



TERRY E. BRANSTAD  
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS  
LT. GOVERNOR

DEC 30 2016

Sylvia Mathews Burwell, Secretary  
U.S. Department of Health and Human Services  
Administration for Children and Families  
Office of Family Assistance  
330 C Street S.W.  
Washington, D.C. 20201

Dear Secretary Burwell:

I am pleased to submit Iowa's updated State Plan for Temporary Assistance for Needy Families (TANF) as required by Section 402 of the Social Security Act as amended by the Patient Protection and Affordable Care Act of 2010 (Public Law 111-148) and the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96). This TANF State Plan is submitted as a new plan for the purpose of maintaining Iowa's eligibility for federal funding under part A, Title IV, of the Social Security Act.

This TANF State Plan also provides information required by 45 Code of Federal Regulations (CFR) 263.2(b) effective October 1, 2016, as well as optional information that would otherwise be required in Iowa's Annual Report under 45 CFR 265.9(b) and (c), as allowed under 265.9(d), also effective October 1, 2016. Specifically, this TANF State Plan complies with 45 CFR 265.9(b)(1), (2), (3), (5) [excluding aggregate numbers of good cause domestic violence waivers granted which will be included in the Annual Report], (6), (7), and (8) [any programs intended to meet the third or fourth statutory purpose of TANF are identified as such]; and with 45 CFR 265.9(c)(1), (2), (3), (6), (7), (8), and (9).

This TANF State Plan also includes the information required in 45 CFR 265.9(b)(11): (i) prohibiting access to assistance through machines and devices at specific locations yet ensuring recipients have adequate access to their cash assistance; and (ii) providing the opportunity for recipients to access their cash assistance, without fees or charges or with minimal fees or charges, and making this information publicly available. Information conforming to these regulations is incorporated throughout this TANF State Plan, typically within the descriptions of individual programs. Attachment E contains a full description of the individual regulatory citations.

Pursuant to 45 CFR 261.56, this TANF State Plan also includes the criteria and definitions used by Iowa to determine whether a single custodial parent with a child under age six has demonstrated an inability to obtain needed child care and is subsequently exempt from penalty for failure to meet required work requirements.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Terry E. Branstad".

Terry E. Branstad  
Governor

cc: Gary Allen

**STATE OF IOWA**

**STATE PLAN FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
(TANF)**

**EFFECTIVE OCTOBER 1, 2016**

Iowa's TANF State Plan was developed in accordance with Section 402 of the Social Security Act, as amended by the Patient Protection and Affordable Care Act of 2010 (P.L. 111-148) and the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96). This TANF State Plan is submitted as a new plan for the purpose of maintaining Iowa's eligibility for federal funding under part A, Title IV, of the Social Security Act. Substantive changes to the prior TANF State Plan are identified in Attachment D. The information submitted below restates the pertinent requirements of Section 402 and outlines the provisions of Iowa's program with respect to each requirement.

This TANF State Plan also provides information required by 45 Code of Federal Regulations (CFR) 263.2(b) and 265.9(b)(11), effective October 1, 2016, as well as optional information that would otherwise be required in Iowa's Annual Report under 45 CFR 265.9(b) and (c), as allowed under 265.9(d), also effective October 1, 2016. Specifically, this TANF State Plan:

1. Provides information specified in 45 CFR 265.9(b)(1), (2), (3), (5) [excluding aggregate numbers of good cause domestic violence waivers granted, which will be included in the Annual Report], (6), (7), and (8) [any programs intended to meet the third or fourth statutory purpose of TANF are identified as such]; and in 45 CFR 265.9(c)(1), (2), (3), (6), (7), (8), and (9). Information conforming to these regulations is incorporated throughout this TANF State Plan, typically within the descriptions of individual programs. Attachment E contains a full description of the individual regulatory citations.

2. Provides information specified in 45 CFR 265.9(b)(10):

**(10)** A comprehensive description of the state's policies and practices to prevent assistance (defined at § 260.31(a) of this chapter) provided with federal TANF or state TANF MOE funds from being used in any electronic benefit transfer transaction in any: liquor store; casino, gambling casino or gaming establishment; or retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

A general description of the state's policies and practices is found in the main body of this State Plan while details are found in Attachment J and its exhibits.

3. Complies with 45 CFR 265.9(b)(11) requiring that the state's TANF Plan must describe how the state will:

## Iowa's TANF State Plan

- (i) Implement policies and procedures as necessary to prevent access to assistance provided under the State program funded under this part through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 408(a)(12) of the Act, including a plan to ensure that recipients of the assistance have adequate access to their cash assistance; and

As noted under item 2, a general description of the state's policies and practices is found in the main body of this State Plan while details are found in Attachment J and its exhibits.

- (ii) Ensure that recipients of assistance provided under the State program funded under this part have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and surcharges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.
4. Pursuant to 45 CFR 261.56, includes the criteria and definitions used by Iowa to determine whether a single custodial parent with a child under age six has demonstrated an inability to obtain needed child care and is subsequently exempt from penalty for failure to meet required work requirements.

## ADMINISTRATION

### Iowa Department of Human Services

The Iowa Department of Human Services (IDHS) has primary responsibility for administering the state's TANF block grant. This includes the Family Investment Program (FIP) cash assistance and other programs funded in whole or in part with TANF or state maintenance of effort (MOE) funds. The IDHS is the single state TANF agency and responsible for providing a broad array of services. Public assistance programs administered by the IDHS include: institutional and community-based programs; mental health resources, including psychiatric hospitals and hospital schools for persons with an intellectual disability; and programs delivered by local offices, which are responsible for most of the direct services provided, including those covered by Title IV-A. The IDHS is responsible for the timely completion and submittal of all quarterly and annual TANF reports.

The IDHS contracts with the Iowa Department of Inspections and Appeals (IDIA) to conduct appeal hearings, eligibility investigations and recovery of overpayments. However, the IDHS does not delegate authority to the IDIA to exercise administrative discretion for supervision of the TANF State Plan or to issue program policies, rules or regulations. The IDIA contract personnel are not IDHS employees. To the extent that they perform IDHS work, they are agents and representatives of the IDHS.

The IDHS contracts with the Iowa Department of Workforce Development (IWD) to provide PROMISE JOBS services – work and training for TANF cash assistance recipients. The IDHS Bureau of Refugee Services provides PROMISE JOBS services for individuals with limited English proficiency.

The IDHS is headed by a Director selected by the Governor and confirmed by the state Senate. A Council on Human Services acts in an advisory capacity to the IDHS on making departmental policy. Council members are appointed by the Governor and confirmed by the Senate. The Deputy Director, as well as Division Administrators, are appointed by the IDHS Director and are not subject to a set term in office.

### **Department of Human Rights**

Effective July 1, 2007, the Iowa Department of Human Rights (IDHR), Division of Community Action Agencies, became a TANF sub grantee responsible for administering the Family Development and Self-Sufficiency (FaDSS) program funded with TANF and state MOE dollars. (See later program description of FaDSS.)

The IDHR consists of the following:

<b>Divisions</b>	<b>Offices</b>
Community Action Agencies	Asian and Pacific Islanders
Criminal and Juvenile Justice Planning	Deaf Services
Community Advocacy and Services	Latino Affairs
	Native Americans
	Persons with Disabilities
	Status of African Americans
	Status of Women

The Governor appoints and the Senate confirms the Director, who in turn appoints each Division Administrator. Each Division and Office has a Commission or Council appointed by the Governor and responsible for: studying opportunities for and the changing needs of underrepresented populations; serving as liaison between the IDHR and the public; recommending adoption of administrative rules; and recommending legislative and executive action to the Governor and General Assembly.

### **SECTION 402 [42 U.S.C. 602] – STATE PLAN REQUIREMENTS**

**(a) IN GENERAL.** As used in this part, the term “eligible State” means, with respect to a fiscal year, a State that, during the 27-month period ending with the close of the 1<sup>st</sup> quarter of the fiscal year, has submitted to the Secretary a plan that the Secretary has found includes the following:

#### **(1) OUTLINE OF FAMILY ASSISTANCE PROGRAM**

**(A) GENERAL PROVISIONS.** A written document that outlines how the State intends to do the following:

- (i) **Conduct a program, designed to serve all political subdivisions in the State (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work and support services to enable them to leave the program and become self-sufficient.**

### **Definition of Needy Family**

A “needy family” is a family meeting the income and resource limitations and other eligibility criteria of the Family Investment Program (FIP) or one of the programs defined later in this TANF State Plan under Other TANF and Segregated or Separate State Programs used for MOE.

### **Iowa's Family Investment Program (FIP)**

The Family Investment Program or FIP provides cash assistance to needy Iowa families, as they become self-supporting.

Major welfare reform in Iowa began in 1993 when legislation passed by the Iowa General Assembly authorized the Iowa Department of Human Services (IDHS) to seek a series of federal waivers to the Aid to Families with Dependent Children (AFDC) program which, if approved, would result in an extensive redesign of Iowa's AFDC program. The federal Department of Health and Human Services (DHHS) approved the waivers, which were then implemented statewide on October 1, 1993.

Many requirements of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 coincided with Iowa's welfare reform waivers already in place and approved by the DHHS in 1993. As a result, the waivers were terminated via correspondence to the DHHS dated July 18, 1997.

Policies and procedures for FIP are described in Chapter 239B of the Code of Iowa, Titles IV and IX of the Iowa Administrative Code (IAC), and Title 4 of the IDHS Employees' Manual. The public may view the Employees' Manual upon request.

Major changes in FIP policy that have occurred since the last TANF State Plan are identified throughout this document.

*Goals and objectives of Iowa's Family Investment Program are:*

- Provide an incentive to work and make work pay, leading families to self-sufficiency.
- Encourage family stability and the formation of families.
- Provide clients with the opportunity and expectation to take personal responsibility to become self-sufficient and also provide them with the necessary tools to move out of poverty.

## Iowa's TANF State Plan

- Provide consequences for those who do not comply with program requirements.
- Empower clients to take advantage of options by making real choices.
- Remove policies that present barriers to families reaching economic independence.

The goals and objectives above may change over time with public input. Measurements of success focus on earned income increases and whether families are leaving and remaining off FIP.

### *Eligibility Requirements:*

FIP provides cash assistance to families with dependent children.

A “dependent” child is one who is:

1. Under age 18, or is under age 19 and a full-time student in secondary school or the equivalent level of vocational or technical training and reasonably expected to complete high school or a comparable program before reaching age 19. A child under age 18 is eligible for assistance without regard to school attendance. A child aged 16 through 18 who does not attend school full-time must cooperate with PROMISE JOBS and complete a Family Investment Agreement (FIA) as described in (ii). A child becomes an adult when the child marries, unless the marriage is annulled.
2. Eliminated effective January 2001: deprived of parental support or the care of at least one parent. When both parents are in the home, at least one parent must meet incapacity or unemployed parent criteria.
3. In financial need.

Based on the number of people in the eligible group, the income of FIP applicants and recipients must be within the following limits:

Gross Monthly Income Limits:				
1) \$ 675.25	3) \$1,570.65	5) \$2,020.20	7) \$2,469.75	9) \$2,915.60
2) \$1,330.15	4) \$1,824.10	6) \$2,249.60	8) \$2,695.45	10) \$3,189.40
Add \$320.05 for each additional person.				
Net Monthly Income Limits:				
1) \$183	3) \$426	5) \$548	7) \$670	9) \$791
2) \$361	4) \$495	6) \$610	8) \$731	10) \$865
Add \$87.00 for each additional person				

Net income is determined after allowing specified deductions and disregards as provided for in Iowa Administrative Code (IAC) 441-41.27. Effective

August 1, 2007, the earned income disregard was increased from 50 percent to 58 percent in order to enhance the benefit of working.

Resource limits are \$2,000 for applicant families and \$5,000 for recipient families. The value of one motor vehicle is disregarded from inclusion in the calculation of family resources.

4. Living with a specified relative within the degree of relationship defined by Iowa's program, including second cousins who were added effective July 1997. A specified relative must be related to the child either by blood or marriage even if the marriage is terminated by death or divorce, and must maintain and share the home with the child.

“Living with” implies the existence of a relationship in which the relative accepts responsibility for the care and control of the child even while the child or relative is temporarily absent as described below under “Other eligibility requirements.”

Other eligibility requirements:

- The following people **must** be included in the eligible group, if living together and meeting non-financial eligibility criteria of the program:
  - The dependent child;
  - Any sibling of the dependent child (of whole or half-blood, or adoptive) who meets age/school attendance requirements and, until January 2001, deprivation requirements;
  - Any natural or adoptive parent of the dependent child.

Included in the eligible group are the needs of people who are temporarily absent for a period of no more than three consecutive months. Good cause extensions, beyond three months, are given to people who are temporarily absent because they are:

- In a medical institution for less than a year; or
- Securing education or training.

The following people **may** be included in the eligible group:

- The needy relative who assumes the role of a parent when the child's parent is not in the home;
  - The needy relative who acts as payee when the parent is in the home but unable to act as payee; and
  - The incapacitated stepparent.
- Each member of the eligible group must be a citizen or qualified alien.
  - Each member must be a resident of Iowa.

- Each member must have a social security number or proof of application for a number.
- The parent or caretaker must assign all rights to support to the Iowa Department of Human Services (IDHS) and must cooperate in obtaining support.
  - Effective February 1998, assigned child support retained by the state is not used to determine ongoing Family Investment Program (FIP) eligibility.
  - Effective March 1998, a 25 percent grant reduction is imposed when the parent or caretaker fails to cooperate in obtaining support unless good cause for not cooperating is established.
  - Effective July 1998, Iowa totally phased out a child support rebate provided to FIP recipients.
- Each member must apply for and accept benefits from certain other sources, if eligible. Beginning July 2002, every person in the eligible group and any parent living in the home of a child on FIP must apply for Supplemental Security Income (SSI) when:
  - The claimed disability is expected to last continuously for 12 months or is expected to result in death; or
  - The person is aged 65 or older; or
  - The person is blind.

As of July 2002, the entire eligible group is ineligible for FIP if the person refuses to apply for or accept social security or SSI benefits.

- All mandatory PROMISE JOBS participants must cooperate with PROMISE JOBS and complete a Family Investment Agreement (FIA) as described in (ii) as a condition of eligibility.
  - All households filing an application for FIP program benefits on or after November 1, 2004, must have an FIA signed before FIP approval, as a condition of eligibility.
  - If a parent fails to sign an FIA, the entire family is ineligible for FIP.
  - If a referred person who is not a parent fails to sign an FIA, only that person is ineligible.
- Effective September 2004, any family that contains a member enrolled in an educational program leading to a degree **beyond** a bachelor's degree is not eligible for FIP.
- Each member must cooperate with the Iowa Department of Inspections and Appeals (IDIA) when referred by the IDHS for investigation.

- When the parent of the dependent child is under age 18, never married (or the marriage was annulled), the minor parent must live with an adult parent or a legal guardian, or establish good cause for not living with an adult parent or legal guardian.
- People whose needs are met by any other public assistance program administered by the IDHS or another state, including IV-E or state-funded foster care, or who receive SSI, must be excluded from the eligible group.
- People participating in a strike are ineligible. If the striker is a parent, the entire family is ineligible.
- Iowa will not use TANF or state maintenance of effort (MOE) funds to provide FIP to any family that has received FIP assistance for 60 months (whether or not consecutive) as described at 45 CFR 264.1(a) and (b), unless the family qualifies for an extension under the option described at 45 CFR 264.1(c).
  - In the case of a child living with a parent or the parent's spouse, the entire family that does not qualify for an extension is ineligible for FIP after the parent or spouse has received FIP for 60 months.
  - In the case of a child living with a non-parental caretaker relative, the non-parental caretaker relative, who is not eligible for an extension, is removed from the FIP grant after receiving FIP for 60 months, but the caretaker may continue to receive FIP for the child.

Parents excluded from the FIP grant are not subject to the federal limits described at 45 CFR 264.1(a) and (b). However, Iowa's state time limit of 60 months and extension provisions do apply to families including such excluded parents. Iowa considers any parent living in the home of a FIP child to be a "recipient of assistance" for purposes of the state 60-month limitation even when the parent's needs are not included in the FIP grant. Therefore, the entire family that does not qualify for an extension is ineligible for FIP after the parent has received FIP for 60 months regardless of whether the parent is or is not on the grant. However, any month that the parent receives Supplemental Security Income (SSI) or is eligible for the exemption described at 45 CFR 264.1(b)(1)(ii) does not count against the 60-month limit.

- An extension of the 60-month limit requires meeting the following criteria:
  - a. There must be a barrier, that is, an experience or situation preventing the family from being self-supporting.

- b. The barrier may be the result of a past or current experience or situation that affects current functioning. Current experience may include fear of an event that may or is likely to occur in the future.
  - c. A family may request an extension when the barrier impacts the family's ability to become self-sufficient; the family is willing to make incremental steps towards that goal; and the family is participating to their maximum potential.
  - d. A family with an FIA-responsible person must be actively making incremental progress towards self-sufficiency in ways that will address the barrier(s) identified for the extension.
- A family must provide supporting evidence of the hardship barrier and the impact of the barrier on the family's ability to leave FIP.
- A family may request an extension after receiving 58 months of FIP. The extension cannot be granted until the family has reached its 60-month limit. The IDHS income maintenance worker decides if the family is eligible for an extension.
- If a family with an FIA-responsible person is found eligible to receive FIP beyond 60 months, the family and PROMISE JOBS worker together write an FIA for a six-month extension period. There is no limit on the number of six-month extension periods that a family may request, so long as the family continues to meet hardship criteria.
- The FIP goal of personal responsibility was strengthened in January 2007, through an Administrative Rule change that clarified that when a participant is offered PROMISE JOBS activities to overcome a known barrier to self-sufficiency and fails to comply, the participant does not meet hardship criteria to receive FIP beyond 60 months based on that specific barrier.
- For purposes of calculating the 20 percent limit on the number of families allowed an extension to the federal time limit, the state uses the average monthly number of families receiving assistance during the current federal fiscal year. Included in the 20 percent are families that have their FIP benefits continued beyond 60 months while an appeal is pending and other situations where the benefits are subject to overpayment recovery, such as when benefits are continued pending the issuance of timely notice.

- Effective February 1, 2014, as a condition of on-going eligibility, FIP recipients are prohibited from accessing benefits through electronic benefit transactions at automated teller machines or point-of-sale devices at locations specified in Section 408(a)(12) of the Social Security Act. See Section a.(1)(A)(vii) for details.

*Calculating the Grant:*

The assistance grant is based on the number of people in the eligible group. The income of people in the eligible group and other people who live in the home whose income must be considered (e.g., excluded parents, ineligible stepparents and self-supporting parents of a minor parent) after appropriate disregards, must meet Iowa's income tests. The income and resources of SSI recipients are disregarded.

Income disregards and deductions are the same as those under the prior AFDC program except:

- Effective October 1997, the Work Transition Period (a four-month disregard of earned income for certain long-term unemployed recipients) was eliminated.
- Effective November 10, 1997, Iowa began disregarding all financial assistance for education or training as income and resources.
- The FIP child care disregard was eliminated effective July 1, 1999. FIP recipients and other people whose earned income is considered for FIP are now automatically eligible for state child care assistance without regard to the latter program's eligibility requirements and waiting lists.
- The FIP adult care disregard was eliminated March 1, 2000.
- All income received by temporary Census Bureau workers is disregarded.
- Effective August 1, 2007, the earned income disregard was increased from 50 percent to 58 percent.

*Program Benefits, Funding, and Method of Payment:*

The assistance grant is issued monthly, and may include a separate payment for special needs. Since November 2009, all payments have been issued through an electronic access card (EAC) except when the recipient requests direct deposit; or the IDHS determines it is not practical to issue the payment by EAC.

FIP assistance may be effective as early as seven days from the date of application for any family (including two-parent households since January 1998) who otherwise meets all eligibility requirements.

Iowa's cash assistance programs are available statewide. The FIP program is funded with commingled TANF and state maintenance of effort (MOE) funds. Iowa's Family Investment Program (FIP) for Battered Aliens and Two-Parent Families Receiving FIP are funded solely with segregated state MOE funds.

*Coordination with Medicaid, the Supplemental Nutrition Assistance Program (SNAP), and Other Programs*

The IDHS is cognizant of the critical need that FIP policies and procedures not interfere with a family's ability to receive benefits and services from other programs such as Medicaid and the Supplemental Nutrition Assistance Program (called Food Assistance in Iowa). Staff working with Iowa's FIP program actively coordinate with Medicaid and Food Assistance outreach and other activities to ensure that families receive benefits to which they are entitled.

As described below, the IDHS makes a concerted effort to develop or revise policies and procedures that encourage consistency between the various programs.

- Effective September 1999, FIP program policy was changed to match policy in the Iowa Food Assistance Program, and to the extent possible in the Medicaid program, in the following areas:
  - treatment of late review forms;
  - failure to timely report changes;
  - recurring lump sums;
  - earnings in-kind; and
  - non-homestead property.
- Effective October 1, 2002, Food Assistance policy was changed to no longer consider educational income a resource.
- Effective November 2003, the IDHS implemented privacy policies to align with the Health Insurance Portability and Accountability Act (HIPAA) of 1996. The following two HIPAA policies were extended to all IDHS programs:
  - Workforce members who are crime victims may disclose confidential information to law enforcement for identification and location purposes.
  - IDHS staff may refuse to treat a person as a personal representative if staff have reasonable belief that doing so could endanger the IDHS customer, such as a person who has subjected, or may subject an IDHS customer to domestic violence.
- Effective July 2004, the Iowa Food Assistance Program changed policy to exclude, without regard to its value, one motor vehicle per household.

- Effective January 2007, the IDHS implemented the following changes in FIP policy to align with Food Assistance or Family Medical Assistance program policies. These changes improve administrative efficiency, eliminate confusion and provide better customer service for participants.
  - The method of determining the FIP monthly grant amount was changed from retrospective budgeting (setting the next month's grant according to a prior month's income) to prospective budgeting (setting the amount based on anticipated income).
  - The list of changes participants are required to report for FIP was revised to make it easier for participants to understand what information must be reported, and allow IDHS staff to focus on obtaining the information that is necessary to correctly determine eligibility and benefits.
  - Recoupment does not apply when a change in income is timely reported and timely acted upon by the local office, but the IDHS' timely notice requirements delay the action until the second calendar month following the month of change and eligibility for FIP continues. This change prevents imposition of small overpayments incurred through no fault of the participant or the worker.

The IDHS continues to recoup any excess benefits issued when a participant fails to timely report a change in circumstances or when a change makes a case or a person ineligible for FIP but the IDHS' timely notice requirements delay the action.

- The period of ineligibility caused by receipt of a nonrecurring lump sum was changed to align with FMAP-related Medicaid policy to encourage timely reporting the receipt of a nonrecurring lump sum.

The period of ineligibility begins with the month when the nonrecurring lump sum is received. If the lump sum is timely reported, but timely notice provisions prevent applying it to one or both of the first two months of the period of ineligibility, no recoupment will be made for those months. If the lump sum is not timely reported, recoupment will be made.

- The substitution of a telephone interview for a face-to-face interview at the time of reapplication or review is allowed, as appropriate. Allowing income maintenance workers the flexibility to do some FIP interviews by telephone promotes efficiency for workers while removing a barrier for families who have difficulty attending a face-to-face interview. A family may have difficulty attending a face-to-face

interview because of work or school schedules, lack of transportation, lack of child care, health problems, or other issues.

- Effective August 2007, the IDHS increased the earned income disregard for Medicaid from 50 percent to 58 percent to align with FIP policies.
- Effective February 1, 2009, the IDHS eliminated FIP quarterly reporting and moved to semi-annual reporting. This change aligns FIP reporting requirements with Food Assistance resulting in less customer confusion and paperwork.

As described in the **ADMINISTRATION** section of this State Plan, the IDHS is the single state TANF agency and responsible for administering numerous public assistance programs to help Iowans achieve healthy, safe, stable, and self-sufficient lives. These include both “needs-based” programs such as TANF cash assistance, the Supplemental Nutrition Assistance Program (SNAP), child care assistance, and medical assistance, as well as programs available without regard to financial need, typically concerning child welfare services. As also described in this Plan, Iowa uses TANF and state MOE funds to support many of these programs (subject to limitations) to meet one or more TANF purposes. Iowa invests a significant portion of its annual TANF award in child care assistance and child welfare programs.

The IDHS' scope of responsibility and diverse use of TANF funds result in programs that serve both adults and children, often focusing more on one than the other, but also sometimes addressing the needs of both. From an agency perspective as well as from a TANF funding perspective, the IDHS already provides many essential “Two-Generation services.” The IDHS' structure and flexible uses of TANF funds allows these existing services to be provided in a more integrated manner.

#### **OTHER TANF AND SEGREGATED OR SEPARATE STATE PROGRAMS USED FOR MAINTENANCE OF EFFORT**

The following is a list of Iowa programs, other than FIP, that use TANF, state maintenance of effort (MOE) funding or both. Segregated or Separate State Programs used for MOE are identified below. Except for those programs below that are specifically identified as using only state funds, each program listed uses either all TANF funds or commingled TANF and state MOE funds.

All programs, benefits, and services for which state funds may be claimed for MOE purposes under Section 409(a)(7) of the Social Security Act, were either previously authorized and allowable as of August 21, 1996, or were implemented after that date. Consequently, in accordance with 45 CFR 265.9(c)(7) and (8), information about state expenditures on MOE programs for federal fiscal year 1995 are not required and are not included.

Of the programs listed below, only TANF funding for Family Investment Program (FIP) cash grant assistance is considered “assistance” within the federal TANF definition and,

consequently, counts toward a family's federal 60-month lifetime limit. However, by state law, the same definition of "assistance" is used for two Segregated State Programs; Two-Parent Families Receiving FIP and FIP for Battered Aliens, and is counted toward a family's state 60-month lifetime limit.

Citizenship, eligible alien status, and social security number requirements apply to:

- FIP;
- Two-Parent Families Receiving FIP;
- FIP for Battered Aliens; and
- All other programs to the extent required by federal law.

In those instances where the description of a program indicates that a family must be participating in FIP or otherwise eligible for FIP as a condition for receiving benefits or services, the FIP income limitations and other eligibility criteria previously described [including household composition] apply unless otherwise specified. FIP income limitations and other eligibility criteria also apply to any program where the program description indicates the family must be participating in PROMISE JOBS services as described below. Descriptions of programs dependent on FIP eligibility criteria do not repeat these criteria.

***Family Investment Program (FIP) Related Programs:***

- **Two-Parent Families Receiving FIP:**  
This Segregated State Program uses state funds to provide FIP benefits to two-parent families when both parents receive FIP. All FIP and PROMISE JOBS program provisions, including Iowa's 60-month limit on the receipt of assistance, apply to persons in this program.

State funds expended for this program are used to meet TANF MOE requirements as they meet the criteria of 409(a)(7)(B)(i)(I) and (II)(bb) of Title IV-A of the Social Security Act.

- **Family Investment Program for Battered Aliens:**  
This Segregated State Program uses only state funds to provide cash assistance grants to immigrants who have been battered or subjected to extreme cruelty and are eligible as qualified aliens under the provisions of 8 U.S.C. 1641(c), but have not resided in the U.S. for at least five years. Immigrants receiving FIP for Battered Aliens benefits would otherwise have been eligible for regular FIP except for the application of Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

By state law, participants of FIP for Battered Aliens are subject to all of the same program requirements as regular FIP participants, including participation in PROMISE JOBS and the 60-month time limit.

Battered immigrants who have received an approved or pending petition for prima facie case for immigration status (form I-360), but are in a waiting period to be

allowed to apply for a social security number may be considered eligible. Qualified battered immigrants who do not have a social security number must apply for work authorization, and once that is received, must apply for a social security number.

Qualified battered immigrants must provide proof of application for a social security number by the month following the month when the employment authorization is received. They must report and provide the social security number once it is received.

Receipt of FIP for Battered Aliens program benefits does not grant eligibility for the Supplemental Nutrition Assistance Program (SNAP), known as Food Assistance in Iowa or for medical benefits, beyond the extent already allowed by federal or state law.

- **PROMISE JOBS Services:**

This program provides work and training services to FIA-responsible persons in families eligible for regular FIP cash assistance or for Two-Parent Families Receiving FIP. Refer to (ii) for a description of family members eligible for services. PROMISE JOBS provides employment, post-employment, and training activities through the Family Investment Agreement (FIA).

- **PROMISE JOBS Services for Excluded Parents and Battered Aliens:**

Effective October 2006, this Separate State Program provides work and training services for FIA-responsible persons participating in the FIP for Battered Aliens cash assistance program and for excluded FIP parents. Refer to (ii) for a description of family members eligible for services. PROMISE JOBS provides employment, post-employment, and training activities through the FIA.

- **PROMISE JOBS Expense Allowances:**

This Separate State Program provides the following supports to persons in the PROMISE JOBS program when the activity is approved under the FIA:

1. Transportation;
2. Per diem allowances for certain people in practicums who must live away from home while in school;
3. Tuition, fees, books, and supplies for people in short-term training;
4. On-the-Job Training allowances to employers;
5. Birth certificates when needed to register for work; and
6. Safety equipment.

The state funds expended for this program qualify as TANF MOE as they meet the criteria of 409(a)(7)(B)(i)(I) and (II) of Title IV-A of the Social Security Act.

- **Family Development and Self-Sufficiency (FaDSS) program:**

This program provides intensive in-home family development services to families receiving FIP and identified as having multiple or severe barriers to self-

sufficiency and family stability. FaDSS participants leaving FIP can continue to receive transitional services for a six-month period to progress toward permanent self-sufficiency. Former cash recipients receiving FaDSS services are deemed eligible based on meeting the State's income and resources criteria applicable to their receipt of FIP cash assistance. The Iowa Department of Human Rights, Division of Community Action Agencies administers this program. The program is available statewide and services are provided by contracted agencies.

- **FIP Diversion Program:** discontinued effective July 1, 2009.
- **Family Self-Sufficiency Grants (FSSG):**  
Available statewide, this program helps PROMISE JOBS participants address specific barriers to self-sufficiency. The grants are designed to pay for products or services that are necessary for the PROMISE JOBS participant to obtain or retain employment and that are not available through other sources. It must be reasonably anticipated that a payment will assist the family to retain or obtain employment in the two full calendar months following the payment authorization date.

The grants must not duplicate assistance available under regular PROMISE JOBS policies or available through local community resources; but are to address barriers to self-sufficiency by meeting expenses that cannot be approved under regular PROMISE JOBS policies. Local plans differ in the benefits or services offered to recipients. Examples include:

- Car repair or maintenance
- Relocation costs
- Occupational/professional licensure/testing fees
- Utility assistance
- Housing assistance
- Transportation assistance for newly employed participants
- Job interview clothing or special clothing related to a job (e.g., boots)
- Time management items (alarm clocks, calendars)
- Tools & equipment for employment

*Limit on assistance.*

The total payment limit per family is \$1,000 per year, meaning the 12 fiscal months following the date of authorization of the initial payment for the family. A fiscal month can begin and end in different calendar months.

*Frequency of assistance.*

FSSG is intended to provide immediate and short-term assistance. While a family may be a candidate more than once and may receive payments in consecutive months in some circumstances, payments shall not be established as regular or ongoing.

*Supplanting.*

FSSG shall not be used for services already available through the IDHS, PROMISE JOBS, or other local resources at no cost.

- **Child Care Assistance limited to FIP households – see next subsection.**

***Child Care Assistance:***

For the purposes of TANF, Iowa uses both TANF and state maintenance of effort (MOE) funds for child care assistance. The actual composition of funding is dependent upon state financial needs and may change from year-to-year.

- **State Child Care Assistance Previously Authorized:**

This Separate State Program (SSP) provides state funding for child care expenditures previously authorized and allowable under the former Child Care for AFDC recipients and At-Risk Child Care programs and is limited to families eligible for the Family Investment Program. Expenditures in their entirety may be claimed as MOE pursuant to 45 CFR 263.5(a).

Child care assistance under this program is provided to FIP families without regard to their employment status. Child care for unemployed FIP families is considered to be “assistance” in accordance with 45 CFR 260.31. For purposes of determining work participation rates under 45 CFR Part 261 – ENSURING THAT RECIPIENTS WORK, including the calculation of any caseload reduction credit, because these families must be receiving FIP and included in any TANF caseload count for these purposes, these families are excluded from any Separate State Program caseload count so they are not counted twice.

In addition to meeting all FIP criteria, the child must be under age 13 (under age 19 if a child has special needs).

Iowa may use state expenditures for child care assistance that are counted as MOE for both TANF and the CCDF, and thus subject to the cap at 409(a)(7)(B)(iv) of Title IV-A of the Social Security Act. Iowa may use additional state child care expenditures that are not claimed as match or MOE for the CCDF or any other federal program, as MOE for TANF.

- **State Child Care Assistance for Working Non-FIP Families:**

This program provides state funding for the child care needs of working non-FIP families, excluding protective child care. State expenditures that can be claimed as MOE are subject to the limits under 45 CFR 263.5(b).

Family eligibility criteria:

- Working or a combination of work and school, for a minimum of 28 hours/week;

- Gross monthly income less than or equal to 145% of the federal poverty level based on family size for initial eligibility and less than or equal to 85% of the state median income level based on family size for continued eligibility; and
- Must cooperate with the IDHS' quality control review unit and with investigations conducted by the Iowa Department of Inspections and Appeals.

Child eligibility criteria:

- Under age 13 (under age 19 if child has special needs);
- Citizen or a qualified alien; and
- Live in Iowa.

- **TANF Transfer to Child Care Development Fund (CCDF):**  
Iowa transfers TANF funds to the Child Care Development Fund (CCDF) as authorized by section 404(d)(1)(B) of the Social Security Act.
- **TANF Child Care Assistance for Working FIP Families:**  
This program provides direct TANF funding for the child care needs of working FIP families, excluding two-parent FIP families.

In addition to meeting all FIP criteria, the child must be under age 13 (under age 19 if a child has special needs).

Note that in all instances where child care assistance is provided for *Two-Parent Families Receiving FIP*, state only funds under the *State Child Care Assistance Previously Authorized* program are used, regardless of employment status.

- **TANF Child Care Assistance for Working Non-FIP Families:**  
This program provides direct TANF funding for the child care needs of working non-FIP families, excluding protective child care.

Family eligibility criteria:

- Working or a combination of work and school, for a minimum of 28 hours/week;
- Gross monthly income less than or equal to 145 percent of the federal poverty level based on family size for initial eligibility and less than or equal to 85% of the state median income level based on family size for continued eligibility; and
- Must cooperate with the IDHS's quality control review unit and with investigations conducted by the Department of Inspections and Appeals.

Child eligibility criteria:

- Under age 13 (under age 19 if child has special needs);

- Citizen or a qualified alien; and
- Live in Iowa.

***Previously Authorized Services:***

The state may use TANF funds for a number of services previously authorized under its IV-A or IV-F State Plan in effect as of September 30, 1995.

Commonly and collectively referred to as IV-A Emergency Assistance, these services are provided to children who are: victims of abuse or at risk of abuse or neglect; at risk of out-of-home placement; or are in need of care. Services include: family assistance fund; social casework; family preservation; family foster care; adolescent monitoring and tracking; and shelter care (over 48 hours).

Family assistance fund services which reduced the risk of placement of the child outside the home through the purchase of emergency food, shelter, clothing or other time-limited emergency assistance that was directly related to the goal of reducing the risk of placement, was terminated in 2007.

Families must meet general child welfare eligibility criteria regardless of the specific service(s) being sought: residency, an eligible child (under age 18, although some services are available up to age 21), and a need for services. Children meeting general eligibility are then screened for eligibility for TANF funding of services (initially and at 6-month intervals while services are provided).

Eligibility criteria for TANF funding is the same as under the prior IV-A or IV-F State Plan: there must be an emergency situation that did not result from a refusal of employment; an application must be made on behalf of a child under age 18 needing one or more IV-A eligible services; the family must meet service eligibility criteria based on the type(s) of service sought; the family must be receiving FIP, Food Assistance, Medicaid, or SSI in the month of application, or does not have cash to provide needed emergency care or services; and the family must not have applied for IV-A Emergency Assistance in the last 12 months.

The state no longer categorizes or reports TANF expenditures on the basis of being previously authorized. With the exception of adolescent monitoring and tracking, all of the previously authorized programs above have been determined to meet one or more of the four statutory purposes under 401(a) of Title IV-A of the Social Security Act and incorporated into the ***Pregnancy Prevention/Services to At-Risk Children*** section of this Plan.

As a juvenile justice service, adolescent monitoring and tracking has been determined by the federal Office of Family Assistance to not meet any of the four statutory purposes of TANF (see TANF-ACF-PI-2015-02). The state could use TANF funds for this program on the basis that it was previously authorized. However, effective July 1, 2016, the state has opted to use 100 percent state funds for this program. This action was taken to: (1)

avoid the administrative burden associated with distinguishing those adolescents and services meeting the prior state plan requirements from those who do not – necessary as the program has evolved since the prior State Plan was in effect; and (2) prevent any unintended misuse of TANF funds if this distinction is not made correctly.

State funds expended for adolescent monitoring and tracking are not claimed for MOE nor are state expenditures for any other juvenile justice services.

***Pregnancy Prevention/Services to At-Risk Children:***

- **Community Adolescent Pregnancy Prevention Program:**  
TANF funds are used for teen pregnancy prevention programs designed to prevent adolescent pregnancy and to promote self-sufficiency and physical and emotional well-being for pregnant and parenting adolescents.

Eligible adolescents must be less than 18 years of age and attending school to pursue a high school diploma or equivalent. There are no income or resource requirements. Services to an adolescent under 18 may continue beyond the adolescent's eighteenth birthday under certain circumstances.

- **Family Planning:**  
Effective July 2007, TANF no longer funded family planning services. These services are now provided through a Center for Medicare and Medicaid Services waiver.

The following programs provide services to at-risk children. These services are intended to meet the 3<sup>rd</sup> statutory objective of TANF to prevent and reduce the incidence of out-of-wedlock pregnancies. National and state studies indicate that victims of child abuse, sexual abuse and neglect have a higher incidence of out-of-wedlock pregnancies than the general population. Services described in the following programs are critical to ensure the safety of the child and prevent reoccurrence of abuse.

- **Child Welfare Services:**  
The state may use TANF funds for a number of Child Welfare Services including or similar to those previously authorized under the prior IV-A State Plan. The individual and collective purposes of Iowa's Child Welfare Services are to reduce and avert child abuse.

These services include: social casework; protective day care; family centered/family preservation which includes safety plan services; family safety, risk, and permanency services with family team meeting facilitation; and drug testing.

Families must meet general child welfare eligibility criteria regardless of the specific services(s) being sought: residency, an eligible child (under age 18,

although some services are available up to age 21), and a need for services. There are no any other eligibility criteria specific to this program.

- **Child Abuse Prevention Program:**

TANF funds are used for community-based child abuse prevention services that provide family support, home visitation, and respite care.

Programs are expected to provide targeted services to families with specific risk factors for maltreatment. Local child abuse prevention councils compete for funds to develop and operate programs in one or more of five major areas: (1) community development (i.e. public awareness, engagement); (2) home visitation (requires use of a federally recognized evidence-based model); (3) parent development (group family support or education); (4) respite care; and (5) sexual abuse prevention. Crisis and/or respite care provided using TANF funds are limited to non-recurrent, short-term services.

Child abuse prevention programs are open to all members of the community without regard to family structure, education, income or resources; however, non-TANF funds are used for individuals and families not eligible to receive benefits funded by TANF; e.g., ineligible aliens programs are expected to provide targeted services to families with specific risk factors for maltreatment.

Certain aspects of this program may also meet the 4th statutory objective of TANF, to encourage the formation and maintenance of two-parent families.

- **Child Protective Assessments:**

TANF funds are used to assess reported incidents of child abuse and neglect when the family is determined to be ineligible for funding under Title IV-E of the Social Security Act.

Applications for additional services available from the IDHS and referrals to other community support services are made based on the finding(s) and risk level of each assessment. Assessments are provided without regard to family income or resources.

- **Community Care Services:**

Community Care was developed and implemented as part of Iowa's child welfare redesign in March 2005. Community Care is a voluntary service that provides child and family focused services and supports to families referred by the IDHS, to reduce safety and risk concerns.

These services and supports are geared to: keeping the children in the family safe from abuse and neglect; keeping the family intact; preventing the need for further and future intervention by the IDHS (including removal of the child from the home); and building ongoing linkages to community-based resources that improve the safety, health, stability, and well-being of those served.

The implementation of Differential Response on January 1, 2014, changed the population served under this service contract. Community Care works directly with children and families after the completion of a child abuse assessment or family assessment.

Community Care eligibility criteria includes:

- (1) Community Care has been identified as the recommended service **and**
- (2) The family has agreed to participate voluntarily in services as a result of:
  - A family assessment and the child is believed to be at moderate to high risk; **or**
  - A child abuse assessment **and**
    - o Child abuse is Not Confirmed but the child is believed to be at moderate to high risk of future abuse or neglect; **or**
    - o Child abuse is Confirmed but the child is believed to be at moderate risk of future abuse or neglect.

Service intervention activities and supports promoting family self-sufficiency may include the following:

- Safety and risk management planning;
- Family skill development;
- Family focused service planning;
- Education on substance abuse, domestic violence, mental health, and parenting skills;
- Family team decision-making meetings;
- Household management assistance and instruction; and
- Information and Referral to connect families to a wide range of community resources, services, and supports to meet ongoing needs

- **State of Iowa Procurement Charge Cards:**

Procurement cards provide a way for state child welfare staff to purchase tangible goods and concrete supports needed by children and families in the child welfare system.

- **Decategorization:**

TANF funds support Decategorization services to troubled or at risk children and their families.

Decategorization is intended to help communities achieve a system in which services are driven by family strengths and needs to replace systems based upon a multitude of categorical programs and funding sources. Decategorization is designed to redirect families to services which are more preventive, family centered, neighborhood and community-based in order to reduce use of restrictive approaches to stabilizing family functioning that otherwise rely on institutional, out of home, and out of community placements.

In Decategorization, state and local officials work together to prevent children and youth from being placed in foster care and to develop services effective at promoting stability and safety for children and families in their respective communities. Through working in partnership, state and local officials develop strategic approaches to strengthening communities and developing deeper service capacity at the local level. There are several categories of services supported through Decategorization, including:

- Coordinator and contract supports;
- Parenting/family support programs;
- Community-based supports; and
- School-based programs.

Decategorization promotes community planning, collaboration, and governance of service systems that more accurately reflect the needs of children and families within the communities served.

Certain aspects of this program may also meet the 4<sup>th</sup> statutory purpose of TANF to encourage the formation and maintenance of two-parent families.

***Programs to Encourage Two-Parent Families:***

The following program(s) provide services intended to meet the 4<sup>th</sup> statutory purpose of TANF, to encourage the formation and maintenance of two-parent families.

- **Promoting the Benefits of a Healthy Marriage:**  
This program uses a paper brochure to provide information on the benefits of a healthy marriage and is available only to households applying for and/or receiving benefits under the Iowa Food Assistance Program.

Households must have gross income at or below 160 percent of the federal poverty level with no asset or resource limitations. Households must otherwise meet Food Assistance eligibility factors. Households who are eligible for this program become categorically eligible to receive Iowa Food Assistance Program benefits. There are no other services available beyond the informational brochure.

***Other TANF or State Only Funded Programs:***

- **Refundable Iowa Earned Income Tax Credit (EITC):**  
This Separate State Program provides Iowa EITC refunds to needy families effective with tax year 2007.

Eligibility for the state EITC is based on eligibility for the federal EITC. Consequently, eligibility criteria, including income limits, are those used for the federal EITC for families in any given year.

Iowa's EITC is paid for with 100 percent state dollars. Previous to tax year 2007, Iowa allowed EITC as a tax credit, but none of the credit was refundable. State funds used to provide state EITC refunds to families became a new MOE investment effective FFY 2008. For tax years 2007-2013, the state EITC was seven percent of the federal EITC. Iowa's EITC increased to 14 percent of the federal EITC effective for tax year 2014 and to 15 percent for tax year 2015. This program meets TANF purposes one and two: 1) provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; and 2) ending the dependence of needy parents on government benefits by promoting job preparation, work and marriage.

The state funds expended for this program qualify as TANF maintenance of effort as they meet the criteria of 409(a)(7)(B)(i)(I) and (II) of Title IV-A of the Social Security Act.

Only the amount of refundable state EITC actually paid to the tax payer or offset and paid to another family; i.e., to meet a child support obligation, is considered to be MOE. Amounts offset for other purposes are not considered to be MOE expenditures.

- **Transfers to the Social Services Block Grant (Title XX):**  
TANF funds are transferred to the Social Services Block Grant (SSBG) within the parameters of federal law at Title IV-A, Section 404(d) of the Social Security Act.
  - (ii) Require a parent or caretaker receiving assistance under the program to engage in work (as defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier, consistent with section 407(e)(2).**

For purposes of Section 402(a)(1)(A)(ii), "engaged in work," as defined by Iowa, means participation in Family Investment Agreement (FIA) activities. Specific work activities that are counted towards the federal work participation rates are described in Iowa's Work Verification Plan effective January 2014.

The goal of Iowa's PROMISE JOBS work and training program is to assure that needy families with children obtain the training, education and employment that helps them become economically self-sufficient and avoid long-term dependence on public assistance. A key element is the establishment of the FIA. The FIA is an individualized agreement between the IDHS and the recipient. The agreement addresses: a particular family's needs; the services to be provided by the IDHS; the actions the family will take; and the time frame to be met by the family to attain self-sufficiency. Families who do not achieve self-sufficiency at that point after making a good faith effort to do so, will have their FIA renegotiated and amended.

Unless determined to be exempt, the following people must participate in PROMISE JOBS and develop an FIA:

1. All adults on the FIP grant, including those in the Two Parents Receiving FIP program;
2. All minor parents on the FIP grant;
3. All children ages 16 to 19 on the FIP grant but not in school full-time; and
4. Any parent excluded from the FIP grant but living with a child on FIP, provided the parent is a citizen or qualified alien as defined at 8 United States Code (USC) Section 1641.
5. All persons described in items 1-4 and receiving cash benefits under the FIP for Battered Aliens Program.

As of July 2002, exemptions are granted only to people listed above who are receiving Supplemental Security Income due to disability or blindness.

In order to more effectively assist families to become economically self-sufficient in the shortest amount of time, all persons that apply for FIP benefits on or after November 1, 2004, unless determined to be exempt, must cooperate with PROMISE JOBS and establish and sign an FIA before eligibility for FIP program benefits may be determined.

Maintenance of effort funds under a Separate State Program are used to fund the costs related to an excluded parent's participation in PROMISE JOBS when the excluded parent is a citizen or qualified alien and to fund the costs of PROMISE JOBS participation for FIP for Battered Aliens recipients. Aliens who are not qualified aliens as defined at 8 USC 1641 are not eligible for PROMISE JOBS.

The FIA requires each FIA-responsible person to participate in one or more of the following activities after orientation and assessment are completed:

- Full-time or part-time employment.

Full-time employment means 30 hours or more per week or 129 hours or more per month. Part-time employment means anything less than this.

- Job-seeking skills training and group or individual job search.

This activity includes but is not limited to: self-esteem building; goal attainment planning; resume development; grooming; letters of application and follow-up letters; job application completion; job retention skills; motivational exercises; identifying and eliminating employment barriers; positive impressions and self-marketing; finding

job leads; obtaining interviews; use of telephones; interviewing skills development; and practice interviewing.

- Classroom training.

This activity includes but is not limited to: high school completion or equivalent; adult basic education; English as a second language; post-secondary education not leading to a degree beyond a bachelor's degree; and any other academic or vocational training course of study that enables the participant to complete high school; improve one's ability to read and speak English; or prepares the individual for a specific professional or vocational area of employment.

- Family development programs.

Services under this activity are designed to promote, empower, and nurture the family to self-sufficiency and healthy reintegration into the community.

- Work experience placement.

Work experience combines placement at work sites that provide participants with work experience and on-the-job-training while providing services that are of direct benefit to the community, with job search activities.

- On-the-job training.

Under this component a participant is hired by a private or public employer, and while engaged in productive work, receives training that provides knowledge or skills essential to the full and adequate performance of that job.

- Unpaid community service.

This activity provides participants with opportunities to establish or re-establish contact with the workforce in a non-threatening environment while providing services that are of direct benefit to the community. Work sites are public or private nonprofit organizations and specific skills-training tasks are not required.

- Parenting skills training.

Parents age 19 and younger are required to include parenting skills in their FIA. Parents age 20 and older can participate in this activity provided they also participate in at least one other activity. Training

may include but not be limited to the following: child growth and development; child health and nutrition; child safety; positive discipline; relationships; and life skills.

- Mentoring program services.

PROMISE JOBS workers guide and support FIP participants so they may become self-reliant through individual growth, job retention, and economic stability. Where available locally at no cost, mentors help these participants increase skills related to: teamwork; conflict resolution; improved communication; interpersonal relationships; money management; and other activities enabling the family to successfully function independently.

- Post-employment services.

These services provide assistance to employed participants by removing barriers to retaining employment and developing skills necessary for job retention and career advancement. Activities could include but are not limited to any activity described previously in this section.

- Family planning counseling services.

These services are optional, and are offered to each participant. Information is provided to participants about the financial implications of newly born children on family finances and on the ability to complete the FIA. Information on the basics of family planning is provided, as is a list of local family planning resources. Family planning cannot be the only component of the family's FIA.

In addition, PROMISE JOBS participants have access to services offered by provider agencies outside of PROMISE JOBS, such as vocational rehabilitation and housing programs, and can include those in their FIAs. Barriers to participation in the FIA cannot be used to excuse or exempt an FIA-responsible person from participation but must be resolved so that participation can result.

The IDHS contracts with Iowa Workforce Development to provide the PROMISE JOBS services listed above. The IDHS' Bureau of Refugee Services provides PROMISE JOBS services, to the extent possible with resources available, to people who entered the United States with a refugee status, until they have obtained U.S. citizenship. The provider agencies determine PROMISE JOBS participants' needs for supportive services and authorize payment for the services.

- (iii) Ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with Section 407.**

Based on the PROMISE JOBS assessment, individuals will include appropriate work activities (as defined by the Deficit Reduction Act of 2005 and described in Iowa's Work Verification Plan) in their Family Investment Agreements (FIA). In some cases, Iowa may include activities in addition to those in Section 407, which will enable the adult to succeed. Policies and procedures are in place to protect workers from displacement (see Attachment G).

FIP applicants required to participate in PROMISE JOBS who do not sign an FIA are denied eligibility for program benefits.

FIP participants, required to participate in PROMISE JOBS and who fail to sign an FIA, or who sign an FIA but fail to carry out the terms of the agreement, enter a limited benefit plan (LBP). If the FIA-responsible person is a parent, the limited benefit plan applies to the entire family. However, if someone other than the parent is the FIA-responsible person, then the LBP applies to only that individual.

The IDHS last redesigned the limited benefit plan effective June 1999, to implement state law changes. A first-time limited benefit plan results in ineligibility indefinitely until the FIA-responsible person signs an FIA. A second or subsequent LBP will result in a minimum of six months of ineligibility. The ineligibility will continue after the six-month period is over until the FIA-responsible person signs an FIA and completes significant action with the PROMISE JOBS program.

An LBP will not be imposed if the individual is a single custodial parent caring for a child who has not attained thirteen years of age and the individual has demonstrated an inability (as determined by the State) to obtain needed child care due to one or more of the following reasons:

- (A) Appropriate child care within a reasonable distance from the home or work site is unavailable;
- (B) Informal child care by a relative or under other arrangements is unavailable or unsuitable; or
- (C) Appropriate and affordable formal child care arrangements are unavailable.

Iowa has extended the criteria found at 45 CFR 261.56 to include children 6-13 years of age, as quality child care is necessary for all children.

An LBP may be imposed if the individual refuses to participate in PROMISE JOBS when an acceptable form of child care is available.

Pursuant to 45 Code of Federal Regulations (CFR) 261.56, the IDHS, as the State TANF agency, has adopted the following definitions and criteria to be used in determining if a single custodial parent with a child under age six (in Iowa, up to

age 13) demonstrates an inability to obtain needed child care and is exempt from an LBP for failure to meet work requirements:

*Appropriate Child Care* means that the child care provider is a licensed center, a registered child care home, an exempt facility, or someone who can pass child abuse and criminal record checks and can meet the minimum health and safety requirements for nonregistered child care home providers.

*Reasonable Distance* means that the required travel time from home to the work related activity does not exceed one hour each way including the travel time necessary to take a child to a child care provider.

*Affordable Child Care Arrangements* means that child care for approved PROMISE JOBS components is provided at no cost, except for the Monitored Employment component which may include a co-pay. Co-payments are based upon a sliding fee schedule through the Child Care and Development Fund in accordance with 441--IAC 170.4(2).

*Unsuitability of Informal Care* means a child care center that has not completed the licensing process or a nonregistered child care provider who cannot pass child abuse or criminal record checks or who cannot meet the minimum health and safety requirements for nonregistered child care home providers.

The unavailability of appropriate child care within a reasonable distance from the participant's home and work related activity exempts a PROMISE JOBS participant from work requirements. Participants must demonstrate an inability to obtain needed child care. If the participant needs assistance in choosing a provider, the local PROMISE JOBS or IDHS office will refer the participant to the child care resource and referral agency serving the county or provide the participant with the list of approvable providers kept by the county DHS office. The availability of appropriate child care will be verified periodically. This exemption does not extend the 60-month lifetime benefit limit.

The IDHS informs parents of the child care exception to work requirements and of the definitions and criteria above used to determine whether a parent demonstrates an inability to obtain needed child care. Parents are also advised that granting this exception does not extend the time limit for receiving federal TANF benefits.

**(iv) Take such reasonable steps as the State deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the Federal Government.**

All IDHS records are open to the public except those containing confidential information. Confidential information cannot be disclosed except to administer programs of the IDHS or as otherwise authorized by federal or state law.

The following information is confidential:

- Names, addresses and the type of assistance provided;
- Client's social and economic circumstances;
- Agency evaluations; and
- Medical or psychiatric data.

Information may be released to:

- Public officials to administer program requirements; and
- Law enforcement officials under certain limited conditions.

- (v) Establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies, and establish numerical goals for reducing the illegitimacy ratio of the State (as defined in section 403(a)(2)(C)(iii)).**

TANF funded Community Adolescent Pregnancy Prevention (CAPP) grant programs operate in more than 50 percent of the state. Enhanced TANF funding has increased the availability of these services. Grants are available to communities who have a proven track record in achieving results or who will utilize a proven method of service and must include abstinence education. Baseline data are used to establish additional numerical goals. Also, PROMISE JOBS and the Family Development and Self-Sufficiency (FaDSS) program provide information about family planning counseling services.

- (vi) Conduct a program, designed to reach State and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men.**

Statutory rape is commonly defined as sexual contact with an individual who is below the legal age of consent. Iowa's age of consent is 16 years old. Individuals aged 15 or younger in Iowa are not legally able to consent to sexual activity, and such activity may result in prosecution for statutory rape. Iowa statutory rape law is violated when a person has consensual sexual intercourse with an individual under age 16. A close in age exemption allows teens aged 14 and 15 to consent to partners less than 4 years older. Regardless of age, it is also illegal for a school employee to engage in sexual intercourse with a current student or even a student who attended school within 30 days of such a violation.

Iowa has seven statutory sexual abuse charges on the books which are used to prosecute age of consent and child abuse related crimes within the state. One or more of these charges may be used to prosecute violations of the Iowa Age of Consent, as statutory rape. The severity of the criminal charge (felony, misdemeanor, etc.) depends on the specifics of the acts committed and the relative ages of the perpetrator and victim. In Iowa, child abuse, specifically sexual abuse, provides the legal basis for defining acts as constituting statutory rape. Consequently, Iowa's efforts to address statutory rape focus on child abuse. The Department of Human Services (IDHS) provides Mandatory Reporter training for IDHS personnel and maintains educational program resources on the IDHS website for others required to report child abuse as well as the general public, to encourage the fullest possible degree of reporting suspected cases of child abuse. Iowa law requires that all mandatory reporters of child abuse receive periodic training in the identification and reporting of child abuse using mandatory reporter training curricula that is reviewed and approved by the Iowa Department of Public Health. Child abuse includes the sexual abuse of a child under the age of 18. Mandatory reporters of child abuse include, but are not limited to, the entities above.

Iowa Code Chapter 709 defines sexual abuse. The IDHS and law enforcement agencies jointly investigate and assess cases of alleged sexual abuse of a child when the allegations involve a "person responsible for the care of the child or of a person who resides in a home with the child" as defined by state statute.

The IDHS has established policies and procedures regarding identifying and assessing all reports involving known or suspected child sex trafficking victims (as defined in section 103(10) of the Trafficking Victims Protection Act of 2000 (TVPA) (22 U.S.C. 7102)).

The IDHS has provisions and procedures for training staff and contractors about identifying, assessing and providing comprehensive services to children who are sex trafficking victims, including efforts to coordinate with state law enforcement, juvenile justice, and social service agencies such as runaway and homeless youth shelters. The IDHS considers any child who is identified by a state as a victim of sex trafficking or severe forms of trafficking as a victim of "child abuse and neglect" and "sexual abuse."

In order to reduce relationship violence and teen pregnancy, the IDHS funds Domestic Sex Trafficking courses and has commissioned providers to develop mini-conferences that focus on the emotional, physical and financial transitioning needs of teens in care.

Community providers access a common meeting space and provide opportunities for local service providers and youth experts to share their skills and connect programs. There are shared opportunities for youth to attend classes on sexual health, relationships, parenting, cooking, budgeting, wellness, self-care, trauma,

etc. The IDHS supports these activities because citizens and community partners are engaging with youth to discuss supports and services to benefit youth.

In addition, Iowa's adolescent pregnancy prevention and parenting programs at the state and community levels include adolescent males. The IDHS works to identify opportunities for appropriate program expansion. Although participation in the educational aspects of the program is currently limited to adolescents, one of the objectives of the program is to provide for public awareness and education, which reaches beyond the scope of adolescence. In addition, the program works to build community coalitions of local health and human service providers to provide for a comprehensive approach to preventing teen pregnancy. Also, PROMISE JOBS and the Family Development and Self-Sufficiency (FaDSS) programs provide information about family planning counseling services.

- (vii) Implement policies and procedures as necessary to prevent access to assistance provided under the State program funded under this part through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 408(a)(12), including a plan to ensure that recipients of the assistance have adequate access to their cash assistance.**

The State has implemented the following policies and procedures to comply with this requirement. These policies and procedures are based on Iowa's reasonable interpretation of P.L. 112-96 and subsequent implementing federal regulations, and are supported by state statute and administrative rules.

Effective February 1, 2014, FIP participants are prohibited from using their electronic access card (EAC) to access benefits at any of the following locations as defined by federal statute or regulation, and as further defined by state statute or administrative rule:

- (1) A liquor store;
- (2) A casino, gambling casino or gaming establishment; or
- (3) A retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

When the IDHS receives a detailed complaint or suspects that a participant has used their EAC at a prohibited location, the case shall be referred to the Department of Inspections and Appeals (DIA) for further investigation. If the referral is founded the action will be considered fraudulent. Penalties for the participant household shall include:

- Requirement to repay any amounts accessed at a prohibited location;
- Three-months of FIP ineligibility for the first finding of misuse; or
- Six-months of FIP ineligibility for each subsequent finding of misuse.

When parents from a two-parent family separate during an ineligibility period:

- If the participant who misused the EAC is identified, the ineligibility period will follow only that participant.
- If the participant who misused the EAC at a prohibited location is not identified, the ineligibility period will follow the participant identified as the head of the household when the violation occurred.

As of January 1, 2014, information regarding the Middle Class Tax Relief and Job Creation Act of 2012 requirement that limits where FIP participants can use their EAC and the penalties for using the card at a prohibited location was added to essential FIP forms. These forms include:

- FIP Notices of Decision (NOD) for benefit approval, change and reinstatement;
- FIP Application;
- Review/Recertification Eligibility Document (RRED), form 470-2881, 470-2881(S);
- Comm. 108-Family Investment Program Brochure;
- Comm. 377 FIP Electronic Access Card; and
- Comm. 233 Right and Responsibilities.

State statute gives the IDHS the authority to take additional measures if required by federal law. Such measures could require changes in administrative rules, employee manuals, systems, forms and other informational materials issued to FIP applicants and recipients, and the contract the IDHS has with the vendor managing EAC accounts.

To ensure that these policies and procedures do not prevent recipients from having adequate access to their cash assistance, the state has, to the extent not expressly precluded by federal law or regulation, or by the federal Office of Family Assistance (OFA), further defined the places described in section 408(a)(12) so as to minimize the number of locations where electronic benefit transactions are prohibited, and to maximize the number of locations where the prohibition does not apply.

Given the total number of financial institutions, automated teller machines (ATMs) and point-of-sale (POS) devices in the state that accept the state's EAC, and that the state's EAC allows for receiving cash back at point-of-sale devices in conjunction with making a purchase when such service is available, ATMs and POS devices at prohibited locations (as defined by the state), represent a very small percent of the total. The sheer volume of alternative locations where electronic benefit transactions are not prohibited ensures that FIP families continue to have adequate access to their benefits.

See Attachment J for additional details describing policies and practices to prevent electronic benefit access at prohibited locations while ensuring recipients have adequate access to their benefits.

- (viii)[5]Ensure that recipients of assistance provided under the State program funded under this part have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and surcharges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.**

The Iowa electronic access card (EAC) is provided at no cost to FIP participants. There are no monthly fees charged for managing the account. Information on applicable fees is provided with each EAC and on the contractor's website at [222.EPPICard.com](http://222.EPPICard.com). Information on fees is also provided on the IDHS website at <http://dhs.iowa.gov/sites/default/files/Comm377.pdf>.

Access is provided as follows:

- Each calendar month:
  - o Three free cash withdrawals from participating bank ATMs + \$1.35 fee after the free withdrawals are used and for withdrawals at non-participating bank ATMs.
  - o Three free balance inquiries from participating bank ATMs + \$.50 per inquiry after the free queries are used.
  - o Six free calls to the Interactive Voice Response (IVR) system + \$.40 per call after the free calls are used.
- No limit on free cash withdrawals from VISA bank tellers.
- No fee for purchases.
- No fee for cash back with purchase.
- No fee for online transactions or accessing account information.
- No fee for calls to transfer to a customer service representative to report a lost, stolen, or damaged card; request a card replacement; report transaction difficulties; or request account error resolution.
- One free card replacement each calendar year + \$5.00 for each subsequent replacement.
- ATM denials cost \$.50.

## **(B) SPECIAL PROVISIONS**

- (i) The document shall indicate whether the State intends to treat families moving into the State from another State differently than other families under the program, and if so, how the State intends to treat such families under the program.**

Iowa has never treated families moving into Iowa from another state differently than other families under its TANF programs, even prior to the United States Supreme Court decision: Rita L. Saenz, Director, California Department of Social Services, et al., Petitioners v. Brenda Roe and Anna Doe, etc., 119 S.Ct. 1518 (1999), which prohibits such treatment.

- (ii) The document shall indicate whether the State intends to provide assistance under the program to individuals who are not citizens of the United States, and if so, shall include an overview of such assistance.**

Iowa provides assistance to recipients of the TANF Family Investment Program and the Family Investment Program for Battered Aliens.

Eligible non-citizens of the United States have eligibility and benefits determined in the same manner as citizens. Qualified aliens, who entered the U.S. before August 22, 1996, are eligible for assistance. Qualified aliens who entered the U.S. on or after August 22, 1996, are not eligible for assistance for five years following the date of entry, except for:

- Those qualified aliens exempted from the five-year limitation by Title IV, Section 403, of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 who may receive regular Family Investment Program (FIP) benefits and
- Those aliens who qualify for the FIP for Battered Aliens Separate State Program.

For those ineligible for FIP cash assistance or FIP for Battered Aliens cash assistance, the state will not provide comparable benefits unless directed to do so by the Iowa Legislature.

- (iii) The document shall set forth objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including an explanation of how the State will provide opportunities for recipients who have been adversely affected to be heard in a State administrative or appeal process.**

The IDHS has a written policy on nondiscrimination consistent with federal and state law that is included on applications, notices, and other forms. This policy includes information on where and how to file discrimination complaints.

The IDHS has retained policies and procedures for appeals that were in effect at the time that TANF was implemented in Iowa on January 1, 1997, as described in Title I, Chapter 7 of the Iowa Administrative Code and Title I, Chapter E of the Employees' Manual.

Applicants and recipients have the right to appeal any decision and any adverse action taken by the IDHS on their case and request a hearing. "Adverse actions" include the following:

- Denial of assistance;
- Delay in acting on the client's application within required time frames;
- Suspension, reduction or termination of assistance;

- Existence and the amount of an overpayment; and
- Recovery of an overpayment.

Aggrieved people may request a review of the IDHS's appeal decision or appeal the final decision to the district court in the client's county of residence.

**(iv) Not later than 1 year after the date of enactment of this section, unless the chief executive officer of the State opts out of this provision by notifying the Secretary, a State shall, 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 two 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.**

Iowa has opted out of this provision. See Attachment A.1 for details.

**(v) The document shall indicate whether the State intends to assist individuals to train for, seek, and maintain employment.**

**(I) providing direct care in a long-term care facility (as such terms are defined under section 2011); or**

**(II) in other occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel, and, if so, shall include an overview of such assistance.**

Iowa does not have any special provisions in place with respect to assisting individuals to train for, seek, and maintain employment in the types of occupations described above. Individuals assessed as having an aptitude or interest in these types of occupations and able to pass the required background checks, are encouraged to seek training to prepare them for work in these fields. Individuals participating in the requisite training for these occupations are eligible to receive the same type of assistance available to individuals in other types of training described in the earlier PROMISE JOBS Expense Allowances section of this Plan.

**(2) CERTIFICATION THAT THE STATE WILL OPERATE A CHILD SUPPORT ENFORCEMENT PROGRAM.**

**A certification by the chief executive officer of the State that, during the fiscal year, the State will operate a child support enforcement program under the State plan approved under part D.**

As certified by the Governor in the attached State Plan Certifications, Iowa will operate a child support enforcement program approved under part D of the State plan.

**(3) CERTIFICATION THAT THE STATE WILL OPERATE A FOSTER CARE AND ADOPTION ASSISTANCE PROGRAM.**

**A certification by the chief executive officer of the State that, during the fiscal year, the State will operate a foster care and adoption assistance program under the State plan approved under Part E, and that the State will take such actions as are necessary to ensure that children receiving assistance under such part are eligible for medical assistance under the State plan under title XIX.**

As certified by the Governor in the attached TANF State Plan Certifications, Iowa will operate a foster care and adoption assistance program under a State Plan approved under Part E and take actions as are necessary to ensure that children receiving foster care or adoption assistance are eligible for medical assistance under Title XIX.

**(4) CERTIFICATION OF THE ADMINISTRATION OF THE PROGRAM.**

**A certification by the chief executive officer of the State specifying which State agency or agencies will administer and supervise the program referred to in paragraph (1) for the fiscal year, which shall include assurances that local governments and private sector organizations:**

- A. have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and**
- B. have had at least 45 days to submit comments on the plan and the design of such services.**

As certified by the Governor in the attached TANF State Plan Certifications, the Iowa Department of Human Services (IDHS) is the state agency with the primary responsibility for administering the program referred to in paragraph (1). Effective July 2007, the Iowa Department of Human Rights (IDHR) became responsible for administering the Family Development and Self-Sufficiency grant (FaDSS) program.

Iowa implemented TANF effective January 1, 1997. In October 1996, Iowa sought advice from a Welfare Reform Advisory Group made up of representatives of county governments, local community organizations, business, labor, religious groups, state legislators, the general public, and several state agencies, to achieve the objective in subparagraph (A). The Welfare Reform Advisory Group originally organized several broad-based work groups to focus on specific aspects of implementing federal TANF provisions. (See Attachment A that shows the work group structure.) Although the Advisory Group and the individual work groups no longer meet, the TANF program as it exists today, is in large part a product of recommendations from those original work groups.

As certified by the Governor in Attachment B, local governments and private sector organizations have also been consulted and given 45 days to submit comments on the October 1, 2016, plan and design of Iowa's welfare services. The TANF State Plan will be posted to the IDHS website at [www.dhs.iowa.gov](http://www.dhs.iowa.gov) under Cash Assistance (<http://dhs.iowa.gov/cash-assistance>).

**(5) CERTIFICATION THAT THE STATE WILL PROVIDE INDIANS WITH EQUITABLE ACCESS TO ASSISTANCE.**

**A certification by the chief executive officer of the State that, during the fiscal year, the State will 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, with equitable access to assistance under the State program funded under this part attributable to funds provided by the Federal Government.**

As certified by the Governor in the attached TANF State Plan Certifications, each member of an Indian tribe who is not eligible for assistance under a tribal family assistance program under Section 412 of the Social Security Act, as amended, shall have equitable access to the State program funded under this part by funds provided by the Federal Government.

**(6) CERTIFICATION OF STANDARDS AND PROCEDURES TO ENSURE AGAINST PROGRAM FRAUD AND ABUSE.**

**A certification by the chief executive officer of the State that the State has established and is enforcing 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.**

As certified by the Governor in the attached TANF State Plan Certifications, Iowa has established and is enforcing 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 assistance program, kickbacks and the use of political patronage.

**(7) OPTIONAL CERTIFICATION OF STANDARDS AND PROCEDURES TO ENSURE THAT THE STATE WILL SCREEN FOR AND IDENTIFY DOMESTIC VIOLENCE.**

**(A) IN GENERAL. At the option of the State, a certification by the chief executive officer of the State that the State has established and is enforcing standards and procedures to:**

- (i) **screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals;**
- (ii) **refer such individuals to counseling and supportive services; and**
- (iii) **waive, pursuant to a determination of good cause, other program requirements such as time limits (for so long as necessary) for individuals receiving assistance, residency requirements, child support cooperation requirements, and family cap provisions, 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.**

**(B) DOMESTIC VIOLENCE DEFINED. For purposes of this paragraph, the term “domestic violence” has the same meaning as the term “battered or subjected to extreme cruelty”, as defined in section 408(a)(7)(C)(iii).**

Iowa incorporates the following domestic violence provisions into its Family Investment Program (FIP):

- FIP is available to immigrants who have been battered or subjected to extreme cruelty and who are eligible as qualified aliens under the provisions of 8 U.S.C. 1641(c) – see **Family Investment Program for Battered Aliens**.
- In accordance with section 454(29) of the Social Security Act, the IDHS may determine that FIP applicants and recipients have good cause due to domestic violence issues, for not cooperating with the state IV-D agency.
- Although 45 CFR 264.1- **What restrictions apply to the length of time Federal TANF assistance may be provided?** identifies criteria meeting the definition of domestic abuse separate from hardship criteria as defined by the state, as a basis for granting an exception to the federal time limit for receiving TANF assistance, Iowa has incorporated domestic violence into its hardship criteria. The IDHS then may extend FIP beyond the 60-month federal limit by determining a hardship exists due to domestic violence.
- Individuals referred to the PROMISE JOBS program complete a self-assessment form which screens for domestic violence by asking if there have been threats or acts of violence toward family members.

The PROMISE JOBS Employees' Manual includes protocols for working with families identified as having domestic violence issues, including but not limited to providing brochures and packets of information about local domestic violence services available, and making referrals to these services as appropriate. Victims of domestic violence can be granted a waiver for participation in certain work-related activities when compliance with such requirements would make it more difficult for the applicant or recipient to escape domestic violence or unfairly penalize those who are or have been victimized by such violence, or place the individual at risk of further domestic violence.

Waivers from work participation requirements comply with 45 CFR 260.55, including the family's agreement to a safety plan to address or prevent family or domestic violence which is reviewed at least every six months, and are the only domestic violence good cause waivers that meet the requirements for federal recognition defined at 45 CFR 260.51. See certification in Attachment B.

Staff involved with the PROMISE JOBS program receive training on domestic violence, the tool used to screen for domestic violence, and how to address domestic violence in the Family Investment Agreement (FIA) for the client.

- It has always been possible for FIP participants who are victims of domestic violence to receive counseling and supportive services.
- Iowa does not have a family cap provision. In addition, Iowa has never treated families moving into Iowa from another state differently than other families under its TANF programs, even prior to the United States Supreme Court decision: Rita L. Saenz, Director, California Department of Social Services, et al., Petitioners v. Brenda Roe and Anna Doe, etc., 119 S.Ct. 1518 (1999), which prohibits such treatment. Waivers are therefore not applicable to these provisions.

**(c) PUBLIC AVAILABILITY OF STATE PLAN SUMMARY. The State shall make available to the public a summary of any plan or plan amendment section.**

Iowa will make available to the public a summary of any plan submitted under section 402(a). (Also see response under paragraph (a)(4).)

**ADDITIONAL OPTIONAL REGULATORY PROVISIONS**

Code of Federal Regulations 45 CFR 265.9(b)(7) requires that the state in its Annual Report, or optionally in its TANF State Plan, provide:

**A description of the procedures the State has established and is maintaining to resolve displacement complaints, pursuant to section 407(f)(3) of the Act. This description must include the name of the State agency with the lead responsibility for administering this provision and explanations of how the State has notified the public about these procedures and how an individual can register a complaint.**

The Iowa Department of Human Services (IDHS) has lead responsibility for administering this provision. The public is notified about procedures concerning displacement complaints through the publication of administrative rules in the Iowa Administrative Code (IAC). Procedures for filing and handling displacement complaints are found at IAC 441—93.17 and are attached (Attachment G).

Code of Federal Regulations 45 CFR 265.9(c)(9) requires that the state in its Annual Report, or optionally in its TANF State Plan, provide:

**A certification that those families for which the State is claiming MOE expenditures met the State's criteria for “eligible families”:**

As certified by the Governor in the attached TANF State Plan Certifications, the families for which Iowa is claiming maintenance of effort expenditures meet the State's criteria for “eligible families” as defined in this TANF State Plan.

## ATTACHMENT A.1

### NOTICE OF OPTING OUT OF THE COMMUNITY SERVICE PROVISION

This notice is given pursuant to Section 402(a)(1)(B)(iv) of the Social Security Act. This is written notice that Iowa continues to choose to opt out of the provision that requires 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 work and tasks to be determined by the State.

However, it is important to note the following:

- Iowa provides unpaid community service as an option of the Family Investment Agreement under the PROMISE JOBS program.
- Unpaid community service is appropriate as a method of achieving or increasing employability for recipients who are not able to immediately move into paid employment.
- It is appropriate to expect individuals to seek other work-related opportunities where paid employment is not available and unpaid community service is reasonable.
- If determined necessary, in the future Iowa may expand the use of unpaid community service or mandate community service for certain recipients.

However, mandating unpaid community service as provided in Section 402(a)(1)(B)(iv) of the Social Security Act does not appear to be consistent with Iowa's current Family Investment Program or as it may potentially be changed in the future. Therefore, Iowa continues to opt out of the provision at this time.

**CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:**

12-30-16  
Date

  
Terry E. Branstad, Governor  
State of Iowa

## ATTACHMENT B

### ◆ State Plan Certifications ◆

This has been designed to enable the Chief Executive Officer of a State to certify that the State will operate its Temporary Assistance for Needy Families (TANF) program in accordance with the statutory requirements in section 402 of the Social Security Act. *This attachment covers more than just 402(a).*

## CERTIFICATIONS

The State will operate a program to provide Temporary Assistance for Needy Families (TANF):

- So that children may be cared for in their own homes or in the homes of relatives;
- To end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;
- To prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and
- To encourage the formation and maintenance of two-parent families.

Executive Officer of the State: Terry E. Branstad, Governor, State of Iowa.

In administering and operating a program that provides Temporary Assistance for Needy 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 Iowa Department of Human Services is the agency with primary responsibility for administering the program.

The Iowa Department of Human Rights is a TANF sub-grantee agency responsible for administering the Family Development and Self-Sufficiency (FaDSS) supportive program.

2. Assure that local governments and private sector organizations:
  - (a) Have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and
  - (b) Have had at least 45 days to submit comments on the plan and the design of such services.
3. Operate a Child Support Enforcement program under the State Plan approved under part D.
4. Operate a Foster Care and Adoption Assistance program under the State Plan approved under part E, and take all such actions as are necessary to ensure that children receiving assistance under such part are eligible for medical assistance under the State Plan under Title XIX.
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, 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.
7. Make available to the public a summary of Iowa's TANF State Plan.
8. Claim maintenance of effort (MOE) expenditures only for families that meet the State's criteria for "eligible families" as defined in this TANF State Plan.

**OPTIONAL CERTIFICATION OF STANDARDS AND PROCEDURES TO ENSURE SCREENING FOR AND IDENTIFYING DOMESTIC VIOLENCE**

[X ] The State has established and is enforcing standards and procedures to:

- (i) Screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals;
- (ii) Refer such individuals to counseling and supportive services; and
- (iii) Waive, pursuant to a determination of good cause, other program requirements such as time limits (for as long as necessary) for individuals receiving assistance, residency requirements, child support cooperation requirements, and family cap provisions, 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.

(Refer to (a)(7) of the TANF State Plan for details on implementation of these waivers in Iowa.)

Note: Iowa does not have a family cap provision. In addition, Iowa has never treated families moving into Iowa from another state differently than other families under its TANF programs, even prior to the United States Supreme Court decision: Rita L. Saenz, Director, California Department of Social Services, et al., Petitioners v. Brenda Roe and Anna Doe, etc., 119 S.Ct. 1518 (1999), which prohibits such treatment. Waivers are therefore not applicable to these provisions.

**CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:**

12-30-16  
Date

  
\_\_\_\_\_  
Terry E. Branstad, Governor  
State of Iowa

# ATTACHMENT C

## ◆ Funding ◆

## FUNDING

Section 403(a)(1)(A) provides that each eligible State shall be entitled to receive for fiscal year 2012, a grant in an amount equal to the State family assistance grant as defined in section 403(a)(1)(B). Since FY 2012, funding has been provided to states at the same amount through a series of continuing resolutions.

### **I. Payments to Agency Administering the TANF Program**

Payments for the TANF program will be made to the organization managing the AFDC/JOBS programs as of August 22, 1996, unless the State indicates that the TANF administering agency is changed. If a change is made, describe the name, address and EIN number of the new organization.

### **II. State Payments for TANF Program**

- Section 405 requires that grants be paid to States in quarterly installments, based on State estimates. The State's estimate for each quarter of the fiscal year by percentage is:

#### FY 2017 - 2018

1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
25%	25%	25%	25%

#### FY 2018 - 2019

1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
25%	25%	25%	25%

#### FY 2019 - 2020

1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
25%	25%	25%	25%

#### FY 2020 - 2021

1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
25%	25%	25%	25%

#### FY 2021-2022

1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
25%	25%	25%	25%

# ATTACHMENT D

## ◆ Substantive Changes in State Plan ◆

## Substantive Changes in State Plan

This TANF State Plan is submitted as a “new” Plan for purposes of renewing the state’s eligibility for federal funding under part A, Title IV, of the Social Security Act. Substantive changes to the prior TANF State Plan are identified below. Minor editorial and organizational changes that have been made are not listed.

1. Amended the name of the TANF Child Care Assistance program to the TANF Child Care Assistance for Working FIP Families. This amendment was effective January 1, 2015.
2. Added the new TANF Child Care Assistance for Working Non-FIP Families program. Eligibility for the program is limited to families within 145% of the federal poverty with a minimum of 28 working hours a week. This amendment was effective January 1, 2015.
3. Amended the name of the State Child Care Assistance program to the State Child Case Assistance Previously Authorized program. The explanation for this program was also amended to clarify that it represents child care program expenditures authorized and allowable under the former Child Care for AFDC recipients and At-Risk Child Care programs and includes families eligible for the Family Investment Program. The explanation also clarified state expenditures under this program count as MOE in their entirety pursuant to 45 CFR 263.5(a). This amendment was effective April 1, 2015.
4. Added the new State Child Case Assistance for Working Non-FIP Families program. Eligibility for this program is the same as the TANF Child Care Assistance for Working Non-FIP Families program added in January 2015. State expenditures for this program counted towards MOE are limited pursuant to 45 CFR 263.5(b). This amendment was effective April 1, 2015.
5. Clarified that per TANF-ACF-PI-2015-02 published October 8, 2015, Iowa will not use federal TANF or State Maintenance of Effort (MOE) funds for the costs of juvenile justice services provided on or after July 1, 2016, except under “previously authorized” provisions. The amendment also specified that despite being “previously authorized,” Iowa will use 100% state funds for its adolescent monitoring and tracking program. State expenditures for these services shall not be reported as MOE. This amendment was effective July 1, 2016.

## **ATTACHMENT E**

### **◆ Regulatory State Plan Elements ◆**

## Regulatory State Plan Elements

Federal regulations effective October 1, 2016, provide for the following elements in the TANF State Plan. All items below have been incorporated into this State Plan.

### Required Elements.

45 CFR 263.2(b) requires that the state define "eligible family" for programs claimed for maintenance of effort purposes.

45 CFR 265.9(b)(11) requires that the state describe how it will:

- (i) Implement policies and procedures as necessary to prevent access to assistance provided under the State plan through any electronic fund transaction in an automated teller machine or point-of-sale device located in a location prohibited by federal statute or regulation yet ensure that these policies and procedures do not prevent recipients from having adequate access to their cash assistance. See main body of this State Plan and in Attachment J.
- (ii) Ensure that recipients of assistance provided under the State plan have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and surcharges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.

### Optional Elements.

1. CFR 261.56(b)(2)(iii) requires that the state submit the criteria and definitions it has developed to determine when a custodial parent with a child under age six has demonstrated an inability to obtain needed child care and is subsequently exempt from work requirement sanctions. Iowa is submitting this information in this State TANF Plan.
2. As provided for by 45 CFR 265.9(d), the state is opting to include the following elements in this State Plan as an alternative to providing this information in its Annual Report:
  - 45 CFR 265.9(b) Each State must provide the following information on the TANF program: The numbering below corresponds to the specific numbered items from 265.9(b) that are addressed in this State Plan.
    - (1) The State's definition of each work activity;
    - (2) A description of the transitional services provided to families no longer receiving assistance due to employment;

- (3) A description of how a State will reduce the amount of assistance payable to a family when an individual refuses to engage in work without good cause pursuant to 45 CFR 261.14;
- (5) If the State has adopted the Family Violence Option and wants Federal recognition of its good cause domestic violence waivers under subpart B of part 260 of this chapter, a description of the strategies and procedures in place to ensure that victims of domestic violence receive appropriate alternative services;
- (6) A description of any nonrecurrent, short-term benefits provided, including:
  - (i) The eligibility criteria associated with such benefits, including any restrictions on the amount, duration, or frequency of payments;
  - (ii) Any policies that limit such payments to families that are eligible for TANF assistance or that have the effect of delaying or suspending a family's eligibility for assistance; and
  - (iii) Any procedures or activities developed under the TANF program to ensure that individuals diverted from assistance receive information about, referrals to, or access to other program benefits (such as Medicaid and food stamps) that might help them make the transition from welfare to work;
- (7) A description of the procedures the State has established and is maintaining to resolve displacement complaints, pursuant to section 407(f)(3) of the Act. This description must include the name of the State agency with the lead responsibility for administering this provision and explanations of how the State has notified the public about these procedures and how an individual can register a complaint;
- (8) A summary of State programs and activities directed at the third and fourth statutory purposes of TANF (as specified at Sec. 260.20(c) and (d) of this chapter).
- (10) A comprehensive description of the state's policies and practices to prevent assistance (defined at § 260.31(a) of this chapter) provided with federal TANF or state TANF MOE funds from being used in any electronic benefit transfer transaction in any: liquor store; casino, gambling casino or gaming establishment; or retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for

entertainment. See general description in the main body of this State Plan and details in Attachment J.

- (11) The state's TANF Plan must describe how the state will:
  - (i) Implement policies and procedures as necessary to prevent access to assistance provided under the State program funded under this part through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 408(a)(12) of the Act, including a plan to ensure that recipients of the assistance have adequate access to their case assistance. See general description in the main body of this State Plan and details in Attachment J.

- 45 CFR 265.9(c) Each State must provide the following information on the State's program(s) for which the State claims MOE expenditures: The numbering below corresponds to the specific numbered items from 265.9(c) that are addressed in this State Plan.

- (1) The name of each program and a description of the major activities provided to eligible families under each such program;
- (2) Each program's statement of purpose;
- (3) If applicable, a description of the work activities, in each separate State MOE program, in which eligible families participate;
- (6) The eligibility criteria for the families served under each program/activity;
- (7) A statement whether the program/activity had been previously authorized and allowable as of August 21, 1996, under section 403 of prior law;
- (8) The FY 1995 State expenditures for each program/activity not authorized and allowable as of August 21, 1996, under section 403 of prior law (see Sec. 263.5(b) of this chapter); and
- (9) A certification that those families for which the State is claiming MOE expenditures met the State's criteria for "eligible families".

## **ATTACHMENT F**

### **◆ Input From Local Governments and Private Sector Organizations ◆**

## **Input From Local Governments and Private Sector Organizations**

Pursuant to Section 402(a)(4) of the Social Security this State Plan has been posted for comment on the Department of Human Services' web site at [www.dhs.iowa.gov](http://www.dhs.iowa.gov) under Cash Assistance as draft during the allowed 45 days to submit comments.

## **ATTACHMENT G**

### **◆ Procedures for Displacement Complaints ◆**

## Procedures for Displacement Complaints

Following is a description of the procedures in place for addressing displacement complaints as required by 45 Code of Federal Regulations (CFR) 265.9(b)(7).

**441—93.17(239B) Worker displacement grievance procedure.** The PROMISE JOBS program shall provide a grievance procedure to address and resolve public complaints regarding the displacement of regular workers with program participants in a work experience placement.

**93.17(1)** The procedure shall provide that:

- a.* Complaints must be filed in writing and received by the PROMISE JOBS service provider within one year of the alleged violation.
- b.* A representative of the PROMISE JOBS service provider must schedule a face-to-face interview with the complainant within 7 days of the date the complaint is filed, to provide the opportunity for informal resolution of the complaint.
- c.* Written notice of the location, date and time of the face-to-face interview must be provided.
- d.* An opportunity must be provided to present evidence at the face-to-face interview.
- e.* The representative of the PROMISE JOBS service provider shall issue a decision in writing within 14 days of the date a complaint is filed.
- f.* A written explanation must be provided to all involved parties of the right to file a written appeal, according to 441—Chapter 7, if the opportunity for informal resolution is declined, if a party receives an adverse decision from the PROMISE JOBS service provider, or if there is no decision within the 14-day period.
  - (1) To be considered, an appeal must be filed with the department within 10 days of the mailing date of the adverse decision or within 24 days of the date a complaint is filed
  - (2) An appeal hearing will not be granted until informal resolution procedures have been exhausted, unless a decision has not been issued within 24 days of the complaint filing date.

**93.17(2)** The department shall issue a final decision within 90 days of the date the complaint was filed with the PROMISE JOBS service provider.

**93.17(3)** Any dissatisfied party shall be informed of the right to appeal the decision of the department to the Secretary of Labor, Office of Administrative Law Judges, U.S. Department of Labor, Vanguard Building, Room 600, 111 20th Street N.W., Washington, DC 20036, within 20 days of the receipt of the department's final decision.

- a.* For the purposes of this rule, the department's final decision shall be considered received the second day after the date that the written decision was mailed, unless the intended recipient can demonstrate that it was not received on the second day after the mailing date. When the second day falls on a Sunday or legal holiday, the time shall be extended to the next mail delivery date.
- b.* The option to appeal to the Secretary of Labor does not preclude an individual from exercising any right to judicial review as provided in Iowa Code chapter 17A or as described in 441—Chapter 7.

**93.17(4)** Upon notice of a complaint or grievance, the PROMISE JOBS office must provide the complaining party with a copy of the grievance procedures, notification of the right to file a formal complaint and instruction on how to file a complaint.

**93.17(5)** Upon filing a complaint, and at each stage thereafter, each complainant must be notified in writing of the next step in the complaint procedure.

**93.17(6)** The identity of any person who has furnished information relating to, or assisting in, an investigation of a possible violation must be kept confidential to the extent possible, consistent with due process and a fair determination of the issues.

**93.17(7)** All employers who participate in the PROMISE JOBS program shall provide assurances that all regular employees are aware of this grievance procedure.

## ATTACHMENT H

### ◆ Adolescent Pregnancy Prevention ◆

## **Community Adolescent Pregnancy Prevention**

TANF funded Community Adolescent Pregnancy Prevention (CAPP) grant programs are operating through the state of Iowa. In State Fiscal Year (SFY) 2016, 13,103 adolescents received 3-5 hours of comprehensive education using science-based, proven-effective, curricula. In addition, 20,563 students received partial curricula and/or topical presentations on a variety of subjects including substance abuse, healthy relationships, and social media. A total of 46,993 individuals in Iowa received some form of service under the CAPP program, including 307 pregnant or parenting teens. Services were provided to 120 school districts in 53 counties.

In order to reduce relationship violence and teen pregnancy, DHS funds Domestic Sex Trafficking courses and has commissioned providers to develop mini-conferences that focus on the emotional, physical and financial transitioning needs of teens in care.

Community providers access a common meeting space and provide opportunities for local service providers and youth experts to share their skills and connect programs. There are shared opportunities for youth to attend classes on sexual health, relationships, parenting, cooking, budgeting, wellness, self-care, trauma, etc. DHS supports these activities because citizens and community partners are engaging with youth to discuss supports and services to benefit youth.

Grants are available to community coalitions, and their identified service providers, based on the community's need and the provider's ability to achieve results through a proven method of instruction that includes abstinence education. Community pregnancy prevention coalitions prepare requests for grant funding and work with the statewide agency EyesOpenIowa (legal name *Future Net, Incorporated*) for support in service delivery, resource materials, training and technical assistance. In addition, the CAPP program works with an evaluation team from the University of Northern Iowa (UNI) to measure the program's effectiveness.

### **Community Adolescent Pregnancy Prevention Program Goals:**

Students who receive Community Adolescent Pregnancy Prevention programming will have increased knowledge of sexuality, improved communication skills (including skills to resist peer pressure and non-sexual risk factors) and enhanced behavioral predisposition to sexual abstinence.

Pregnant and parenting teens who receive Community Adolescent Pregnancy Prevention intervention programs will have adequate access to prenatal care, well-child care and needed community resources (such as educational programs, employment training and career opportunities) to maximize their self-sufficiency. They also will receive education to prevent subsequent pregnancies.

**Goal 1:** Seventy-five percent of adolescent youth receiving Community Adolescent Pregnancy Prevention Programs will have increased self-confidence to resist peer pressure for premature sexual behavior.

**Goal 2:** Seventy-five percent of middle school youth who receive Community Adolescent Pregnancy Prevention Programs will report enhanced behavioral disposition to sexual abstinence.

**Goal 3:** Seventy-five percent of high school youth who receive Community Adolescent Pregnancy Prevention programs will report increased communication skills to talk with partners, parents/guardians and others about responsible sexual expression.

**Outcomes reported by the Iowa Department of Health (IDPH) Bureau of Vital Statistics Adolescent Pregnancy Prevention:**

Adolescent births among females under age 20 declined by almost 11 in every 1,000 from 2001 to 2004. A slight increase occurred in 2005 – 2008 with decreases occurring every year since 2009.

**Live Births to Mothers under age 20**

Year	Iowa Population Estimates 15-19 years old (Female ONLY) <sup>1</sup>	Total Number of Births to Mothers under 20 <sup>2</sup>	Ratio per 1,000 total births <sup>2</sup>	Rate of Births to Mothers under 20 (per 1,000 females 15-19 years old)
2001	NA	3,608	95.9	NA
2002	NA	3,420	91.1	NA
2003	NA	3,420	87.2	NA
2004	NA	3,260	85	NA
2005	NA	3,358	85.5	NA
2006	108,514	3,524	86.8	32.48
2007	105,943	3,565	87.3	33.65
2008	109,377	3,629	90.2	33.18
2009	105,755	3,448	86.9	32.60
2010	107,798	3,059	79.4	28.38
2011	106,050	2,706	70.8	25.52
2012	104,540	2,532	65.5	24.22
2013	107,797	2,298	58.9	21.32
2014	107,952	2,069	52.1	19.17
2015	105,191	1,624*	41.2*	15.44

Iowa's TANF State Plan: Attachments

<sup>1</sup>US Census Data Estimates, Source:

[http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_15\\_1YR\\_B01001&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_1YR_B01001&prodType=table)

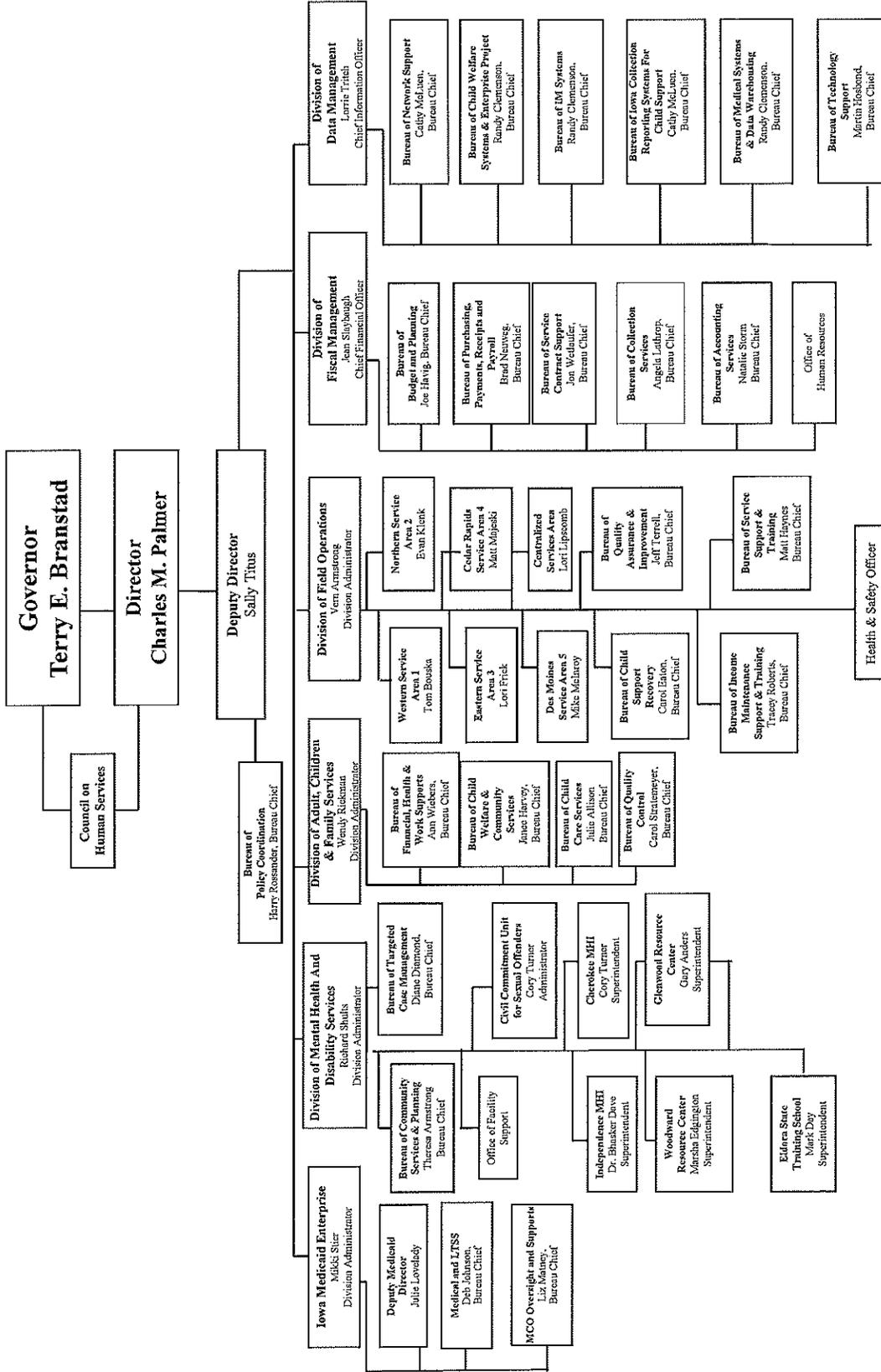
<sup>2</sup>Iowa Department of Public Health Vital Statistics, Source: <http://idph.iowa.gov/health-statistics/data>

\*Note: 2015 Provisional Data from IDPH Vital Statistics, full report not yet released

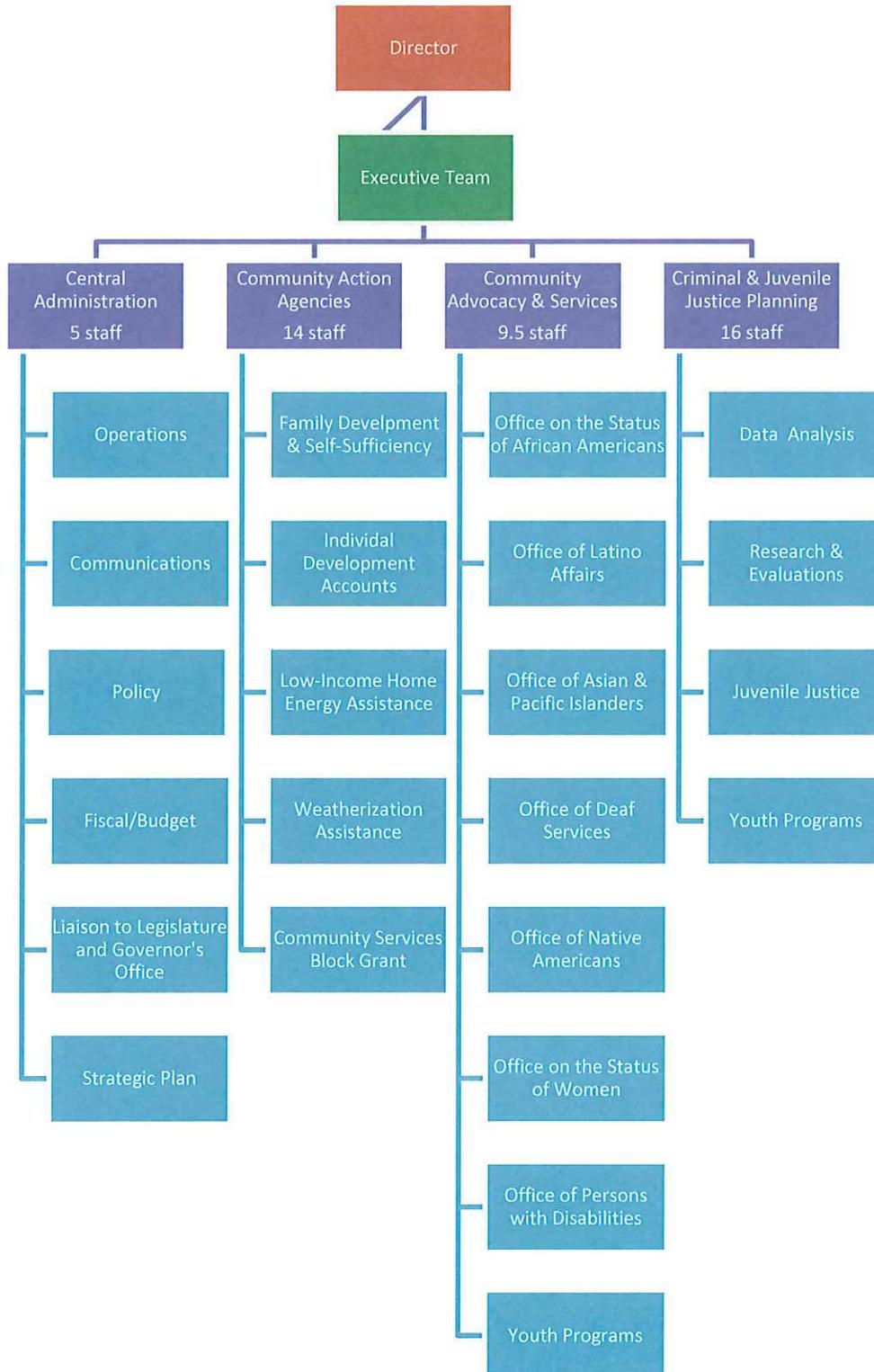
**ATTACHMENT I**

**◆ Table of Organizations◆**

State of Iowa Department of Human Services



# State of Iowa Department of Human Rights



## **ATTACHMENT J**

### **◆ Electronic Benefit Transaction (EBT) Restrictions ◆**

## **ELECTRONIC BENEFIT TRANSACTION (EBT) RESTRICTIONS**

Section 408(a)(12) of the Act requires states to maintain policies and practices as necessary to prevent assistance provided under the State program funded under this part (IV-A) from being used in any electronic benefit transfer transaction in: (i) any liquor store; (ii) any casino, gambling casino, or gaming establishment; or (iii) any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclad state for entertainment.

Section 408(a)(12) also provides definitions for the following terms: (i) any liquor store; (ii) any casino, gambling casino, or gaming establishment; and (iii) electronic benefit transfer transaction.

Federal regulations at 45 CFR 265.9(b)(10) require that states provide the information below on an annual basis. However, 265.9(d) provides:

**(d)** If the State has submitted the information required in paragraphs (b) and (c) of this section in the State Plan, it may meet the annual reporting requirements by reference in lieu of re-submission. If the information in the annual report has not changed since the previous annual report, the State may reference this information in lieu of re-submission.

Federal regulations at 45 CFR 265.9(b)(11) require that:

**(11)** The state's TANF Plan must describe how the state will:

**(i)** Implement policies and procedures as necessary to prevent access to assistance provided under the State program funded under this part through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 408(a)(12) of the Act, including a plan to ensure that recipients of the assistance have adequate access to their cash assistance; and

**(ii)** Ensure that recipients of assistance provided under the State program funded under this part have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and surcharges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.

Iowa opts to comply with the requirements of 45 CFR 265.9(b)(10) and (b)(11)(i) through this Attachment J. The requirements of 265.9(b)(11)(ii) are addressed within the main body of the State Plan.

### **45 CFR 265.9 What information must the state file annually?**

**(b)** Each **State** must provide the following information on the **TANF** program:

**(10)** A comprehensive description of the state's policies and practices to prevent assistance (defined at § 260.31(a) of this chapter) provided with federal TANF or state

## **ELECTRONIC BENEFIT TRANSACTION (EBT) RESTRICTIONS**

**TANF MOE funds from being used in any electronic benefit transfer transaction in any: liquor store; casino, gambling casino or gaming establishment; or retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.**

**Reports must address:**

**(i) Procedures for preventing the use of TANF assistance via electronic benefit transfer transactions in any liquor store; any casino, gambling casino, or gaming establishment; and any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment;**

Section 4004 of the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96) required states to implement and maintain policies and procedures to prevent electronic benefit transfer (EBT) transactions of TANF benefits at specified types of businesses, and to submit a report describing these policies and procedures to the Secretary of Health and Human Services, no later than February 22, 2014. Pending federal regulations further clarifying state requirements, the Office of Family Assistance (OFA) for the Administration for Children and Families (ACF) advised states to “formulate policies and implement requirements in section 4004 of P.L. 112-96 based on its reasonable interpretation of these requirements.” (TANF Q&A March 2013).

Iowa’s reasonable interpretation of section 4004 emphasizes recipient responsibility and accountability. This interpretation is expressed in changes to state law enacted during the state’s 2013 legislative session. See Exhibit 1 for actual language. Briefly, this legislation makes compliance with the prohibition a condition of continued eligibility for TANF cash assistance and violation of this condition a fraudulent practice. The legislation incorporates federal definitions whether in law or regulation for the prohibited locations, and authorizes the Iowa Department of Human Services (DHS), the state TANF agency, to implement additional measures if required by federal regulations, and to adopt administrative rules as necessary.

DHS adopted administrative rules to implement the statutory changes. These rules provide that if DHS receives a detailed complaint or otherwise suspects that TANF benefits have been accessed by EBT at a prohibited location, a referral will be made to the state’s Department of Investigations and Appeals (DIA) to investigate. If the DIA determines that benefits were accessed at a prohibited location, the household will be canceled and ineligible for a period of three months for a 1<sup>st</sup> violation and six months for each subsequent violation, and be required to repay any amount accessed at a prohibited location. See Exhibit 2 for actual language.

Iowa’s policies prohibiting EBT of TANF benefits at prohibited locations became effective February 1, 2014.

Steps taken prior to this effective date included:

1. Meeting with staff from the Department of Inspections and Appeals to discuss the policy change and DIA’s role. As DIA is contracted by DHS to conduct investigations related to

## **ELECTRONIC BENEFIT TRANSACTION (EBT) RESTRICTIONS**

the state's TANF cash assistance program, including eligibility, this is considered to be covered by the terms of the contract.

DIA investigations can include interviews with TANF recipients and witnesses as well as the subpoena of video or other records that may be available from the business in question, or from the vendor providing electronic access card services for the state's TANF program.

2. Developing language advising of the new eligibility requirement and penalties, and adding it to all relevant forms. With only slight variations, if any, this language states:

Effective February 1, 2014: You cannot access your cash benefits with your electronic access card (EAC) at a:

- Liquor store or any place that mainly sells liquor,
- Casino or other gambling or gaming establishment, or
- Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

If the department determines that you have accessed your cash benefits with your EAC at one of the above places you:

- Will have committed fraud,
- Have to repay the amount of cash accessed at the location, and
- Your family will not get cash benefits for three months with the first misuse and six months for each additional misuse.

This language was added to the following forms provided to TANF applicants and recipients, prior to the February 1, 2014, effective date.

- Application – paper and on-line versions
- Review/recertification form
- Brochure describing the TANF cash assistance program
- Rights and Responsibilities form
- Sheet describing the electronic access card used to issue TANF cash benefits
- Notices of Decisions for approval, changes and reinstatement

3. Similar language was added to the card carrier, card brochure and frequently asked questions document issued with the TANF electronic access card by the state's vendor that provides electronic funds transfer services for the TANF cash assistance program.
4. Letters were mailed at the beginning of January 2014 to all currently active TANF cases, as well as those closed within 30 days, advising of the change. See Exhibit 3.
5. A press release about the change was prepared and posted to the DHS website in January 2014. See Exhibit 4.
6. A flyer describing the change was prepared and provided to local DHS offices for posting. See Exhibit 5.

## **ELECTRONIC BENEFIT TRANSACTION (EBT) RESTRICTIONS**

7. A similar flyer was provided to the state's Racing and Gaming Commission and Alcoholic Beverages Division with a request to provide the flyer to entities subject to their authority. See Exhibit 6.
8. Changes were made to DHS Employees' Manuals (See Exhibit 7) to correspond with the policy change, including the following:
  - During the initial interview, reviews and at other times deemed appropriate, workers should explain that the electronic access card cannot be used to access FIP benefits at certain locations.
  - New eligibility criteria related to electronic access card usage.
  - Procedures for responding to complaints of card usage at prohibited locations and making referrals to the Department of Inspection and Appeals to investigate.
  - Including use of the electronic access card at prohibited locations under the definition of client error for purposes of recoupment.
  - Making appropriate entries to the TANF eligibility system to impose a 1<sup>st</sup> and subsequent sanction for using the electronic access card at a prohibited location.
9. The following changes were made to the TANF eligibility and related systems (see Exhibit 7):
  - New reason codes for cancelation, denial and sanctions associated with violating the prohibition.
  - New notice language corresponding with cancelations and denials due to violating the prohibition.
  - Programming to calculate the end of an ineligibility period based on whether it is a 1<sup>st</sup> or subsequent violation.
  - New "tag" language added to Notices of Decisions as previously described.
  - New cause code for the Overpayment Recovery system related to overpayments caused by violating the prohibition.
10. Training material was developed and conducted, both a preliminary "heads-up" in December 2013 (see Exhibits 8a and 8b), and more detailed training held in January 2014 (see Exhibits 9a and 9b).
11. Information describing the policies and practices were added to the State TANF Plan when it was renewed in December 2013 effective October 2013 (See Exhibit 10).
12. After confirming with the Office of Refugee Resettlement that there was no federal prohibition, the state elected to apply the same policies and procedures with respect to Refugee Cash Assistance (RCA).

Final federal regulations issued on January 15, 2016, provided additional clarification concerning states' responsibilities in complying with section 4004 of P.L. 112-96. The regulations specified the four components that must be addressed in a state's policies and procedures, as well as provided guidance and suggestions for different ways that states can comply with each component. While states are required to include all four components in their policies and procedures, the final regulations also stress that states have some flexibility in how they do so.

## **ELECTRONIC BENEFIT TRANSACTION (EBT) RESTRICTIONS**

The final federal regulations described nine options or steps that states could use to comply with the first required component. These options focus on who is responsible for preventing EBT transactions of TANF benefits at the types of businesses listed. Options fall into three categories: (1) requirements for ‘third-party processors’ – entities that actually process EBT transactions; (2) retailers – the actual businesses where transactions are prohibited; and (3) the families receiving TANF benefits. The regulations do not require that states utilize any particular option(s) listed, or that states use options under more than one category. The preamble to the regulations does clarify that notification approaches to TANF applicants/recipients alone are not sufficient, except for EBT transactions from private bank accounts, on tribal lands and in other states.

In evaluating each of the nine options identified in the final regulations, the state determined that several options were not separate, but rather were an integral part to one or more other options. Other options were not readily available to the state and /or would not be cost effective.

Iowa’s policies and procedures continue to focus on applicants and recipients. In addition to the extensive notification practices described above, Iowa also holds applicants and recipients responsible for any failure to comply. As described above, under FIP administrative rules already in effect at the time the final federal regulations were published, recipients found to have accessed their TANF benefits at a prohibited location by way of EBT have committed fraud, must repay any benefits accessed at such location, and are ineligible for FIP for a period of three months for a first-time violation, and for a period of six months for each subsequent violation.

The final regulations identify “Requiring cardholders to agree in writing not to use TANF assistance at prohibited locations as a condition of receipt” as a separate means or option than notification. Effective January 1, 2017, FIP administrative rules were amended to require that “as a condition of eligibility, applicants and recipients must agree in writing to not use an electronic access card at prohibited locations.” See Exhibit 11 for details. In addition, the following language was added to the section of the FIP application form describing EBT prohibitions:

By having signed this application, you agree that no member of your household will use the EAC or your personal debit card to access FIP/RCA funds at prohibited locations.

Comparable language was also added to the FIP review and recertification eligibility form effective January 1, 2017. Households failing to sign an application or recertification form containing this language are ineligible for FIP.

Iowa has made additional changes to its policies and procedures prohibiting EBT transactions based on guidance and instructions in the final regulations. These changes are also effective January 1, 2017:

- Administrative rules were amended by revising definitions of prohibited locations. These definitions are used to identify such locations by clarifying when EBT restrictions apply. See next report component for details. See Exhibit 11.

## ELECTRONIC BENEFIT TRANSACTION (EBT) RESTRICTIONS

- Administrative rules were amended to include fees associated with accessing benefits at prohibited locations in the amount required to be paid back. See Exhibit 11. This change was also made to other forms including language advising that TANF benefits accessed at prohibited locations must be repaid to the state. See Exhibits 12A-D.
- Language was added to forms and elsewhere as appropriate or necessary clarifying that the EBT restrictions apply to TANF benefits accessed using a personal debit card as well as the state-issued electronic access card, and to transactions involving TANF benefits conducted on tribal lands and in other states. See Exhibits 12A-D. Revised versions of Exhibit 12B, Comm.108, the FIP pamphlet provided to applicants, and Exhibit 12C, Rights and Responsibilities, also provided to applicants for FIP and other DHS services, will be used once existing supplies are exhausted. The changes to these forms are not considered to be significant as they are not used as the basis for taking any negative action against applicants or recipients. The same or similar language is found in other forms issued to applicants and recipients.
- Policies and procedures in Employees' Manuals were also updated. See Exhibit 13A.
- Corresponding system changes to generate updated language for Notices of Decision. See Exhibit 13B.

### (ii) How the state identifies the locations specified in the statute;

1. As already described, Iowa statute incorporates the definitions for prohibited types of businesses found in section 4004 of P.L. 112-96, and in federal regulations implementing this section. The final federal regulations issued on January 15, 2016, provided minimal further clarification of the definitions in P.L. 112-96. The state subsequently adopted administrative rules effective January 1, 2017, to further refine these definitions as follows.

*Changes/additions are in italics (and not bold).*

***Casino, gambling casino, or gaming establishment*** means an establishment with a primary purpose of accommodating the wagering of money. It does not include:

- (i) A grocery store which sells groceries including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities; or
- (ii) Any other establishment that offers casino, gambling, or gaming activities incidental to the principal purpose of the business.

This definition was refined by adding the following clarification to address buildings and complexes that include multiple business activities, not limited to those involving gambling. Complexes that include areas designated for gambling may also include hotels, restaurants, theaters, and other separate and distinct types of businesses. This clarification allows for making a clear, consistent and uniform distinction for when the prohibition applies with respect to such complexes.

*Automated teller machines (ATM) and point-of-sale (POS) terminals located within those areas of the establishment where individuals are banned due to age restrictions associated with gambling, established by state or federal law or by any other regulatory entity having*

## ELECTRONIC BENEFIT TRANSACTION (EBT) RESTRICTIONS

*the authority to do so, are considered to be in a casino, gambling casino, or gaming establishment.*

EBT transactions outside these designated areas are not prohibited on this basis.

**Liquor store** means any retail establishment which sells exclusively or primarily intoxicating liquor *or other alcoholic beverages*. Such term does not include a grocery store which sells both intoxicating liquor and groceries including staple foods (within the meaning of Section 3(r) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(r))).

This definition was refined by adding reference to “other alcoholic beverages” based on a clarification in the final federal regulations issued January 15, 2016. This definition was further refined by adding the following clarification to better distinguish when an establishment that does not sell liquor/alcohol exclusively, is subject to the prohibition. This clarification allows for making a clear, consistent and uniform distinction for when the prohibition applies.

*Unless exempt as described in this definition, a retail establishment meets the definition of a liquor store when it has a North American Industry Classification System (NAICS) number that categorizes it as either a beer, wine and liquor store, or as a drinking place (Alcoholic Beverages). A retail establishment that does not have either type of NAICS code is considered to exclusively or primarily sell intoxicating liquor when 95% or more of its gross sales are from intoxicating liquor and it is not a United States Department of Agriculture certified SNAP retailer.*

If necessary, the Department of Inspections and Appeals (DIA) can subpoena business records to make this determination.

**Retail establishment which provides adult oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment** *includes live entertainment at locations such as, but not limited to, strip clubs and gentleman’s clubs. It also includes stores and theaters that exclusively or primarily sell or feature adult-oriented videos and movies such as, but not limited to, adult book stores and adult movie theaters. A retail establishment meets this definition when the department has confirmed the primary nature of the business through the description on the business’s website, phone contact with the establishment, a site visit, or other means such as common local knowledge.*

Language was added to correspond with clarification in the final regulations issued on January 15, 2016, and to identify ways to confirm that a business meets the definition.

2. Locations are identified as part of the investigative process following the receipt of a detailed complaint or other suspicion by the department leading to a referral to the Department of Inspections and Appeals (DIA).

Using the definitions above in conjunction with other resources that can specify or indicate the nature of a business, such as: business listings in the yellow pages or on-line; web sites,

## **ELECTRONIC BENEFIT TRANSACTION (EBT) RESTRICTIONS**

including the sites of individual businesses as well as the North American Industry Classification System (NAICS); lists from the Iowa Racing and Gaming Commission and the Iowa Alcoholic Beverages Division; as well as personal local knowledge and other sources of information that may be readily available, the DIA may be able to make a definitive determination whether a location named in a complaint does or does not meet the definition of a prohibited location.

In some instances, the DIA may contact the business directly or conduct an on-site visit to determine if the location is prohibited. If necessary, the DIA may subpoena business records or other documents that can be used to determine if the business is a prohibited location.

### **(iii) Procedures for ongoing monitoring to ensure policies are being carried out as intended; and**

Most of the notification procedures advising applicants and recipients of the prohibition and penalties for failure to comply are automated, with language included on forms provided at the time of application, approval, or review. The electronic case file contains all forms completed by the applicant or participant and all notices of decisions (NODs) issued to the household. The on-line narrative function of the electronic case file is used to document all actions taken on the case.

Random supervisory case reading also helps ensure that: (1) the most current version of forms are being used showing that applicants and recipients have been advised of the prohibition; and (2) that reports of use of the FIP electronic access card at prohibited locations have been acted upon according to policy and procedure, including making referrals to the Department of Inspection and Appeals, and initiating recoupment of any benefits (and associated fees) accessed inappropriately.

Procedures for responding to complaints of card usage at prohibited locations and making referrals to the Department of Inspection and Appeals to investigate are found in Employees' Manuals, title 4, chapters A, B, C and H. See Exhibits 7 and 13A.

The FIP program manager can request ad hoc reports based on reason codes identifying cases where FIP has been canceled for accessing benefits at prohibited locations.

The DIA informs the FIP program manager of the status of investigations conducted and conclusions reached. The program manager maintains a spreadsheet on all investigations and the outcomes of those investigations. DHS retains the authority to make the final determination whether a violation has occurred and a penalty imposed.

All actions associated with a report of a violation, including notices to the family, are documented in the electronic case file.

### **(iv) How the state responds to findings of non-compliance or program ineffectiveness.**

## **ELECTRONIC BENEFIT TRANSACTION (EBT) RESTRICTIONS**

As specified in administrative rules, a first instance of confirmed non-compliance results in a 3-month period of ineligibility and a requirement to repay any amount accessed at the prohibited location along with any associated fees that may apply. Subsequent non-compliance results in a 6-month period of ineligibility and recoupment of any amount accessed and associated fees.

**(11) The state's TANF Plan must describe how the state will:**

**(i) Implement policies and procedures as necessary to prevent access to assistance provided under the State program funded under this part through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 408(a)(12) of the Act, including a plan to ensure that recipients of the assistance have adequate access to their cash assistance;**

Policies and procedures to prevent access through electronic fund transaction at prohibited locations are described in detail in the previous section.

To ensure that these policies and procedures do not prevent recipients from having adequate access to their cash assistance, the state has, to the extent not expressly precluded by federal law or regulation, or by the federal Office of Family Assistance (OFA), further defined the places described in section 408(a)(12) so as to minimize the number of locations where electronic benefit transactions are prohibited, and to maximize the number of locations where the prohibition does not apply.

Given the total number of financial institutions, automated teller machines (ATMs) and point-of-sale (POS) devices in the state that accept the state's EAC, and that the state's EAC allows for receiving cash back at point-of-sale devices in conjunction with making a purchase when such service is available, ATMs and POS devices at prohibited locations (as defined by the state), represent a very small percent. The sheer volume of alternative locations where electronic benefit transactions are not prohibited ensures that FIP families continue to have adequate access to their benefits.

## EXHIBIT 1: 2013 STATE LEGISLATION

Sec. 90. Section 239B.5, Code 2013, is amended by adding the following new subsection:

**NEW SUBSECTION. 4.** *a.* The department shall implement policies and procedures as necessary to comply with provisions of the federal Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, to prevent assistance provided under this chapter from being used in any electronic benefit transfer transaction in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. For purposes of this paragraph, the definitions found in the federal Middle Class Tax Relief and Job Creation Act and related rules and statutes apply.

*b.* Unless otherwise precluded by federal law or regulation, policies and procedures implemented under this subsection shall at a minimum impose the prohibition described in paragraph “*a*” as a condition for continued eligibility for assistance under this chapter.

*c.* The department may implement additional measures as may be necessary to comply with federal regulations in implementing paragraph “*a*”.

*d.* The department shall adopt rules as necessary to implement this subsection.

Sec. 91. Section 239B.14, subsection 1, Code 2013, is amended to read as follows:

1. *a.* An individual who obtains, or attempts to obtain, or aids or abets an individual to obtain, by means of a willfully false statement or representation, by knowingly failing to disclose a material fact, or by impersonation, or any fraudulent device, any assistance or other benefits under this chapter to which the individual is not entitled, commits a fraudulent practice.

*b.* An individual who accesses benefits provided under this chapter in violation of any prohibition imposed by the department pursuant to section 239B.5, subsection 4, commits a fraudulent practice.

**EXHIBIT 2: AGENCY ADMINISTRATIVE RULES**  
**Effective February 1, 2014**

**41.25(11) Access to benefits.**

a. A recipient shall not use the recipient's electronic access card issued pursuant to 441—subrule 45.21(1) to access benefits at any of the following prohibited locations as defined by federal statute or regulation applicable to this prohibition:

- (1) A liquor store,
- (2) A casino, gambling casino or gaming establishment, or
- (3) A retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

b. When the department receives a detailed complaint or suspects that a recipient has used the recipient's electronic access card at a prohibited location, the case shall be referred to the department of inspections and appeals for further investigation.

c. When the department of inspections and appeals finds that a recipient has used the recipient's electronic access card at a prohibited location, the household that includes the recipient is:

- (1) Considered to have committed a fraudulent act;
- (2) Liable for any amounts accessed at a prohibited location and required to repay such amount in accordance with 441—Chapter 46;
- (3) Ineligible for FIP for a three-month period after the first report by the department of inspections and appeals which includes a finding of misuse;
- (4) Ineligible for FIP for a six-month period after each subsequent report by the department of inspections and appeals which includes a finding of misuse.

d. When parents from a two-parent family separate during an ineligibility period, if:

- (1) The department of inspections and appeals investigation identifies the recipient who used the electronic access card at a prohibited location, the ineligibility period will follow that recipient.
- (2) The department of inspections and appeals investigation does not identify the recipient who used the electronic access card at a prohibited location, the ineligibility period will follow the recipient who is the case name when the violation occurred.

**46.21 Definitions**

*“Client error”* means and may result from:

1. False or misleading statements, oral or written, regarding the client's income, resources, or other circumstances which may affect eligibility or the amount of assistance received;
2. Failure to timely report changes in income, resources, or other circumstances as required by rule 441—40.27(239B);
3. Failure to refund to the child support recovery unit any nonexempt payment from the absent parent received after the date the decision on eligibility was made; or
4. Access of benefits issued via the electronic access card at a prohibited location pursuant to 441—subrule 41.25(11)

*“Overpayment”* means any assistance payment received in an amount greater than the amount the eligible group is entitled to receive or the amount of any payment accessed at a prohibited location pursuant to 441—subrule 41.25(11).

**EXHIBIT 3: CLIENT LETTERS**  
**Issued January 2013**



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

## **IMPORTANT CHANGE IN YOUR FIP or REFUGEE CASH BENEFITS**



January 10, 2014

Dear FIP or Refugee Cash participant,

Effective February 1, 2014, you cannot access your cash benefits with your electronic access card (EAC) at any of the following locations:

- Liquor stores or any places that mainly sell liquor,
- Casinos or other gambling or gaming establishments, or
- Businesses which provide adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

This includes using the card at cash registers to make purchases and/or get cash back and at any ATMs at these locations.

This change is required by federal law (section 4004 of the Middle Class Tax Relief and Job Creation Act of 2012).

If the Department determines that you accessed your cash assistance with your EAC at one of the above places you:

- Will have committed fraud,
- Have to repay the amount of cash used at the location, and
- Your family will not get cash benefits for 3 months with the first misuse and 6 months for each additional misuse.

If you have questions regarding this change please contact the Income Maintenance Customer Service Center at 1-877-347-5678.

**EXHIBIT 3: CLIENT LETTERS**  
**Issued January 2013**



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

## **IMPORTANTE: CAMBIO EN BENEFIOS *FIP* o *REFUGEE CASH***



10 de enero de 2014

Estimado participante de *FIP* o *Refugee Cash*:

A partir del 1 de febrero de 2014, no podrá utilizar su tarjeta electrónica (EAC) para acceder a sus beneficios en efectivo en los siguientes locales:

- Licorerías o lugares donde se vendan bebidas alcohólicas principalmente.
- Casinos u otros establecimientos de juegos o apuestas.
- Locales que ofrecen entretenimiento para adultos donde los artistas se desnudan o actúan desnudos (como locales de strip-tease).

Esto incluye utilizar la tarjeta en cajas registradoras para hacer compras y/o extraer efectivo, y en cualquiera de los cajeros automáticos de esos locales.

Este es un cambio exigido por la ley federal (sección 4004 de la ley *Middle Class Tax Relief and Job Creation Act of 2012*).

Si el departamento determina que usted utilizó su tarjeta de asistencia en efectivo en uno de los lugares mencionados anteriormente:

- Habrá cometido un fraude;
- Tendrá que reintegrar el dinero en efectivo que gastó en dicho local; y
- Su familia no recibirá beneficios en efectivo por 3 meses la primera vez que cometa una infracción y por 6 meses cada vez que vuelva a hacerlo.

Si desea hacer preguntas con respecto a este cambio, comuníquese con el Centro de Servicios a Clientes de Income Maintenance al teléfono 1-877-347-5678.

**EXHIBIT 4: PRESS RELEASE/TANF AGENCY WEB SITE**  
**February 2014**

January 21, 2014

For Immediate Release

***DHS bans use of public assistance funds at some locations***  
***Change will improve program integrity***

The Iowa Department of Human Services announced today that households receiving assistance under the Family Investment Program (FIP) will not be allowed to use Electronic Access Cards (EAC) at the following locations:

- Liquor stores or any places that mainly sell liquor
- Casinos or other gambling or gaming establishments, or
- Businesses which provide adult-oriented entertainment in which performers disrobe or perform in an unclothed state

This includes using the cards at cash registers to make purchases and/or get cash back or withdraw funds at any ATMs at these locations.

Beginning February 1, 2014, households found accessing FIP benefits at these locations will lose eligibility – 3 months for the first violation, 6 months for each subsequent violation – and have to repay the amount accessed.

“This commonsense approach improves program integrity and helps ensure that Iowans in need use these benefits for their families,” said Wendy Rickman, who administers the program for DHS. “This move provides another level of assurance to Iowa’s taxpayers that funds are used properly, and we’re doing this without disrupting businesses.”

The Department is sending letters this month to households currently receiving FIP, or who have recently been canceled, advising of the change, which is required under federal law. This change also affects the Refugee Cash Assistance (RCA) program.

FIP is the state’s cash assistance program funded with federal dollars from the Temporary Assistance for Needy Families (TANF) block grant, as well as state dollars. The state receives a fixed annual TANF award of \$131 million. FIP is one of many programs using TANF funds.

Currently, about 13,300 Iowa families, or 33,500 individuals, receive a monthly FIP grant averaging about \$324. With few exceptions, adults receiving FIP are required to participate in work, education, training and other activities designed to lead to work. Adults are also limited to a lifetime maximum of 60 months FIP assistance unless they meet hardship criteria. The average time a family gets FIP is 22 months.

Refugee Cash Assistance uses 100 percent federal funds available from the Refugee Resettlement Program to provide cash assistance for no more than eight months as refugees

**EXHIBIT 4: PRESS RELEASE/TANF AGENCY WEB SITE**  
**February 2014**

resettle in the state. There are currently 120 families or 134 individuals receiving a monthly grant averaging \$183. Adults considered employable are required to register for work and participate in employment services.

**EXHIBIT 4: PRESS RELEASE/TANF AGENCY WEB SITE**  
**February 2014**

“The majority of Iowans in need who apply for these programs use the temporary funds properly to help care for their families, whether it’s through purchasing household items, fixing their car, paying utilities or buying school clothes for their children,” said Rickman. “This new approach allows for more accountability from the small number of individuals who try to abuse the benefits.”

###

For more information  
Amy Lorentzen McCoy  
515-281-4848



# FIP BENEFIT CHANGES and REFUGEE CASH ASSISTANCE (RCA)



**Effective February 1, 2014, do not access your FIP or RCA benefits at:**

- Liquor stores or any places that mainly sell liquor
- Casinos or other gambling or gaming establishments
- Adult-oriented entertainment businesses where performers disrobe or perform in an unclothed state, such as a strip club

*This includes using the card at cash registers to make purchases and/or get cash back and at any ATMs at these locations.*

If you have questions regarding this change please contact the Income Maintenance Customer Service Center at 1-877-347-5678.





# FIP BENEFIT CHANGES and REFUGEE CASH ASSISTANCE (RCA)

(CAMBIOS EN BENEFICIOS FIP y REFUGEE CASH ASSISTANCE (RCA))



**A partir del 1 de febrero de 2014, no acceda a sus beneficios FIP o RCA en:**

- Licorerías o lugares donde se vendan bebidas alcohólicas principalmente
- Casinos u otros establecimientos de juegos o apuestas
- Locales de entretenimiento para adultos donde los artistas se desnudan o actúan desnudos, como locales de strip-tease

***Esto incluye no utilizar la tarjeta en las cajas registradoras para hacer compras y/o extraer efectivo, ni en cualquiera de los cajeros automáticos de dichos locales.***

Si desea hacer preguntas con respecto a este cambio, comuníquese con el Centro de Servicios a Clientes de Income Maintenance al teléfono 1-877-347-5678.





# FIP BENEFIT CHANGES and REFUGEE CASH ASSISTANCE (RCA)



Effective February 1, 2014, do not access your FIP or RCA benefits at:

- Liquor stores or any places that mainly sell liquor
- Casinos or other gambling or gaming establishments
- Adult-oriented entertainment businesses where performers disrobe or perform in an unclothed state, such as a strip club

*This includes using the card at cash registers to make purchases and/or get cash back and at any ATMs at these locations.*



# FIP BENEFIT CHANGES and REFUGEE CASH ASSISTANCE (RCA)

(CAMBIOS EN BENEFICIOS FIP y REFUGEE CASH ASSISTANCE  
(RCA))



A partir del 1 de febrero de 2014, no acceda a sus beneficios FIP o RCA en:

- Licorerías o lugares donde se vendan bebidas alcohólicas principalmente
- Casinos u otros establecimientos de juegos o apuestas
- Locales de entretenimiento para adultos donde los artistas se desnudan o actúan desnudos, como locales de strip-tease

*Esto incluye no utilizar la tarjeta en las cajas registradoras para hacer compras y/o extraer efectivo, ni en cualquiera de los cajeros*

*automáticos de dichos locales.*

**EXHIBIT 7: EMPLOYEE MANUAL CHANGES**  
**February 2014**

**4-B page 8a**

- If none of the previous three bullets apply, explain that payments will be made by electronic access card. Consider and do the following:
  - If it is a two-parent case, explain that only one card will be issued for the household, in the name of the parent who is the case name.
  - Provide a copy of Comm. 377, *Electronic Access Card*.
  - Explain that the electronic access card cannot be used at certain locations to access FIP benefits and the penalties for accessing benefits with the card at those locations.
  - If the case name individual has a "blank" in the EAC indicator field on ABC system's TD03 screen indicating that they have never had an EAC account, explain that if FIP is approved, an electronic access card will be mailed to them. It is important that they keep the card and read the materials that tell them how to use it and especially how to avoid fees.
  - If the case name individual has a "Y" in the EAC indicator field on ABC system's TD03 screen, ask if they still have their FIP EAC card. If they still have it, they will be able to use that card to get their FIP benefits when FIP is approved. If they do not have their FIP card, or if their old card is past the expiration date printed on the front of the card, explain that they will have to call the Xerox Customer Service Center at 1-866-899-5611, to request a replacement card.
  - Explain that it is important to report promptly if their address changes before receiving the EAC card. EAC cards cannot be forwarded by the post office. If the card is mailed to the wrong address, the client will have to call the Xerox Customer Service Center to report that they did not receive the card and request a new card.
  - Explain that they should keep their card even if they leave FIP or begin getting FIP by direct deposit or warrant, because they will be able to use the same card if they begin getting benefits by EAC again in the future.

## **4-C-top of page 41 right after Duplicate Assistance**

### **Electronic Access Card Usage**

**Legal reference:** 441 IAC 41.25(11)

#### Policy:

A participant cannot use their electronic access card (EAC) to access FIP benefits at a:

- Liquor store or any place that mainly sells liquor,
- Casino or other gambling or gaming establishment, or
- Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

When the department receives a detailed complaint or suspects that a participant used their EAC at a prohibited location refer the case to Department of Inspections and Appeals (DIA) for further investigation.

When DIA finds that a participant accessed FIP benefits with their EAC at a prohibited location the household:

- Will have committed fraud,
- Have to repay the amount of cash accessed at the location, and
- Will be ineligible for FIP for:
  - three months for the first misuse and
  - six months for each additional misuse.

When parents from a two-parent family separate during an ineligibility period, if the DIA report:

- identifies the participant who used the EAC at a prohibited location, the ineligibility period will follow that participant.
- does not identify the participant who used the EAC at a prohibited location, the ineligibility period will follow the participant who is the case name when the violation occurred.

#### Procedure:

At the application interview, at review and whenever appropriate, explain to the applicant or participant that the EAC cannot be used at certain locations. This includes using the card at the cash register's point-of-sale terminals as either a debit or credit card and at any ATMs at the location.

When the department receives a complaint that a participant has used their EAC at a prohibited location gather as much of the following information from the person making the complaint:

- The participant's demographic data (name, date of birth, social security number, address),
- Where the EAC was used (type of business the card was used at and business's name and address), and
- When the EAC was used (month, date, year).

To make a referral to DIA we must have enough details to show that the person is:

- A FIP participant who has an EAC,
- The type of prohibited location the card was used at, and
- When, at minimum the month and year, the card was used at the prohibited location.

When the department has this information make a referral to DIA for an investigation.

#### **4-H-4**

Clients cannot use their electronic access card (EAC) to access FIP benefits at a:

- Liquor store or any place that mainly sells liquor,
- Casino or other gambling or gaming establishment, or
- Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

This includes using the card at the cash register's point-of-sale terminals as either a debit or credit card and at any ATMs at the location.

Clients ~~will be able to~~ can use the ~~electronic access card~~ EAC at locations other than those above to:

- ◆ Make purchases and get cash back at store point-of-sale terminals, and
- ◆ Withdraw cash at an ATM or bank teller window.

#### **Client Errors**

**Legal reference:** 441 IAC 46.21(239B), 46.24(3)

##### **Policy:**

Client errors include the following situations:

- ◆ False or misleading statements (oral or written) about the client's income, resources, or other circumstances that affect FIP eligibility or the benefit amount.
- ◆ Failure to timely report changes in beginning income, resources, or other circumstances that affect FIP eligibility or the benefit amount.

- ◆ Failure to refund to the Collection Services Center any direct support received from an absent parent for members of the eligible group after the date the eligibility information is entered into the ABC system.
- ◆ Access of benefits issued via the EAC at a prohibited location.

**Procedure:**

Compute an overpayment due to client error as if the information had been timely reported.

For overpayments caused by accessing benefits at a prohibited location the amount of the overpayment is the total amount of FIP accessed at the prohibited location.

**6-D-13**

Place after Duplicate Assistance

**Electronic Access Card Usage**

**Legal reference:** 441 IAC 41.25(11)

A person who receives an RCA grant cannot use their electronic access card to access FIP benefits at a:

- Liquor store or any place that mainly sells liquor,
- Casino or other gambling or gaming establishment, or
- Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

See 4-C, Electronic Access Card Usage, for more information.

**14-B**

14-B manual page for placement	ACTION	CD/PGM	MESSAGE AND MANUAL CITATION	ENTER IN:
<b>14-B-161</b>	FIP	294	<p>Effective February 1, 2014: You cannot access your cash benefits with your electronic access card (EAC) at a:</p> <ul style="list-style-type: none"> <li>• Liquor store or any place that mainly sells liquor,</li> <li>• Casino or other gambling or gaming establishment, or</li> <li>• Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).</li> </ul> <p>If the department determines that you have accessed your cash benefits with your EAC at one of the above places you:</p>	TD02 FIP rea2

			<ul style="list-style-type: none"> <li>• Will have committed fraud,</li> <li>• Have to repay the amount of cash accessed at the location, and</li> <li>• Your family will not get cash benefits for three months with the first misuse and six months for each additional misuse.</li> </ul> <p>EM 4-C Electronic Access Card Usage; 441 Iowa Admin. Code 41.25(11)</p> <p>A partir del 1 de febrero de 2014: No podrá acceder a sus beneficios en efectivo con su tarjeta electrónica (EAC) en:</p> <ul style="list-style-type: none"> <li>• Licorerías o cualquier lugar donde se vendan principalmente bebidas alcohólicas.</li> <li>• Casinos u otros establecimientos de juegos o apuestas.</li> <li>• Locales de entretenimiento para adultos donde los artistas se desnuden o actúen desnudos (como locales de strip-tease).</li> </ul> <p>Si el departamento determina que usted utilizó su tarjeta electrónica de beneficios en efectivo en uno de esos lugares:</p> <ul style="list-style-type: none"> <li>• Se considerará que usted cometió fraude.</li> <li>• Tendrá que reintegrar el importe gastado en dicho local.</li> <li>• Su familia no recibirá beneficios en efectivo por 3 meses la primera vez que utilice la tarjeta incorrectamente y por 6 meses sucesivamente.</li> </ul> <p>EM 4-C Electronic Access Card Usage; 441 Iowa Admin. Code 41.25(11)</p>	
14-B-169	FIP EAC Ineligibility Period (3 months)	310	<p>you accessed your cash benefits at a prohibited location. You are not eligible through XXX.</p> <p>EM 4-C Electronic Access Card Usage 441 Iowa Admin. Code 41.25(11)</p> <p>Usted accedió a sus beneficios en efectivo en un local prohibido. No será elegible hasta XXX.</p> <p>EM 4-C Electronic Access Card Usage 441 Iowa Admin. Code 41.25(11)</p>	TD02 FIP rea2
14-B-169	FIP EAC Ineligibility Period (6 months)	311	<p>you accessed your cash benefits at a prohibited location again. You are not eligible through XXX.</p> <p>EM 4-C Electronic Access Card Usage 441 Iowa Admin. Code 41.25(11)</p> <p>Usted accedió a sus beneficios en efectivo en un local prohibido nuevamente. No será elegible hasta XXX.</p>	TD02 FIP rea2

			EM 4-C Electronic Access Card Usage 441 Iowa Admin. Code 41.25(11)	
14-B-169	FIP EAC Ineligibility Period (application denial)	312	<p>you accessed your cash benefits at a prohibited location. You cannot get cash assistance through XXX.</p> <p>EM 4-C Electronic Access Card Usage 441 Iowa Admin. Code 41.25(11)</p> <p>Usted accedió a sus beneficios en efectivo en un local prohibido nuevamente. No podrá recibir asistencia en efectivo hasta XXX.</p> <p>EM 4-C Electronic Access Card Usage 441 Iowa Admin. Code 41.25(11)</p>	TD02 FIP rea2

**14-B(6) page 66**

ACTION	SCREEN FIELDS USED	INSTRUCTIONS
Sanctions Program Sanction	<p>TD02 FIP ENTRY RSN</p> <p>TD02 FIP STATUS</p> <p>TD02 FIP REA2</p> <p>TD02 FIP NEG DT</p>	<p>Use this action to enter FIP program ineligibility due to a sanction.</p> <p>Enter G or H.</p> <p>Enter I.</p> <p>Enter the notice reason code. See 14-B-Appendix, <a href="#">NOTICE CODES</a>, for valid codes.</p> <p><u>When reason code 310 or 311 is used:</u></p> <ul style="list-style-type: none"> <li>• <u>The system will populate the last day of the last month of the sanction period,</u> <u>or</u></li> <li>• <u>The date of the last day of the last month</u></li> </ul>

		<p><u>of the sanction period can be entered.</u></p> <p><u>When other notice codes are used,</u> if there is a fixed period of ineligibility, enter the date of the last month of the sanction period. Enter zeros if there is no fixed period of ineligibility.</p>
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**14-B(6) page 69**

ACTION	SCREEN FIELDS USED	INSTRUCTIONS
Sanctions: Changing End Date		These instructions can be used to shorten or remove the sanction period (other than child support sanction).
Program Sanctions	TD02 FIP ENTRY	RSN Enter ↓ <b>H.</b>
	TD02 FIP NEG DT	Enter the last day of the last month of the <u>revised</u> sanction period.

## **FIP: Limiting Where the Electronic Access Card (EAC) Can Be Used**

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### **Policy:**

Effective February 1, 2014: FIP participants cannot access their cash benefits with their electronic access card at a:

- ❖ Liquor store or any place that mainly sells liquor,
- ❖ Casino or other gambling or gaming establishment, or
- ❖ Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

This includes using the card at the cash register's point-of-sale terminal as either a debit or credit card and at any ATMs at the location.

If the department determines that a participant has accessed their cash benefits with their electronic access card at one of the above places the participant:

- ❖ Will have committed fraud,
- ❖ Have to repay the amount of cash accessed at the location, and
- ❖ The FIP household will be ineligible for FIP for 3 months with the first misuse and 6 months for each additional misuse.

### **IM Responsibilities:**

- At all application and review interviews explain that the electronic access card cannot be used at certain locations and the penalties for using the card at those locations.
- FIP applicants = give Comm. 233, Rights and Responsibilities and Comm. 377, FIP Electronic Access Card.
- January Reviews = for the month of January give all participant households that have a review that month a copy of Comm. 377.
- Document this policy was explained to the applicant/client in the Online Narrative.



# FIP: Limiting Where the Electronic Access Card Can Be Used



# Background: The Middle Class Tax Relief and Job Creation Act of 2012.

- Federal legislation enacted on February 22, 2012, requires states to maintain policies and practices to prevent TANF assistance from being used in any electronic benefit transfer transaction in any:
  - ❖ liquor store,
  - ❖ casino, gambling casino or gaming establishment, or
  - ❖ retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (strip clubs).
- States must comply with these requirements by February 22, 2014, or have the state's TANF grant reduced by 5%.

# Policy

Effective February 1, 2014: FIP participants cannot access their cash benefits with their electronic access card at a:

- ❖ Liquor store or any place that mainly sells liquor,
- ❖ Casino or other gambling or gaming establishment, or
- ❖ Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

This includes using the card at the cash register's point-of-sale terminal as either a debit or credit card and at any ATMs at the location.

# Policy Continued

If the department determines that a participant has accessed their cash benefits with their electronic access card at one of the above places the participant:

- ❖ Will have committed fraud,
- ❖ Have to repay the amount of cash accessed at the location, and
- ❖ The FIP household will be ineligible for FIP for 3 months with the first misuse and 6 months for each additional misuse.



- Alicia uses her FIP EAC card at the ATM at a local bank to access her FIP money. She then goes to the liquor store and purchases some liquor with the cash.

No problem

- Alicia uses her FIP EAC card at the ATM in the liquor store to access her FIP money. She then purchases some liquor with the cash.

FRAUD

# Informing FIP Applicants and Participant's about this Change

- A letter that explains that the electronic access card cannot be used at the prohibited locations and the penalties for using the card at those locations will be mailed to active and recently closed FIP households on 1/10/14.

- We are working with Xerox to update the Card Carrier and the Brochure to include this information.



# Form Changes

- The following forms and Comms. Have been updated to include information regarding this change.
  - ❖ Health and Financial Support Application
  - ❖ RRED
  - ❖ Comm. 108, The Family Investment Program brochure
  - ❖ Comm. 233, Rights and Responsibilities
  - ❖ Comm. 377, FIP Electronic Access Card

# January 1, 2014

Begin using the revised forms effective 1/1/14 so that all FIP applicants and participants are aware they cannot use their electronic access card at the prohibited locations.

- The local office should have the new version of the application.
- Comm. 108 and the English version of Comm. 233 are available at IPI. (Iowa Prison Industries)
- The Spanish version of Comm. 233 can be printed from 6-appendix.
- The RRED has been updated in the system and e-forms.
- Comm. 377 is available for you to print from 6-appendix or e-forms.

# Interviews

- At all application and review interviews explain that the electronic access card cannot be used at certain locations and the penalties for using the card at those locations.
- FIP applicants = give Comm. 233, Rights and Responsibilities and Comm. 377, FIP Electronic Access Card.
- January Reviews = for the month of January give all participant households that have a review that month a copy of Comm. 377.

# Documentation

- Document in OLN that you explained that electronic access card cannot be used at certain locations and the penalties for using the card at those locations and that you provided the household with Comm. 233 and/or Comm. 377.

# Limiting Where the FIP EAC Card Can Be Used

- Use revised forms
- Inform households of the policy change
- Issue revised forms to applicants and review participants
- Document action taken in the online narrative.



# Thank You

Please submit any questions to

Barb Caruso

By End Of Day

Monday, Dec. 23<sup>rd</sup>, 2013

**FIP – Limited Use of EAC System Entries**

When completing any of the following actions, the worker needs to be sure to clearly document all actions in OLN.

**Entering a first offense sanction – three months**

<b>Enter on the TD02 FIP section:</b>		
Entry RSN	G or H	
Status	I	The “I” status and the NEG DT will both roll to the TD03 screens of all active hh members including step parents & ineligible hh members.  <b>Exception:</b> SSI parents and caretakers. For these individuals, the worker needs to clearly document the sanction information in OLN so, benefits are not incorrectly approved during the sanction period. Be sure to document the fraud referral from DIA, actions taken and the sanction period.
REA2	310	
<b>Note:</b> The system will populate the NEG DT field with the last day of the last month of the sanction period.		

**Entering a subsequent offense sanction – six months**

<b>Enter on the TD02 FIP section:</b>		
Entry RSN	G or H	
Status	I	The “I” status and the NEG DT will both roll to the TD03 screens of all active hh members including step parents & ineligible hh members.  <b>Exception:</b> SSI parents and caretakers. For these individuals, the worker needs to clearly document the sanction information in OLN so, benefits are not incorrectly approved during the sanction period.
REA2	311	
<b>Note:</b> The system will populate the NEG DT field with the last day of the last month of the sanction period.		

**Denying an application received during a sanction period**

<b>Enter on the TD02 FIP section:</b>		
Entry RSN	A	
Status	M	
REA2	312	
<b>Note:</b> The system will retain the “I” status and the NEG DT of the sanction period instead of the denial status and date. This allows the worker to continue viewing the sanction period information.		

**Removing/shortening sanction and reinstating benefits pending an appeal**

When a client request benefits to continue pending an appeal of sanction, the worker will need to remove/shorten the sanction period prior to reinstating benefits.

Example:

2/12/14 – DIA report is received confirming fraud occurred through use of EAC at a prohibited location. On the same day, the worker makes entries to impose the first offense three month sanction. Allowing for timely notice, the sanction will begin 3/1/14 and the system will populate the NEG DT field with 5/31/14.

2/14/14 – HH files an appeal prior to the effective date and the worker makes entries to stop the sanction and reinstate benefits.

<b>To shorten the sanction period, enter on the TD02 FIP section:</b>		
Entry RSN	H	
NEG DT	Enter the last day of the month prior to the date the action is being taken. For this example, enter 1/31/14.	
<b>Note:</b> The system will not allow any approvals to be completed on a case with an “I” status and a future NEG DT. In this example, if 2/28/14 were entered, the worker would not be able to reinstate benefits until 3/1 or later.		

Update entries in ABC and then reinstate benefits as follows:

<b>To reinstate benefits, enter on the TD02 FIP section and each eligible individual’s TD03:</b>		
TD02 Entry RSN	B	
TD02 Status	B	
TD02 REA1	208	
TD02 POS DT	03/01/14	
TD03 Entry RSN	B	Complete the TD03 for each individual to be reinstated
TD03 FIP ST	B	

**Reimposing a sanction following an appeal final decision supporting DHS**

Example:

8/12/14 – DIA report is received confirming a second fraud incident occurred through use of EAC at a prohibited location. On the same day, the worker makes entries for to impose a subsequent offense six month sanction. Allowing for timely notice, the sanction will begin 9/1/14 and the system will populate the NEG DT field with 2/28/15.

The HH filed an appeal prior to the effective and the worker makes entries to stop the sanction and reinstate benefits. On 12/10/14, the FINAL decision is received and supports the Department’s action of imposing the sanction. The worker will need to reimpose the sanction, if there is any time remaining on the original sanction period, and file a recoupment for benefits received during the appeal process.

<b>Enter on the TD02 FIP section:</b>		
Entry RSN	G or H	
Status	I	The “I” status and the NEG DT will both roll to the TD03 screens of all active hh members including step parents & ineligible hh members.  <b>Exception:</b> SSI parents and caretakers. For these individuals, the worker needs to clearly document the sanction information in OLN so, benefits are not incorrectly approved during the sanction period.
REA2	311	
NEG DT	02/28/15	<b>The worker will need to manually enter the NEG DT to reflect the last day of the last month of the ORIGINAL sanction period.</b> If left blank, the system will incorrectly generate a new six month sanction period.
<b>Note:</b> If the sanction period has expired prior to the final decision being received, the worker would file a recoupment for all FIP benefits received during the sanction period. The sanction period cannot be reimposed after the original sanction period end date has passed.		

**2 Parent HH - Removing/shortening sanction due to offending parent moving out of the home**

**Note:** In two parent households, the sanction is applied to the entire HH, regardless of “who” committed the fraud. However, if one of the parent’s leaves the home AND it can be clearly established which parent committed the fraud, the remaining FIP HH members may regain eligibility.

Example:

Two parent hh consisting of mom, dad, and two children. *Case name is in mom’s name.* On 3/6/14, IM is notified of fraud by DIA & imposes a first offense three month sanction. The sanction period is 4/1/14 – 6/30/14. On 3/15/14, mom reports that dad has left the home and that he was the one who committed the fraud. This is verified with information in the DIA investigative report.

In addition to making changes to FIP benefits, the worker will need to review any other active benefits the family may be receiving such as Food Assistance, Medicaid or Child Care Assistance and take appropriate action in either removing dad from the benefits or notifying the appropriate work unit to take action on their case.

To shorten the sanction period, enter on the TD02 FIP section:		
Entry RSN	H	
NEG DT	Enter the last day of the month prior to the date the action is being taken. For this example, enter 2/28/14.	
<b>Note:</b> The system will not allow any approvals to be completed on a case with an "I" status and a future NEG DT. In this example, if 3/31/14 were entered, the worker would not be able to reinstate benefits until 4/1 or later.		

Update entries in ABC and then reinstate benefits as follows:

To reinstate benefits, enter on the TD02 FIP section and each eligible individual's TD03:		
TD02 Entry RSN	B	
TD02 Status	B	
TD02 REA1	207	
TD02 POS DT	04/01/14	
TD03 Entry RSN	B	Complete the TD03 for each individual to be reinstated
TD03 FIP ST	B	

## **2 Parent HH - Removing/shortening sanction due to offending parent moving out of the home**

**Note:** In two parent households, the sanction is applied to the entire HH, regardless of "who" committed the fraud. However, if one of the parent's leaves the home AND it can be clearly established which parent committed the fraud, the remaining FIP HH members may regain eligibility.

Example:

Two parent hh consisting of mom, dad, and two children. *Case name is in dad's name.* On 3/6/14, IM is notified of fraud by DIA & imposes a first offense three month sanction. The sanction period is 4/1/14 – 6/30/14. On 3/15/14, mom reports that dad has left the home and that he was the one who committed the fraud. This is verified with information in the DIA investigative report.

Since the case is in dad’s name and he has left the home, no action is required on the FIP program. The worker will need to remove mom and children from any other benefits on dad’s case and review dad’s eligibility for any other active program and take appropriate action.

Worker will need to contact the DHS, SPIRS Help Desk for assistance in removing the FIP “I” status for mom and the children. Once completed, open a new case for mom and children and make entries to approve mom and children for FIP.

**Sanctioned Parent Enters a Different Household**

Example:

Dad is currently sanctioned for using his card at a prohibited location. His sanction period is 03/14 – 05/14. He has moved in with his girlfriend and common child. The hh files a FIP application on 04/02/14. The worker will deny the FIP application with the following entries:

<b>Enter on the TD02 FIP section:</b>		
Entry RSN	A	
Status	M	
REA2	312	
NEG DT	5/31/14	<b>In this situation, the worker will need to manually enter the NEG DT to reflect the last day of the last month of the ORIGINAL sanction period.</b>  <b>Note:</b> The correct negative can be found on dad’s TD03 FIP line. Do not make any entries on the TD03.
<b>Note:</b> Even though dad committed the fraud while active on a different case; the sanction applies to the entire household.		

**Sanctioned Child Leave the Household**

Example:

Household consisting of mom and three children has a subsequent offense sanction imposed on FIP. The sanction period is 6/1/14 – 11/30/14

The children move in with an aunt on 8/7/14 and she applies for FIP benefits for the children on 08/15/14. The worker will need to contact the DHS, SPIRS Help Desk for assistance in removing the FIP “I” status for each child. Once completed, process the FIP caretaker application as normal.

**Already Cancelled, Remain Cancelled Notice**

If a case is already cancelled for another reason, such as failure to provide info, the worker will still need to issue the sanction notice IF the notification of fraud is received before the end of the month.

These entries will need to be made if notification is received any time in the month even if received **AFTER** timely notice. ABC has been updated to “ignore” timely notice requirements in this specific instance. This allows the worker to issue a remain cancelled NOD on the last day of the month if the DIA investigative report is received on that day.

<b>Enter on the TD02 FIP section:</b>		
Entry RSN	G or H	
Status	I	The “I” status and the NEG DT will both roll to the TD03 screens of all active hh members including step parents & ineligible hh members.  <b>Exception:</b> SSI parents and caretakers. For these individuals, the worker needs to clearly document the sanction information in OLN so, benefits are not incorrectly approved during the sanction period.
REA1	170	
REA2	311 or 311	Enter 310 for an initial three month sanction or 311 for a subsequent six month sanction.
<b>Note:</b> The system will populate the NEG DT field with the last day of the last month of the sanction period.		



# FIP: Limiting EAC Usage

Additional training including:

- DIA Referrals
- System Entries

# Policy

Effective February 1, 2014, FIP & RCA participants cannot access their cash benefits with their electronic access card (EAC) at a:

- Liquor store or any place that mainly sells liquor,
- Casino or other gambling or gaming establishment, or
- Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state, such as a strip club.

This includes using the card at the cash register's point-of-sale terminal as either a debit or credit card and at any ATMs at the location.

# Interviews

At all application and review interviews explain that the electronic access card cannot be used at certain locations and the penalties for using the card at those locations.

All FIP applicants must be given Comm 233, *Rights and Responsibilities* and Comm 377, *FIP Electronic Access Card*.

# Documentation

Effective February 1, 2014, OLN entries must document that FIP applicants and participants have received:

- Explanation of prohibited locations where their EAC cannot be used.
- Notification of the penalties associated with using their EAC at a prohibited location.
- Comms 233 and 377 (applicants only).

# Example

## Proper Use

Sam uses his EAC at a grocery store ATM to make a cash withdrawal. He can spend this money at any location such as a liquor store.

## Fraudulent Use

Alicia uses her EAC at the ATM in a liquor store to make a cash withdrawal. Accessing her FIP money at this location is considered fraud.

# Receiving a Complaint

When receiving a complaint about EAC use at a prohibited location gather as much of the following from the complainant:

- The participant's name, date of birth, social security number, address,
- Business name/address and type of business where EAC was used,
- The date the EAC was used (month, date, year).

# Making a Referral

To make a referral to DIA we must have enough details to show:

- The person is a FIP participant who has an EAC,
- The type of prohibited location the card was used at, and
- When, at minimum the month and year, the card was used at the prohibited location.

When the department has this information make a referral to DIA for an investigation by completing and submitting Form 470-5130, *DHS Investigative Referral to DIA*.

# Referral Findings

When DIA finds that a participant accessed FIP benefits with their EAC at a prohibited location the household will:

- Have committed fraud,
- Have to repay the amount of cash accessed at the location, and
- Be ineligible for FIP for three months for the first misuse and six months for each additional misuse.

When parents separate during an ineligibility period, if DIA identified the parent who used the EAC at a prohibited location, the ineligibility period will follow them, otherwise it follows the case name at time of violation.

# Referral Findings

The IM workers needs to complete and submit to DIA, Form 470-5129, *Referral Follow-Up* to document what actions were taken regarding the investigation findings.

# ABC System

Three new Notice Reasons have been created:

- 310 – First Offense, three month sanction
- 311 – Subsequent Offenses, six month sanction
- 312 – Denial code for apps rec'd during sanction period

# Coding a Three Month Sanction

On the TD02, enter:

- ENTRY RSN - G or H
- FIP STATUS - I
- FIP REA2 - 310

FIP NEG DT - System populates this field with the last day of the last month of the sanction period

# Coding a Six Month Sanction

On the TD02, enter:

- ENTRY RSN - G or H
- FIP STATUS - I
- FIP REA2 - 311

FIP NEG DT - System populates this field with the last day of the last month of the sanction period

# Denying App Received During Sanction Period

On the TD02, enter:

- ENTRY RSN - A
- FIP STATUS - M
- FIP REA2 - 312

# Removing/Shortening A Sanction Period

On the TD02, enter:

- ENTRY RSN - H
- FIP NEG DT - The last day of the last month of the revised sanction period

# OPR Changes

OPR Direct Claim Entry changes include:

- New Cause Code – **72 - EAC PROHIB**
- General Description - **“Using your EAC card at a prohibited location”**

This cause code can be used with FIP program codes :

- 01 – FIP
- 31 – Refugee Cash Assistance
- 65 – Transportation (PROMISE JOBS)
- 67 – Other PROMISE JOBS Expense Allowances

# Recap

Workers need to continue:

- Using revised forms
- Informing households of the policy change
- Issuing revised forms to applicants and review participants
- Documenting actions taken in OLN

# Recap

Workers must also:

- Use Form 470-5130 to make a referral to DIA
- Use Form 470-5129 to notify DIA of worker actions taken regarding the investigative findings.
- Enter proper IABC coding to start or end/shorten a sanction period and to deny an application received during the sanction period.
- Use appropriate coding when entering a sanction recoupment in OPR

# Questions?

Please submit questions to

**Audrey Upah**

By End Of Day

Friday, January 31, 2014

**EXHIBIT 10: TANF STATE PLAN PROVISIONS**  
**February 2014**

**(vii) The document shall indicate how the State intends to implement policies and procedures as necessary to prevent access to assistance provided under the State program through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 408(a)(12).**

The State has implemented the following policies and procedures to comply with this requirement. These policies and procedures are based on the State's reasonable interpretation of P.L. 112-96 and are supported by state statute and administrative rules.

Effective February 1, 2014, FIP participants are prohibited from using their electronic access card (EAC) to access benefits at any of the following locations as defined by federal statute or regulation:

- (1) A liquor store,
- (2) A casino, gambling casino or gaming establishment, or
- (3) A retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

When the Department receives a detailed complaint or suspects that a participant has used their EAC at a prohibited location, the case shall be referred to the Department of Inspections and Appeals (DIA) for further investigation. If the referral is founded the action will be considered fraudulent. Penalties for the participant household shall include:

- Requirement to repay any amounts accessed at a prohibited location;
- Three-months of FIP ineligibility for the first finding of misuse;
- Six-months of FIP ineligibility for each subsequent finding of misuse.

When parents from a two-parent family separate during an ineligibility period:

- If the participant that misused the EAC is identified, the ineligibility period will follow only that participant.
- If the participant that misused the EAC at a prohibited location is not identified, the ineligibility period will follow the participant identified as the head of the household when the violation occurred.

Beginning January 1, 2014, information regarding the Middle Class Tax Relief and Job Creation Act of 2012 requirement that limits where FIP participants can use their EAC and the penalties for using the card at a prohibited location will be added to essential FIP forms. These forms include:

- FIP Notice of Decisions (NOD) for benefit approval, change and reinstatement
- FIP Application
- *Review/Recertification Eligibility Document* (RRED), form 470-2881, 470-2881(S)
- Comm. 108-Family Investment Program Brochure
- Comm. 377 FIP Electronic Access Card

**EXHIBIT 10: TANF STATE PLAN PROVISIONS**  
**February 2014**

- Comm. 233 Right and Responsibilities

State statute gives the Department the authority to take additional measures if required by federal law – such measures could require changes in administrative rules, Employee Manuals, systems, forms and other informational materials issued to FIP applicants and recipients, and the contract the Department have with the vendor managing EAC accounts.

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 239B.4(6), the Department of Human Services hereby amends Chapter 40, “Application for Aid,” Chapter 41, “Granting Assistance,” and Chapter 46, “Overpayment Recovery,” Iowa Administrative Code.

These amendments update and clarify existing language and ensure that the rules comply with federal requirements, including final regulations (Section 4004 of the Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. No. 112-96), 45 CFR Parts 262, 264, and 265) issued after the rules were last updated.

Specifically, these amendments add definitions for locations where applicants and recipients are prohibited from accessing Family Investment Program (FIP) funds with an electronic access card. These amendments also require applicants and recipients to agree in writing that they will not use an electronic access card at prohibited locations, and these amendments add to the amount the client must repay any fees associated with accessing FIP funds at a prohibited location.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 2684C** on August 17, 2016. The Department received no comments during the public comment period. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on October 12, 2016.

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 239B.4(6), Section 4004 of the Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. No. 112-96) and 45 CFR Parts 262, 264, and 265.

These amendments will become effective January 1, 2017.

The following amendments are adopted.

ITEM 1. Adopt the following **new** definitions in rule **441—40.21(239B)**:

“*Casino, gambling casino, or gaming establishment*” means an establishment with a primary purpose of accommodating the wagering of money. It does not include:

1. A grocery store which sells groceries including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities; or
2. Any other establishment that offers casino, gambling, or gaming activities incidental to the principal purpose of the business.

An automated teller machine (ATM) or a point-of-sale (POS) terminal located within those areas of an establishment where individuals are banned due to age restrictions associated with gambling, established by state or federal law or by any other regulatory entity having the authority to do so, is considered to be in a casino, gambling casino, or gaming establishment.

“*Electronic benefit transfer transaction*” means the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service.

“*Liquor store*” means any retail establishment which sells exclusively or primarily intoxicating liquor or other alcoholic beverages. Such term does not include a grocery store which sells both intoxicating liquor and groceries including staple foods (within the meaning of Section 3(r) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(r))).

Unless exempt as described in this definition, a retail establishment meets the definition of a liquor store when it has a North American Industry Classification System (NAICS) number that categorizes the retail establishment as either a beer, wine and liquor store or as a drinking place (alcoholic beverages). A retail establishment that does not have either type of NAICS code is considered to exclusively or primarily sell intoxicating liquor when 95 percent or more of the retail establishment’s gross sales are

from intoxicating liquor and it is not a United States Department of Agriculture-certified Supplemental Nutrition Assistance Program (SNAP) retailer.

*“Retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment”* means an establishment that includes live entertainment at locations such as, but not limited to, strip clubs and gentleman’s clubs. It also includes stores and theaters that exclusively or primarily sell or feature adult-oriented videos and movies such as, but not limited to, adult book stores and adult movie theaters. A retail establishment meets this definition when the department has confirmed the primary nature of the business through the description on the business’s Web site, phone contact with the establishment, a site visit, or other means such as common local knowledge.

ITEM 2. Amend subrule 41.25(11) as follows:

**41.25(11) Access to benefits.** As a condition of eligibility, applicants and recipients must agree in writing to not use an electronic access card at prohibited locations. By signing Form 470-0462 or 470-0462(S), Financial Support Application, or Form 470-2881, 470-2881(S), 470-2881(M), or 470-2881(MS), Review/Recertification Eligibility Document, the applicant, the applicant’s authorized representative or, when the applicant is incompetent or incapacitated, someone acting responsibly on the applicant’s behalf agrees to this condition of eligibility. When both parents, or a parent and a stepparent, are in the home and eligibility is determined on a family or household basis, one parent or stepparent may sign the application and agree to this condition for the assistance unit. Failure to sign a form agreeing to not use the electronic access card at prohibited locations creates ineligibility for the entire eligible group.

a. A recipient shall not use the recipient’s electronic access card issued pursuant to 441—subrule 45.21(1) to access benefits at any of the following prohibited locations as defined by federal statute or regulation applicable to this prohibition and as further defined in rule 441—40.21(239B):

- (1) A liquor store,
- (2) A casino, gambling casino, or gaming establishment, or
- (3) A retail establishment ~~that~~ which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

b. No change.

c. When the department of inspections and appeals finds that a recipient has used the recipient’s electronic access card at a prohibited location, the household that includes the recipient is:

- (1) No change.
- (2) Liable for any amounts accessed and any associated fees for accessing the benefits at a prohibited location and required to repay such amount in accordance with 441—Chapter 46;
- (3) and (4) No change.
- d. and e. No change.

ITEM 3. Amend paragraph **46.24(3)“c”** as follows:

c. An overpayment due to a recipient’s accessing benefits via the electronic access card at a prohibited location shall be the total of the transactions and any associated fees for accessing the benefits at the prohibited location pursuant to 441—subrule 41.25(11).

[Filed 10/17/16, effective 1/1/17]

[Published 11/9/16]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 11/9/16.



# FIP BENEFIT CHANGES and REFUGEE CASH ASSISTANCE (RCA)



~~Effective February 1, 2014, do not~~ Do not access your FIP or RCA benefits at:

- Liquor stores or any places that mainly sell liquor
- Casinos or other gambling or gaming establishments
- Adult-oriented entertainment businesses where performers disrobe or perform in an unclothed state, such as a strip club

*This includes using the **electronic access card** or your **personal debit card** at cash registers to make purchases and/or get cash back and at any ATMs at these locations.*

If you have questions regarding this change



please contact the Income Maintenance  
Customer Service Center at 1-877-347-5678.



# The Family Investment Program (FIP)

## What is the Family Investment Program?

The Family Investment Program (FIP) provides temporary cash assistance to families with children. The goal of FIP is to help you leave poverty and become self-supporting.

FIP is available to one-parent and two-parent families and to relatives caring for children whose parents are not in the home. FIP payments are based on the size of your family and your family's income.

## Is there a time limit for FIP?

Federal law limits how long you can get FIP to a total of 60 months (five years). Months you get FIP or cash assistance in another state count toward the limit.

- Months are not counted for:
- Persons on SSI
  - Caretakers who don't get FIP for themselves. Caretakers are relatives who care for a child, but are not the child's parent.
  - Children

If a parent gets FIP for 60 months, FIP stops for the whole family. If a caretaker gets FIP for 60 months, the caretaker is taken off the FIP grant but FIP can continue for the child.

The five years don't have to be in one block of time. For example, if you get FIP for 30 months, then go off FIP and come back on later, you can still get FIP for 30 more months.

The only way you can get FIP for more than 60 months is if you can prove that you have a reason why you cannot support your family. This is called a "hardship exemption". Examples of hardship are:

- Physical or mental health problems
- Substance abuse problems
- Domestic violence

A hardship exemption can last up to six months. To get an exemption you must:

- Fill out a form called "Request for FIP Beyond 60 Months" and turn it in at the local DHS or PROMISE JOBS office.
- Give us proof of why you cannot support your family.
- Sign a six-month Family Investment Agreement (FIA) that lists the steps you must take to overcome the hardship.

You may be able to get more than one hardship exemption if you work on overcoming your hardship and follow all of the FIP rules.

## What is PROMISE JOBS?

To get a FIP check, you must work with PROMISE JOBS. PROMISE JOBS is a work and training program that will help you make a plan to support your family. This plan is called a **Family Investment Agreement (FIA)**.

You will meet with a PROMISE JOBS worker to plan and write your FIA. An FIA is a signed agreement between you and the state of Iowa. It will show:

- The steps you will take to be able to support your family, and
- How the state will help with those steps.

Your PROMISE JOBS worker will talk to you about help with child care and transportation while you do your FIA activities.

### PROMISE JOBS activities that may be included in your FIA include:

#### Assessment

- Looking at your family's needs and goals so that you can choose activities for your FIA that will help you become self-supporting in the shortest amount of time.

## Work-Related Activities

- **Individual Job Search:** Your PROMISE JOBS worker will help you develop a plan which includes the types of jobs you are looking for.
- **Monitored Employment:** Help for you to keep your job while you work. Your PROMISE JOBS worker also may be able to help you find a better job.
- **Self-Employment:** Classes may be available in your area to help you set up your own business or increase the income you get from your self-employment business.
- **Work Readiness Training:** Classes that prepare you for work and help you learn how to write a resumé, find job openings, complete job applications and letters of application, schedule a job interview, and how to dress and handle yourself in an interview and on the job.
- **Work Experience Placement:** Unpaid work experience in a real employment setting to get you ready for a job that pays a wage.
- **Unpaid Community Service:** A chance to learn basic skills while providing services to your community.

## Training and Education

- **High School Completion Activities:** Including high school equivalency classes to help you earn a high school diploma.
- **Adult Basic Education:** Classes to help you improve your reading, writing, and math.
- **English as a Second Language:** Classes that help you speak, read, and understand English.
- **Post-Secondary Education:** Training courses that help you prepare for a specific area of employment. This includes:
  - ♦ Short-term training such as truck driving or nurses' aide.
  - ♦ Long-term training up to a four-year college degree.

## Family Support Activities

- **Family Development and Self-Sufficiency (FaDSS):** A voluntary program that provides services and support in your home, to help you and your family become stable and deal with problems that keep you from becoming self-supporting.
- **Parenting Skills Training:** Training and support to be a good parent.

If you have problems or barriers that keep you from doing your FIA activities or from finding or keeping a job, tell your PROMISE JOBS worker. Activities related to removing these barriers, such as attending doctor's appointments, may be able to be included in your FIA.

Your PROMISE JOBS worker will answer your questions about PROMISE JOBS activities.

## What is a Limited Benefit Plan (LBP)?

If you don't do what you said you would do in your FIA, you'll be choosing a Limited Benefit Plan (LBP). Your family cannot get FIP while you are in an LBP.

The first time you choose an LBP, your FIP benefits will stop right away. You must sign an FIA before you can get FIP again.

If you or the other parent in the home choose an LBP and either of you had one before, your family can't get FIP for at least six months. To get FIP after the six months end, you must:

- Sign an FIA
- Complete 20 hours of approved PROMISE JOBS activity
- Meet all other FIP rules

## Are there other FIP rules?

- Other FIP rules are:
- **Age** — Children must be under the age of 18. A child who is age 18 may get FIP only if they are going to high school and will complete high school before age 19.

- **Minor Parents** — If you are a parent under age 18 and never married (or the marriage was annulled), you must live with a parent or legal guardian or show proof of good reasons for not living with them. If you do live with your parents, we will count your parent's income to decide if you can get FIP.

Minor parents must attend family development and parenting classes, and may have to take classes to finish high school.

- **Citizenship** — Family members must be U.S. citizens or eligible aliens.
- **Residency** — Your family must live in Iowa. Children must live with the parent or relative who applies for or gets FIP for them.
- **Social Security Number** — You must have a social security number for each family member to get FIP for them. If you don't have a number for a family member, you must apply for a number and give us the number when you get it.
- **Applying for Other Benefits** — You must apply for other benefits that are available to you, such as social security.
- **Child Support** — If a parent is absent from the home, you must give us information about that parent and help us collect child support from that parent. If you don't want to give us this information, you must prove that you have a good reason.

When you get FIP, you give (assign) to the state of Iowa your rights to child support for the months you are on FIP. If the other parent gives you support, you must turn it in to DHS. The state will keep child support collected to pay back the state for the FIP you get. The state won't keep more than the total amount of FIP you get.

You can ask DHS to stop your FIP at any time. Child support paid after your FIP stops will be sent to you. If more support is paid than is owed to you, the state will keep the additional money to pay back the state for the FIP you got.

Keep track of how much support the other parent pays to DHS, so you can decide if you would be better off staying on FIP or going off FIP and getting child support instead. You can find out how much child support the other parent pays by checking the report the DHS sends you every three months, or by calling the free number, 1-888-229-9223.

- **Resource (Asset) Limits** — Your family may have up to \$2,000 worth of resources when you apply. After you are on FIP, you can have up to \$5,000 in resources. Resources include cash, bank accounts, stocks and bonds, real estate, and motor vehicles.

Some resources are not counted toward the limit, including the home you live in and one car for the family. If you have more than one car, part of the value of the other cars may count toward the limit.

- **Income** — Your family must meet the FIP income limits. Income includes pay from a job, social security income, unemployment benefits and any other money you get.

### How do I apply for FIP?

You can get an application from any county DHS office. Fill out the application and take or mail it to the local DHS office in the county where you live. The earliest you can get FIP is seven days from the date we get your application.

You will be asked to come to an interview and show proof of some things, such as your income. If you have questions about your application, ask your DHS worker.

Your application should be handled within 30 days. You will get a written notice telling you if you can get FIP. If you are approved for FIP, you'll get your first check within seven days after you get the letter.

### When do I have to fill out reports?

Everyone on FIP will be sent a report to fill out twice a year. Fill out the report and return it with proof of your income, by the due date on the form.

### What changes do I need to report as soon as they happen?

You must report any changes in your family's situation, including changes in:

- Mailing or living address
- Employment or other income when it starts or stops
- Resources
- Someone moving in or out of your home
- Receipt of a social security number
- Change of school attendance of a child

Tell us about these changes within 10 days if you are on FIP or within five days if you are applying for FIP.

### What if my family has income besides FIP?

Your family's income may be subtracted from your FIP grant. Income includes pay from work, social security payments, unemployment benefits or other money you get.

If you work, some of your earnings are used to figure your FIP grant. We subtract 20% and then 58% from your gross earnings. We use the remaining earnings after the deductions to figure your FIP grant.

You may also qualify for the federal and state Earned Income Tax Credit (EITC). EITC reduces taxes you must pay and may give you more take home pay on each paycheck or a refund when you file an income tax return. See your employer or call the IRS at 1-800-829-1040 for more information. EITC is not counted against your FIP.

A booklet called, *One-Time Payments*, gives important information about what to do if you get a one-time cash payment such as an inheritance, insurance or lawsuit settlement, gift or lottery winnings. If you think you will get one of these payments, ask your DHS worker for this information before you get or spend the money.

### What happens if I quit my job?

You may be choosing a Limited Benefit Plan (LBP) and your FIP will stop if:

- You quit your job without a good reason, or
- You lose your job for a reason such as not showing up for work or not calling in.

If you're thinking about quitting your job, first talk to your PROMISE JOBS worker to find out what will happen to your FIP.

### What happens if I get married or my children's other parent moves into the home?

Tell your DHS worker if you get married or your child's other parent moves into your home. You may still get FIP, depending on this person's income and resources.

If your child's other parent moves in, also contact your local child support recovery office. They can give you information on how this change affects child support the other parent may owe you, including information on how to stop an ongoing support order.

### Can I get help if my child needs things for school?

You may be able to get help with your child's school expenses. We can help pay for things like gym shoes and some class fees. The item must be required for all students in the class and not available free of charge. We cannot pay tuition, or pay the cost of everyday school supplies like pens and notebooks.

### How will I get my FIP payment?

Your FIP payments can be deposited to an electronic access card (also called a debit card) or your own checking or savings account.

- **Electronic Access Payment Card**

If you get your payments on the electronic access card, you will be sent information about how to use the card. Be sure to keep the card and read the information when you get it. It will tell you how to use the card in ways that will help you get your money without cost.

If you have questions about your card, call 1-866-899-5611 (toll free).

- **Direct Deposit**

If you would like to have your payments deposited to your own checking or savings account, you must have an open checking or savings account at a bank, savings and loan or credit union.

If you would like your payments deposited to your own account, ask your DHS worker how to sign up for direct deposit.

You cannot access your cash benefits with your electronic access card **or personal debit card** at a:

- Liquor store or any place that mainly sells liquor,
- Casino or other gambling or gaming establishment, or
- Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

**This includes these types of businesses located in Iowa, on tribal land, or in any other states.**

If the Department determines that you have accessed your cash benefits with your electronic access card **or personal debit card** at one of the above places you:

- Will have committed fraud,

- Have to repay the amount of cash accessed at the location, **as well as any access fees**, and
- Your family will not get cash benefits for three months with the first misuse and six months for each additional misuse.

### What if I don't agree with a decision made on my case?

You have the right to appeal if your application is denied, your FIP is reduced or canceled, or you disagree with your FIA or participation in PROMISE JOBS activities. Information about appeals is listed on each Notice of Decision you get from DHS. If you wish to appeal:

- File a written appeal in your county DHS office. You may ask for help in filing your appeal.
- Talk to your DHS or PROMISE JOBS worker or your worker's supervisor to see if you can work out the problem.
- Attend the appeal hearing when it is scheduled. An administrative law judge will hold the hearing, review the facts, and rule on whether the action was correct.

### Are there other programs that can help my family?

- Medicaid can help pay for medical and dental services.
- The Food Assistance program can help buy food.
- Child Care Assistance (CCA) can help with childcare costs while you work or are in training with PROMISE JOBS.

You may be able to get help from these DHS programs and others in your area that are not run by DHS, like the Women, Infants and Children (WIC) program. You can ask us how to apply.

If your FIP stops because of a Limited Benefit Plan or because of the 60-month limit, you still may be able to get Food Assistance, Medicaid, and other kinds of assistance.

**If you have questions, contact your worker in your local Human Services office. You may also call Iowa Legal Aid for help. The toll free number is: 1-800-532-1275**



### Policy Regarding Discrimination, Harassment, Affirmative Action and Equal Employment Opportunity

It is the policy of the Iowa Department of Human Services (DHS) to provide equal treatment in employment and provision of services to applicants, employees and clients without regard to race, color, national origin, sex, sexual orientation, gender identity, religion, age, disability, political belief or veteran status.

If you feel DHS has discriminated against or harassed you, please send a letter detailing your complaint to:

Iowa Department of Human Services, Hoover Building, 5th Floor—Bureau of Policy Coordination, 1305 E. Walnut, Des Moines IA 50319-0114 or via email [contactdhs@dhs.state.ia.us](mailto:contactdhs@dhs.state.ia.us)

**(Food Assistance only)** USDA - Director, Office of the Assistant Secretary for Civil Rights, 1400 Independence Ave SW, Washington DC 20250-9410, or call 1-866-632-9992.

Your FIP payments can be deposited to an electronic access card (also called a debit card) or your own checking or savings account.

- **Electronic Access Payment Card** If you get your payments on the electronic access card, you will be sent information about how to use the card. Be sure to keep the card and read the information when you get it. It will tell you how to use the card in ways that will help you get your money without cost. If you have questions about your card, call 1-866-899-5611 (toll free).

- **Direct Deposit** If you would like to have your payments deposited to your own checking or savings account, you must have an open checking or savings account at a bank, savings and loan or credit union.

If you would like your payments deposited to your own account, ask your DHS worker how to sign up for direct deposit.

You cannot access your cash benefits with your electronic access card **or personal debit card** at a:

- ◆ Liquor store or any place that mainly sells liquor,
- ◆ Casino or other gambling or gaming establishment, or
- ◆ Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

**This includes these types of businesses located in Iowa, on tribal land, or in any other states.**

If the Department determines that you have accessed your cash benefits with your electronic access card **or personal debit card** at one of the above places you:

- ◆ Will have committed fraud,
- ◆ Have to repay the amount of cash accessed at the location, **as well as any access fees**, and
- ◆ Your family will not get cash benefits for three months with the first misuse and six months for each additional misuse.

## EXHIBIT 12C RIGHTS AND RESPONSIBILITIES



Iowa Department of Human Services

### Rights and Responsibilities

#### What Are My Rights?

You have the right to:

- Apply for any program.
- File an application in-person at your local DHS office, online, fax or by mail. For Medicaid, you can also file by phone.
- Have someone help you apply.
- Have all of your questions answered.
- Get information about the programs you applied for and any other DHS program that you may be able to get.
- Be sent a notice within 30 days (45 days for most Medicaid programs) of the day we get your application telling you if your application was approved.
- Have information about you and your family kept private.

#### You Have the Right to Appeal

You, or the person helping you, may request an appeal hearing if you do not agree with any action taken on your case. For Food Assistance, you can appeal in person or by telephone. For all other programs, you must appeal in writing. To appeal in writing do one of the following:

- Fill out an appeal electronically at <https://dhssecure.dhs.state.ia.us/forms/>, **or**
- Write a letter telling us why you think a decision is wrong, **or**
- Fill out an *Appeal and Request for Hearing* form. You can get this form at your local DHS office.

Send or take your appeal to the Department of Human Services, Appeals Section, 5th Floor, 1305 E Walnut Street, Des Moines, IA 50319-0114. If you need help filing an appeal, ask your local DHS office. You can represent yourself or you can have a friend, relative, lawyer, or someone else act on your behalf. You may contact your local DHS office about legal services. You may have to pay for these legal services. If you do, your payment will be based on your income. You may also call Iowa Legal Aid at **1-800-532-1275**. If you live in Polk County, call **243-1193**.

#### You Will Not Be Discriminated Against

It is the policy of the Iowa Department of Human Services (DHS) to provide equal treatment in employment and provision of services to applicants, employees, and clients without regard to race, color, national origin, sex, sexual orientation, gender identity, religion, age, disability, political belief, or veteran status. If you feel DHS has discriminated against or harassed you, please send a letter detailing your complaint to:

Iowa Department of Human Services, Office of Human Resources, Hoover Building – 1st Floor, 1305 E Walnut, Des Moines IA 50319-0114 or via email [contactdhs@dhs.state.ia.us](mailto:contactdhs@dhs.state.ia.us)

(*Food Assistance only*) USDA – Office of the Assistant Secretary for Civil Rights, 1400 Independence Ave SW, Washington, DC 20250-9410, 866-632-9992.

## Things You Need to Know for All Programs

### We Check What You Tell Us

The information you give us may be checked by federal, state, and local officials to make sure it is true. Things we might check are any listed person's: social security number, job and pay, bank account amount, alien status, and amounts received from other sources like social security or unemployment. If any information you give us is not correct, we may deny your application.

We may check records from other states to see if any person in your household can get benefits in Iowa. This may be because a person was disqualified from a program in another state.

As part of the eligibility determination process, we may need to retrieve your information from sources like the Internal Revenue Service (IRS), Social Security Administration (SSA), the Department of Homeland Security, and the state Income and Eligibility Verification System. If something you told us is different from what the computer system tells us, we will check to find out what is correct. We might check your information by contacting your employer, your bank, or other people. To do this kind of checking with your employer, bank, or other people, we will ask you first. Such information may affect your household's eligibility and level of benefits.

### Social Security Number Information

We can give help only to people who give us their social security number (SSN) or proof of application from the Social Security office, and we will deny assistance to the people for whom you do not give us an SSN. There are some exceptions to this. Please ask your worker if you have questions.

You don't have to give us the SSN for people in your household who you do not want help for, but you can choose to give us their SSN. However, we will use any SSN given to us the same way we use the SSN of people getting assistance.

We will not give any SSN to the U.S. Citizenship and Immigration Services (USCIS).

## Other Things You Need to Know

- You must apply for and accept any other benefits and medical help you may be able to get. You must agree to help in the application process. (This is not a requirement for Food Assistance.)
- You must give us information and provide proof when we ask for it.
- You must fill out review forms when you are asked to.
- DHS may give your answers to law enforcement officials to catch persons fleeing to avoid the law.
- The Quality Control unit or Investigations unit may review your case. They may contact other people or organizations to get proof of your information. By signing this application, you give permission to release confidential information to the Quality Control unit or Investigations unit. You must cooperate with them to keep your benefits. You are not required to cooperate with Investigations for Food Assistance.
- You will have to pay back any benefits you received or that were paid to a third party on your behalf for which you were not eligible.
- Section 1128B of the Social Security Act provides federal penalties for fraudulent acts and false reporting in connection with these programs.

## **EXHIBIT 12C RIGHTS AND RESPONSIBILITIES**

- Anyone who gets, tries to get, or helps any other person get assistance to which they are not entitled, is guilty of violating the laws of the state of Iowa. This includes, but is not limited to, Iowa Code Chapters 239B, 243, 249, and 249A.

## EXHIBIT 12C RIGHTS AND RESPONSIBILITIES

- Your expenses may be used to figure the assistance you get (for Food Assistance and Medicaid only). You may have expenses included in your benefit calculation by reporting and giving proof of your expenses. If you do not report or give proof of your expenses, you choose not to claim the expense. You can report and give proof later, and the expense can be used for future months.
- ***Giving wrong information on purpose may result in us taking criminal or civil legal action against you. It might also mean we reduce your benefits or take money back from you.***

### How to Report a Change

To report a change:

- Call 1-877-347-5678, or
- Email [IMCustomerSC@dhs.state.ia.us](mailto:IMCustomerSC@dhs.state.ia.us), or
- Fax information to 1-877-238-0015.

### Things You Need to Know Regarding Food Assistance

You must tell DHS by the 10th day of the next month if your income goes over the limit provided to your household.

You may not be denied Food Assistance benefits just because you were denied benefits from other programs. Food Assistance applications will not be delayed due to requirements of other programs you may apply for.

### Things You Need to Know Regarding Medicaid or State Supplementary Assistance (SSA)

You must tell DHS about changes within 10 days, such as:

- Income, including lump sum payments, such as past due child support, inheritances, settlements, or cash medical support.
- Starting or stopping a job or other income.
- Resources or assets, including getting an inheritance.
- Someone moving in or out of your home.
- Your health insurance coverage.
- You file an insurance claim or get an attorney to recover bills paid by Medicaid.
- Mailing or living address.

If you get money from another person or an insurance company to pay for your medical bills, you will need to give that money to DHS if Medicaid paid the bill. This will be used to repay bills that Medicaid paid for you.

The Department will provide documents or claim forms describing the services paid by Medicaid upon your request or the request of an attorney acting on your behalf. Such documents may also be provided to a third party when necessary to establish the extent of the Department's claim for reimbursement.

If the state of Iowa was made the remainder beneficiary on an annuity in order for you to qualify for Medicaid payment of long-term care, the state of Iowa will get any benefits remaining in the annuity, up to the amount of the Medicaid benefits paid.

## EXHIBIT 12C RIGHTS AND RESPONSIBILITIES

You must give the social security numbers for everyone who wants Medicaid. This is required by Section 1137(a)(1) of the Social Security Act and 42 CFR 435.910. We use social security numbers to:

- Check income, eligibility, and Medicaid payments.
- Determine a person's right to Medicaid.
- Comply with federal law.
- Match records with other agencies.

Immigration or alien status may be subject to verification with the Department of Homeland Security which will require submission of certain information from your application or review form. Information received from the Department of Homeland Security may affect your household's eligibility and level of benefits.

You can apply for part of your household even if some members do not have lawful immigration status. For example, parents who do not have lawful immigration status may apply for their children who are U.S. citizens or qualified aliens. The Department of Homeland Security will not be contacted about people you do not apply for. However, their income may be used to see if the rest of the household can get Medicaid.

You must cooperate with the Health Insurance Premium Payment (HIPP) Program and enroll in a health plan through your employer if DHS asks you to. The website [www.dhs.state.ia.us/hipp](http://www.dhs.state.ia.us/hipp) explains this program.

If you only want Medicaid, you can choose whether or not you want the Child Support Recovery Unit to help you get child support or health insurance from an absent parent.

You can ask for the Child Support Recovery Unit's help any time. Once you've asked for it, you must cooperate with them to continue getting Medicaid as a parent or caretaker. If you want your child support services stopped, call 1-888-229-9223 to find out how to contact a local child support office.

- If medical assistance is approved, support payments intended for medical costs must be assigned and paid to the Department of Human Services to the extent of the benefits you receive.
- The Department may intervene, according but not limited to, Iowa Code Chapters 252A, 252B, 252C, 252D, 598, and 600B, to make claim and secure support from any person or party who may be responsible for your support or that of your children.
- If you receive Medicaid, the Department will pursue non-medical support for you and your children upon your request. Medical support services include the establishment of paternity and the establishment and enforcement of medical support.
- If you think that cooperating to collect medical support will harm you or your children, you can tell Medicaid and you may not have to cooperate.

If you become enrolled in a managed health care plan, you consent to disclosure of medical information, including any clinical mental health or substance abuse information, by your medical providers to the HMO, PHP, other managed care providers or to the authorized administrative body contracted by the managed care provider to determine appropriateness, quality, or utilization of services you received while enrolled in managed health care. A medical certification from the Iowa Medicaid Enterprise (IME) is needed for certain medical programs.

Payments on any future unpaid medical services will be paid directly to the doctors and medical suppliers under the Medicare Insurance Program (Medicare Part B). If a change is not reported within 10 working days of when the change happens and any child for whom you are applying gets coverage when they were not eligible, you may be liable for the full amount of any payments made by the state to the health and dental plan in which the child was enrolled. These payments are approximately \$200 per child each month.

## EXHIBIT 12C RIGHTS AND RESPONSIBILITIES

### **By signing an application or review form, you give your permission for DHS to share:**

- Your medical and other health care records with federal and state officials.
- The status of your Medically Needy case, the amount of your spend down, and the bills used to meet your spend down with the provider whose bills are being used.
- The premium due date for Medicaid for Employed People with Disabilities (MEPD) with your medical provider.
- The information on your application for Home- and Community-Based Services (HCBS) waivers with the chosen case management agency or with the Iowa Department of Public Health (IDPH) Brain Injury Services Program manager (for HCBS brain injury waiver applications).
- The filing date of your application with your nursing facility.

### **By signing an application or review form, you give your permission for your medical provider to share:**

- Your medical history with an HMO, PHP, or other managed care provider.
- Information with IME Medical Services Unit to certify a medical need for certain Medical Assistance programs or services.

You agree to assign medical payments from a third party to the Medicaid agency for yourself and others who are eligible for Medicaid for whom you legally can assign benefits. You also agree to cooperate in obtaining medical payments from third parties.

This permission ends when your Medicaid stops.

### **Things You Need to Know Regarding the Family Investment Program (FIP) or Refugee Cash Assistance (RCA)**

You must tell DHS about changes within 10 days of the date the change happens, such as:

- Income, when it starts or stops, including getting an inheritance or a one-time payment of past due child support.
- Resources or assets.
- Someone moving in or out of your home.
- Mailing or living address.
- Receipt of a social security number.
- Change of school attendance of a child.

If your application for FIP or RCA is approved, your Food Assistance may go down or stop.

### **PROMISE JOBS**

To get FIP, you will need to meet with PROMISE JOBS to write and sign a plan to support your family. This plan is called a *Family Investment Agreement* (FIA). If FIP is approved, you will need to work with PROMISE JOBS and follow your plan to keep getting FIP. By signing this application, you agree that all members of your family who must work with PROMISE JOBS will do so. Talk with your worker if you feel you have a reason not to work with PROMISE JOBS.

### **Absent Parent and Child Support**

If a parent is absent from the home, you must give us information about that parent and help us collect child support from that parent.

## EXHIBIT 12C RIGHTS AND RESPONSIBILITIES

While you get FIP, you give up your rights to child support for the months you are on FIP. The state of Iowa will keep your child support to pay back the money you get from FIP. You must cooperate with the Child Support Recovery Unit.

### Using your Electronic Access Card (EAC)

You cannot access your cash benefits with your electronic access card (EAC) or personal debit card at a:

- Liquor store or any place that mainly sells liquor,
- Casino or other gambling or gaming establishment, or
- Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

This includes these types of businesses located in Iowa, on tribal land, or in any other state.

If the Department determines that you have accessed your cash benefits with your EAC or personal debit card at one of the above places you:

- Will have committed fraud,
- Have to repay the amount of cash accessed at the location, as well as any access fees, and
- Your family will not get cash benefits for three months with the first misuse and six months for each additional misuse.

### Penalty for Getting FIP in More Than One State

You will not get FIP for 10 years if you are found guilty of getting or trying to get FIP in more than one state at a time. This penalty happens if you give wrong information about where you live.

#### Information for those Applying for WIC or Maternal and Child Health Services

- A declaration of income and persons in your family and living in your household is necessary to ensure that federal and state funds are directed to those persons least able to secure services from other sources.
- The maternal and child health director of the Iowa Department of Public Health, the WIC director, or their designees shall have access to all information available from records maintained by the agency providing maternal health, child health, or WIC services.

#### Information for those Applying for Presumptive Medicaid Services

- Your answers to some questions will not impact the presumptive Medicaid eligibility decision. These answers are needed for the Department to make a decision for ongoing Medicaid only.
- If you are only applying for presumptive Medicaid, not all of your information will be checked against data in computer systems like the state Income and Eligibility Verification System.
- If you choose to have your application forwarded to the Department for an ongoing Medicaid determination, the Department will verify income, citizenship, immigration status, identity, and other information as necessary.
- All presumptive Medicaid is granted on a daily basis and may be terminated on any given day, without notice, once it is determined that the individual is no longer presumptively eligible.
- Appeal hearings are not granted for presumptive Medicaid.

## EXHIBIT 12D ELECTRONIC ACCESS CARD INFORMATION FOR FIP APPLICANTS



# FIP ELECTRONIC ACCESS CARD

If you are approved for FIP, you will soon get the *Iowa Electronic Access Visa Prepaid Debit Card* (pictured) in the mail. The Iowa Department of Human Services (DHS) will put your monthly FIP benefits on this card.



When you get the card, **keep it**. It is not junk mail. Keep this card even if your benefits stop, just in case you need to reapply for future benefits.

The letter *D* after your name is to remind you that this is your DHS card. **This card is only for FIP benefits.** Any other state services you receive like **f**Food **a**Assistance, child support or unemployment benefits will not be on this card.

~~Effective February 1, 2014, y~~ You cannot access your cash benefits with your electronic access card (**EAC**) or your **personal debit card** at a:

- Liquor store or any place that mainly sells liquor,
- Casino or other gambling or gaming establishment, or
- Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

**This includes these types of businesses located in Iowa, on tribal land, or in any other state.**

If the **D**epartment determines that you have accessed your cash benefits with your ~~card~~ **EAC** or **your personal debit card** at one of the above places you:

- Will have committed fraud,
- Have to repay the amount of cash accessed at the location, **as well as any access fees**, and
- Your family will not get cash benefits for three months with the first misuse and six months for each additional misuse.

Make sure to **read the papers that come with the card**. The papers will tell you how to:

- Activate your card,
- Ways to avoid fees,
- Contact the toll-free customer service number, **1-866-899-5611**, and
- Check your account balance and find participating free ATM locations via the website, **[www.EPPICard.com](http://www.EPPICard.com)**.

For questions about the card, call customer service at 1-866-899-5611. You will never be charged for calls to:

- Report a lost, stolen or damaged card;

- Request a replacement card;
- Report problems using your card; or
- Ask for help to fix a problem with your account.

**You will get 6 free customer service calls per month for all other services; after that each call costs \$0.40.**

**How to Avoid Fees:**

- **Use your three (3) free cash withdrawals** each month at an Alliance One, Money Pass, or Wells Fargo ATM.
- **Make withdrawals at any Visa member bank teller window.**
- **Ask for cash back with purchases.** There are no fees on purchases or on cash back from purchases. The store may have a cash back limit.
- **Check your account balance using the [www.EPPICard.com](http://www.EPPICard.com) website.**

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### 4-A-2-put definition in appropriate place in list.

**“Casino, gambling casino, or gaming establishment”** means an establishment with a primary purpose of accommodating the wagering of money. It does not include:

1. A grocery store which sells groceries, including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities; or
2. Any other establishment that offers casino, gambling, or gaming activities incidental to the principal purpose of the business.

An automated teller machine (ATM) or a point-of-sale (POS) terminal located within those areas of an establishment where individuals are banned due to age restrictions associated with gambling, established by state or federal law or by any other regulatory entity having the authority to do so, is considered to be in a casino, gambling casino, or gaming establishment.

### 4-A-3 put definition in appropriate place in list.

**“Electronic benefit transfer transaction”** means the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service.

### 4-A-4 put definition in appropriate place in list.

**“Liquor store”** means any retail establishment which sells exclusively or primarily intoxicating liquor or other alcoholic beverages. Such term does not include a grocery store which sells both intoxicating liquor and groceries including staple foods (within the meaning of Section 3(r) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(r)). Unless exempt as described in this definition, a retail establishment meets the definition of a liquor store when it has a North American Industry Classification System (NAICS) number that categorizes the retail establishment as either a beer, wine and liquor store or as a drinking place (alcoholic beverages). A retail establishment that does not have either type of NAICS code is considered to exclusively or primarily sell intoxicating liquor when 95 percent or more of the retail establishment’s gross sales are from intoxicating liquor and it is not a United States Department of Agriculture-certified Supplemental Nutrition Assistance Program (SNAP) retailer.

### 4-A-5 put definition in appropriate place in list.

**“Retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment”** means an establishment that includes live entertainment at locations such as, but not limited

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to, strip clubs and gentleman's clubs. It also includes stores and theaters that exclusively or primarily sell or feature adult-oriented videos and movies such as, but not limited to, adult book stores and adult movie theaters. A retail establishment meets this definition when the department has confirmed the primary nature of the business through the description on the business's web site, phone contact with the establishment, a site visit, or other means such as common local knowledge.

### 4-B-8

Discuss the options for receiving payment with each FIP applicant:

- If the applicant requests direct deposit, explain that:
  - A personal debit card cannot be used at certain locations to access FIP benefits that have been direct deposited into the applicant's account and the penalties for accessing benefits with their debit card at those locations, and
  - The initial payments may be issued by electronic access card (EAC) until the direct deposit can start.
- If the payee does not have a social security number, explain that payments will be made by warrant.
- If the payee will not be the case name (head of household), explain that payments will be made by warrant unless the payee chooses direct deposit.

### 4-B- 8a

- If none of the previous three bullets apply, explain that payments will be made by electronic access card. Consider and do the following:
  - If it is a two-parent case, explain that only one card will be issued for the household, in the name of the parent who is the case name.
  - Provide a copy of Comm. 377, *Electronic Access Card*.
  - Explain that the electronic access card or the applicant's personal debit card cannot be used at certain locations to access FIP benefits and the penalties for accessing benefits with the card at those locations.

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### 4-C-40-40a

#### **Electronic Access Card Usage**

**Legal reference:** 441 IAC 41.25(11)

**Policy:** A participant cannot use an electronic access card (EAC) or personal debit card to access FIP benefits at a:

- ◆ Liquor store or any place that mainly sells liquor,
- ◆ Casino or other gambling or gaming establishment, or
- ◆ Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

This includes these types of businesses located in Iowa, on tribal land, or in any other states.

As a condition of eligibility, all applicants and participants must agree, in writing, to not use the electronic access card or their personal debit card at prohibited locations by signing either:

- ◆ Form 470-0462 or 470-0462(S), Financial Support Application, or
- ◆ Form 470-2881 or 470-2881(S), Review/Recertification Eligibility Document (RRED)

When both parents or both a parent and stepparent are in the home, either parent or stepparent may sign the application or RRED agreeing to not use the EAC at prohibited locations. When a minor parent lives with a self-supporting parent and applies for or is receiving FIP, only the minor parent is required to sign the application or RRED to agree not use the EAC at prohibited locations. If the applicant or participant is incompetent or incapacitated, a person acting responsibly on the applicant's or participant's behalf must sign. Only one signature is required on the form. When the parent or stepparent signs the application or RRED they are agreeing to this condition for the entire household.

When the Department receives a detailed complaint or suspects that a participant used an EAC at a prohibited location, refer the case to the Department of Inspections and Appeals (DIA) for further investigation.

When DIA finds that a participant accessed FIP benefits with an EAC at a prohibited location, the household:

- ◆ Will have committed fraud,
- ◆ Will Have to repay the amount of cash accessed at the location, as well as any access fees, and
- ◆ Will be ineligible for FIP for:
  - Three months for the first misuse and
  - Six months for each additional misuse.

Note: When FIP funds are deposited into a participant's bank account the funds are considered comingled with private funds. Do not refer a complaint that a participant

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has used a personal debit card at a prohibited location to DIA because we cannot identify if it was FIP funds accessed at the location.

When parents from a two-parent family separate during an ineligibility period, if the DIA report:

- ◆ Identifies the participant who used the EAC at a prohibited location, the ineligibility period will follow that participant.
- ◆ Does not identify the participant who used the EAC at a prohibited location, the ineligibility period will follow the participant who is the case name when the violation occurred.

### **Procedure:**

At the application interview, at review, and whenever appropriate, explain to the applicant or participant that the EAC or personal debit card cannot be used at certain locations. This includes using the card at the cash register's point-of-sale terminals as either a debit or credit card and at any ATMs at the location.

When the Department receives a complaint that a participant has used an EAC at a prohibited location, gather as much of the following information from the person making the complaint:

- ◆ The participant's demographic data (name, date of birth, social security number, address),
- ◆ Where the EAC was used (type of business where the card was used and the business's name and address), and
- ◆ When the EAC was used (month, day, year).

To make a referral to DIA we must have enough details to show that the person is:

- ◆ A FIP participant who has an EAC,
- ◆ The type of prohibited location where the card was used, and
- ◆ When the card was used at the prohibited location. (At a minimum, the month and year.)

When the Department has this information, make a referral to DIA for an investigation.

Forward a copy of the DIA referral to the FIP policy specialist in the Bureau of Financial, Health and Work Supports in central office

### **4-H-4**

Clients cannot use their electronic access card (EAC) or personal debit card to access FIP benefits at a:

- ◆ Liquor store or any place that mainly sells liquor,
- ◆ Casino or other gambling or gaming establishment, or
- ◆ Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

This includes these types of businesses located in Iowa, on tribal land, or in any other states.

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### 4-H-14

#### Client Errors

**Legal reference:** 441 IAC 46.21(239B), 46.24(3)

**Policy:** Client errors include the following situations:

- ◆ False or misleading statements (oral or written) about the client's income, resources, or other circumstances that affect FIP eligibility or the benefit amount.
- ◆ Failure to timely report changes in beginning income, resources, or other circumstances that affect FIP eligibility or the benefit amount.
- ◆ Failure to refund to the Collection Services Center any direct support received from an absent parent for members of the eligible group after the date the eligibility information is entered into the ABC system.
- ◆ Access of benefits issued with the EAC at a prohibited location.

#### Procedure:

Compute an overpayment due to client error as if the information had been timely reported.

For overpayments caused by accessing benefits at a prohibited location, the amount of the overpayment is the total amount of FIP accessed at the prohibited location, as well as any fees for accessing FIP at the location.

### 6-D-13

#### Electronic Access Card Usage

**Legal reference:** 441 IAC 41.25(11)

A person who receives an RCA grant cannot use an electronic access card or personal debit card to access ~~FIP~~ RCA benefits at:

- ◆ Liquor store or any place that mainly sells liquor,
- ◆ Casino or other gambling or gaming establishment, or
- ◆ Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

This includes these types of businesses located in Iowa, on tribal land, or in any other states.

See 4-C, Electronic Access Card Usage, for more information.

ACTION	CD/PGM	MESSAGE AND MANUAL CITATION	ENTER IN:
FIP (Cont.)	211	<p>... you do not have good cause for not living with a parent or legal guardian.</p> <p>... no existe un motivo justificado para que usted no viva con uno de sus padres o un tutor legal.</p> <p>EM 4-C Failure to Live with Parent or Legal Guardian or Establish Good Cause;                      441 Iowa Admin. Code 41.22(15)</p>	TD02 FIP REA2
	213	<p>Your PROMISE JOBS services are canceled because your FIP is canceled.</p> <p>La cancelación de su Cash Assistance (Asistencia en Efectivo) cancela sus servicios de PROMISE JOBS.</p>	No entry
	280	<p>... of your student status.</p> <p>... de su condición de estudiante.</p> <p>EM 4-C School Attendance; 441 Iowa Admin. Code 41.25(6)</p>	TD02 FIP REA2
	294	<p>You cannot access your cash benefits with your electronic access card (EAC) or <b>personal debit card</b> at a:</p> <ul style="list-style-type: none"> <li>• Liquor store or any place that mainly sells liquor,</li> <li>• Casino or other gambling or gaming establishment, or</li> <li>• Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).</li> </ul> <p><b>This includes these types of businesses located in Iowa, on tribal land, or in any other state.</b></p>	

ACTION	CD/PGM	MESSAGE AND MANUAL CITATION	ENTER IN:
FIP (Cont.)	<b>294</b> (Cont.)	<p>If the department determines that you have accessed your cash benefits with your EAC or personal debit card at one of the above places you:</p> <ul style="list-style-type: none"> <li>• Will have committed fraud,</li> <li>• Have to repay the amount of cash accessed at the location, <b>as well as any access fees,</b> and</li> <li>• Your family will not get cash benefits for three months with the first misuse and six months for each additional misuse.</li> </ul> <p>Usted no puede acceder a sus beneficios de efectivo con su tarjeta de acceso electrónica (EAC) o tarjeta de débito personal en los siguientes lugares:</p> <ul style="list-style-type: none"> <li>• Licorería o cualquier lugar que principalmente venda bebidas alcohólicas,</li> <li>• Casino u otro establecimiento de juegos de azar o diversión, o</li> <li>• Negocio que provean entretenimiento para adultos donde los o las artistas se desnuden o actúen sin ropa (por ejemplo, un club de striptease).</li> </ul> <p>Esto incluye a todos estos tipos de negocios en Iowa, en reservaciones indígenas o en cualquier otro estado.</p> <p>Si el departamento determina que usted ha accedido a beneficios de efectivo con su EAC o tarjeta de débito personal en uno de los lugares anteriores, usted:</p> <ul style="list-style-type: none"> <li>• Habrá cometido un fraude,</li> <li>• Tendrá que pagar el monto de dinero accedido en el lugar, al igual los cobros de acceso, y</li> <li>• Su familia no tendrá beneficios de efectivo durante tres meses con el primer mal uso y seis meses por cada mal uso adicional.</li> </ul>	TD02 FIP REA2