the family is identified as needing preventive services through a voluntary referral by themselves or others.

Delivery of program services will be documented in the appropriate social service case records and other records maintained by the Children's Division.

#### Investigation of Abuse, Neglect or Exploitation, or Family Assessment

The purpose of investigation of abuse, neglect or exploitation is to determine the possible existence of these conditions and to determine if there is a need for protection.

The Children's Division investigates reports of abuse, neglect and/or exploitation to ascertain if these conditions exist and if the presenting situation and conditions warrant intervention with the provision of services for the protection of children. In addition, state legislation was

passed in 1998 that gives the Children's Division the statewide option of responding to some reports via a family assessment, as opposed to a child abuse or neglect investigation. The family assessment is completed for reports that do not allege criminal acts have occurred.

### Treatment Services

The purpose of family-centered treatment services is to assist individuals and families to resolve problems and alleviate stresses which are significantly impairing their personal and/or social functions, while capitalizing on the family's strengths

Counseling is utilized as a method of providing guidance, instruction and/or information through the interaction between the counselor and one or more individuals. The process involves an assessment of the elements of the presenting problem, an examination and redefinition of the elements of the problem and the definition of the individual's options for problem solution. Counseling is directed toward a reduction or elimination of the disrupting stress and/or creation of adaptive change by the individual. The use of counseling services is expected to result in the reduction of risk for continued abuse or neglect to the child. Basic counseling activities include purposeful and goal-directed verbal and non-verbal communication such as listening, talking, interviewing, discussing and observing.

### Alternative Care Placement

The purpose of placement is to secure an alternative setting for those children whose best interests are no longer served in their present living arrangements.

Placement involves those activities undertaken on behalf of a child in order to identify, locate and secure an alternative living arrangement and to integrate the child into the appropriate setting. The Division strives to place children in the least restrictive environment that meets the treatment needs of the child.

### Information and Referral

The purpose of information and referral services is to assist individuals in gaining access to resources appropriate for their needs. Service resources may be available within the SSBG-funded State agency or through other community agencies. Information and referral is the acquiring of facts by the worker about individuals and resources and then making the most appropriate connection between the two. Service activity includes a brief assessment of needs, provision of information, referral to suitable

resources, and liaison function with those resources. To assure effective access, follow-up activities will be included when necessary.

### Purchasing Services for Treatment of Child Abuse/Neglect

It is the job of the children's services worker to develop, with the client, a family treatment plan to prevent or remedy child abuse or neglect. The worker will make suitable referrals to other practitioners and social services agencies to provide a full range of needed services based on the family treatment plan. These services would include non therapeutic/non counseling types of services such as family assistance, parent education, resource coordination, etc. aimed at providing supports to a family.

## 2. Family Support Division

The Family Support Division of the Department of Social Services provides services under the Social Services Block Grant (SSBG) to families and children. SSBG funds are used to partner with Missouri Community Partnerships to plan, develop, finance and monitor strategies to achieve Core Results, including but not limited to:

- Children & Families Safe
- Children & Families Healthy
- Children Ready to Enter School
- Children & Youth Succeeding in School
- Youth Ready to Enter the Workforce & Become Productive Citizens
- Parents Working

## 3. Department of Health and Senior Services

The DHSS Division of Senior and Disability Services provides services using SSBG funding to persons who are 60 years of age or older and to persons with disabilities age 18 to 59. Services for Home and Community Based providers are authorized by the Division's Bureau of Home and Community Based Services field staff.

Field staff gives priority to the receipt and investigation of reports of abuse, neglect, and exploitation. Staff also performs information and referral tasks as necessary to help meet the needs of individuals, regardless of the need for protective services.

Services provided include the following:

Investigation of Reports of Abuse, Neglect and Exploitation – The purpose of investigating reports is to determine the existence of abuse, neglect or exploitation and to establish the need for protective services.

Upon receipt of a report, field staff conducts a prompt and thorough investigation to determine whether the eligible adult is facing the likelihood of serious physical harm and is in need of protective services. All investigations are completed and the findings entered into a central database within 90 days. Based on investigative findings, protective services for vulnerable adults may include crisis intervention, prosecution, administrative employment disqualification of perpetrators, provision of in-home services, and referral to other agencies.

Eligibility Determinations - Includes a comprehensive assessment of an individual's functional abilities, resources, existing support systems, and unmet needs. A care plan is then developed to meet the participant's needs and to support the participant's ability to remain independent in a community setting. Activities may include the authorization of in-home services and referrals to other agencies. Reauthorization of in-home services occurs annually.

In-Home Services - The authorization of in-home services supports a participant's ability to remain in a home or community setting. Services are authorized by staff to contracted in-home service providers and include the following:

- Personal Care - Basic services to assist with routine personal hygiene, dietary needs, etc.
- Advanced Personal Care - Medically oriented tasks related to altered body function, such as catheters, ostomies, transfer devices, etc. A licensed nurse regularly monitors all such tasks.
- Authorized Nurse Visits - A limited range of activities for participants with specific chronic needs, such as nail care for participants with medically contraindicated conditions, medication set-ups, clinical oversight, etc.
- Homemaker - General household activities essential to meet a participant's basic needs.
- Chores - Heavy household tasks essential to a participant's ability to remain independent.
- Adult Day Health Care - Services ranging from active rehabilitation to social and health-related care provided in a licensed Adult Day Care center, outside the participant's home.
- Respite Care - The types of respite care available include Basic, Advanced, and Nurse Respite and are designed to provide supervision, companionship, and direct participant assistance to relieve the caregiver of a dependent adult. These services are provided in the participant's home.
- Information and Referral - The purpose of information and referral is to assist individuals in gaining access to resources appropriate to their needs.

- Service activity includes a brief assessment of needs, providing available information, referral to suitable resources, and serving a liaison function to those resources. Follow-up activities are included when necessary.
- Placement - The Section's field staff assist individuals in securing alternative living arrangements when their best interests can no longer be served in their current living arrangement. Activities include assisting the individual to identify, locate, and secure alternative living arrangements and to integrate the individual into the appropriate setting.

The DHSS also contracts through the Area Agencies on Aging to provide the following services:

- Congregate Meals – Provide a hot or other appropriate meal to an eligible person at a congregate meal site. Meals must meet the most recent Dietary Guidelines for Americans, published by the Secretaries of Health and Human Services and Agriculture, in compliance with the nutrition standards set forth in the Older American Act.
- Home Delivered Meals – Provides a hot or other appropriate meal delivered to the residence of an eligible homebound person. Meals must meet the most recent Dietary Guidelines for Americans, published by the Secretaries of Health and Human Services and Agriculture, in compliance with the nutrition standards set forth in the Older American Act.
- Transportation - The purpose of transportation is to assist individuals in accessing essential services and community resources.
- Ombudsman Services- assist LTC facility residents maintain or improve quality of life by assisting residents to gain access to resources appropriate to their needs. Service activity includes a brief assessment of needs, providing available information, referral to suitable resources, and serving a liaison function to those resources. Follow-up activities that include investigating a resident's complaint are conducted when necessary.

VI. Pre-expenditure Reporting Form  
See Attachment.

VII. Appendices  
A. Documentation of public hearing  
B. Certifications  
1. Anti-lobbying

2. Drug-free work requirements
  3. Debarment and suspension
  4. Environmental tobacco smoke
- C. Proof of Audit

## CERTIFICATION REGARDING LOBBYING

### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

/s/  
\_\_\_\_\_  
Signature and Date  
Helen Jaco  
\_\_\_\_\_  
Printed Name  
CFO  
\_\_\_\_\_  
Title  
Department of Social Services  
\_\_\_\_\_  
Organization

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - -  
Primary Covered Transactions

### **Instructions for Certification**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusive-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant

may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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#### Certification Regarding Debarment, Suspension, and Other Responsibility Matters - - Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - - Lower Tier Covered Transactions

#### Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other

remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph five of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - - Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared

ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

/s/

Signature and Date

Helen Jaco

Printed Name

CFO

Title

Department of Social Services

Organization

## **CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

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This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645 (a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

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### **Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)**

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need to be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

*Controlled substance* means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

*Conviction* means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

*Criminal drug statute* means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

*Employee* means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

#### Certification Regarding Drug-Free Workplace Requirements

##### Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about - -
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will - -
  - (1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within 10 calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted - -

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

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Check if there are workplaces on file that are not identified here.

#### Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

/s/

Signature and Date

Helen Jaco

Printed Name

CFO

Title

Department of Social Services

Organization

## CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity by signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

/s/
Signature and Date Helen Jaco
Printed Name CFO
Title Department of Social Services
Organization