

STATE PLAN FOR TITLE IV-A BLOCK GRANT

OF THE

SOCIAL SECURITY ACT

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

(TANF)

Effective January 1, 2015

STATE OF MAINE
STATE PLAN FOR TITLE IV-A OF THE
SOCIAL SECURITY ACT
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

IV-A

STATE OF MAINE

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SECTION I: TANF State Plan Renewal**STATE OF MAINE****For The Period January 1, 2015 through December 31, 2016**

This state plan was developed in accordance with section 402 of the Social Security Act, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) and reflects the changes in work requirements outlined in the Deficit Reduction Act of 2005. The information submitted below restates the pertinent requirements of section 402, the regulations at 45 CFR Parts 261, 262, 263 and 265, and provides information that outlines the provisions of the State of Maine's program.

Maine submits this state plan to renew its status as an eligible state. The plan renewal is a continuation of the state plan initially submitted on October 1, 1996 and found to be complete on December 27, 1996 and approved funding under TANF as of November 1996.

SECTION II: MAINE ASSISTANCE PROGRAMS

TANF and TANF MOE Funded Program Descriptions

Federally Funded ProgramsTemporary Assistance to Needy Families (TANF)

This program includes benefits provided in the form of cash, payments, vouchers, or other forms designed to meet on-going, basic needs. Eligible families must have dependent children who are deprived of parental support or care because of the death, continued absence, incapacity of a parent, or the under-employment of a parent who is the principal wage earner. It is designed to promote personal responsibility and accountability for parents. Financial eligibility is based on a Standard of Need. See Attachment A. Income disregards of earned income in the amount of \$108 and 50% of the remainder is considered when determining eligibility and benefit.

ASPIRE-TANF Support Services for TANF Families

This is the State's TANF employment and training program. As a condition of eligibility for TANF each applicant/recipient who is not exempt must participate in the ASPIRE-TANF Program. Support services include transportation, car repairs, car insurance, child care, uniforms, work boots, and other items necessary for retaining employment.

Parent's as Scholars Program - First 12 months

PaS is a student financial aid program for up to 2,000 families based on need as authorized by statute. Students must have dependent children and be matriculating in post-secondary undergraduate 2-year and 4-year degree-granting education programs. Benefits include a cash benefit equal to that of TANF recipients and support services. The first 12 months of the PaS Program are federally funded. Eligibility is identical to TANF.

Emergency Assistance (EA)

EA is a limited program originally authorized under prior law. Payment of services through the EA program is limited to children and their families who are threatened by destitution or homelessness because of emergency situations. The program does not cover all emergencies. The income limit must be below 100% of FPL or families must receive TANF or PaS, SSI or Food Supplement. Payments are made to vendors. EA may be used by a family once in a 12- month period. The amount of the EA payment is capped depending on the type of emergency payment is made for.

Alternative Aid (AA) – Non recurrent short term benefits

Alternative Aid is a diversion program to assist applicants who seek short-term help to obtain or retain employment. The intent of the program is to help families remain self-supporting by providing voucher payments worth up to three months of the TANF benefits for which they are eligible. AA may be used once in a 12-month period. All

payments are made directly to the vendor. Eligibility for the program is the same as for TANF cash assistance except AA is based on 133% of FPL.

Separate State Programs - Separate State Programs provide assistance to needy families that utilize state maintenance of effort (MOE) funds.

Maintenance of effort- Maine will continue its maintenance of effort based on FFY 1994 expenditures at the level of at least 80 percent unless federal work participation rates are met, in which case Maine will reduce its MOE expenditures to 75 percent. In order to meet its annual MOE obligation, Maine may count any qualifying expenditures that are allowed under federal statute and regulation. Qualifying MOE expenditures are any expenditure made on behalf of TANF-eligible families.

Non-Citizen Families

The state funded Non-Citizen Families Program provides benefits to legal aliens who are not considered qualified aliens as defined in the provisions of §431 of PRWORA as amended (8 U.S.C. § 1641). All other aliens are considered non-qualified aliens.

A non-qualified alien may receive benefits equivalent to the TANF program through a state-funded cash assistance program if that person:

- Was receiving such assistance on December 1, 2012 or had an application pending for such assistance on that date.
- Is an Asylum Seeker as defined by U.S. Citizenship and Immigration Services (USCIS)
- Is elderly;
- Is disabled;
- Is a victim of domestic violence;
- Is suffering a hardship.

See <http://www.maine.gov/sos/cec/rules/10/ch331.htm>, Ch. 331 Maine Public Assistance Manual, Non-Citizens, pgs. 9-10.

The eligibility requirements are the same as for the TANF Program (see pages 1 & 7-11). The non-citizen family receives monthly benefits equal to a TANF family's benefits. A family that becomes ineligible for this program because of increased child support, increased hours of, or increased income from employment is eligible for transitional support services.

Parents as Scholars (PaS) except the first 12 months of participation

PaS is a student financial aid program for up to 2,000 families based on need as authorized by statute. Students must have dependent children and be matriculating in post-secondary undergraduate 2-year and 4-year degree-granting education programs. Otherwise PaS has the same eligibility guidelines as TANF. Benefits include a cash benefit equal to that of TANF recipients and support services. PaS participation after the

first 12 months is State funded.

ASPIRE Support Services for State –funded programs

The ASPIRE Program provides case management and support services to assist TANF families in preparing for, obtaining, and retaining employment in order to become self-supporting. Support services for transportation, car repairs, car insurance, child care, uniforms, work boots, and other items necessary for retaining employment.

Underemployed Families-UP Program

The TANF UP Program provides cash assistance for two parent families with a principle wage earner that is unemployed or under-employed and otherwise has the same eligibility guidelines as TANF. The under-employed family receives monthly benefits equal to a TANF family's benefits. A family that becomes ineligible for this program because of increased child support, increased hours of, or increased income from employment is eligible for transitional support services.

Incapacitated Families

This is the financial assistance program for a one or two parent family in which one or both parents are physically or mentally incapacitated and otherwise have the same eligibility guidelines as TANF (see pages 1 & 7-11). The family receives a benefit equal to a TANF family's benefit. A family that becomes ineligible for this program because of increased child support, increased hours of, or increased income from employment is eligible for transitional support services.

Students

State funded Student Families Program provides benefits to students and their parents ages 18, 19, and 20 who were eligible for AFDC Program benefits. Eligibility for this program is the same as for TANF (see pages 1 & 7-11). The family receives a benefit equal to a TANF Family's benefit. A family that becomes ineligible for this program because of increased child support, increased hours of, or increased income from employment is eligible for transitional support services.

TANF Worker Supplement

This is a food benefit program for families with minor children who receive food supplement benefits, to help them become self-sufficient. Families must be working enough hours to meet the federal work participation guidelines to be eligible.

Transitional Services

Transitional services are available to support the post-TANF client in retaining employment. These services include transportation for up to 12 months and child care until the youngest child in the family turns 13. The income limit is 250% of FPL.

State Refundable tax credits- Property Tax Relief for Income Eligible Home Owners and Renters

This is a refundable tax credit is based upon the amount that property taxes or rent constituting property taxes that exceeds the amount of the low income thresholds established in law and for purposes of TANF MOE, the State would claim expenditures paid to low income families. Eligibility limits for a household of one are AGI of \$33,333 and property tax paid must be more than 6% of the AGI.

State Refundable tax credits-Child Care Tax Credit

This credit is available to those who are TANF eligible and eligible for the federal child and dependent care credit. Generally, an individual who pays someone to care for a dependent who is under age 13 is allowed a credit. The Maine credit is equal to 25% of the federal credit. The Maine credit is doubled (50% of the federal credit) if a quality child care facility is used. Quality child care facilities are certified through the Maine Department of Health and Human Services.

General Assistance (GA)– Non-recurrent short term benefits

General Assistance provides immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves and their families. The GA Program is funded with State general fund dollars. This program deals with specific crisis situations such as to prevent imminent homelessness and is not intended to meet recurrent or ongoing needs and does not extend beyond 4 months.

Child Care Development Fund (CCDF)

These are payments related to child care services provided to families who are at risk of becoming dependent on TANF. Child care costs are reimbursed up to established maximums, based on the family's gross income, the age of the child and whether a contract center or non-contract provider provides care. The income limit is 250% of FPL.

Child Support Pass Through/Supplemental TANF

Up to \$50 of current child support collected for a TANF family is 'passed through' to the family. When more than \$50 in current or arrearage is collected the family may receive a supplemental TANF or PaS payment. The pass-through amount is disregarded for eligibility purposes and is counted as TANF State MOE.

Refugee Cash Assistance (RCA)

This program includes TANF eligible families who are refugees and asylees and receiving social services through the Refugee Assistance program structure. The services provided include cash assistance, case management and employment and training services provided by local refugee agencies during the first eight months after their arrival in the United States. The Office of Refugee Resettlement (ORR) provides social services funding for employment services to refugees. The TANF-eligible families are better served through this extensive service delivery system and TANF federal funds are used to pay for the services provided to refugee families eligible for TANF. The costs are

charged to TANF Federal Funds, but TANF State MOE may also be expended on these services. The financial eligibility for these services is the same eligibility used for TANF cash assistance.

Section III: TANF State Plan Requirements

The information in this section lists the State Plan requirements for the Temporary Assistance for Needy Families (TANF) program pursuant to Title IV-A of the Social Security Act, section 402. Information detailing the provisions of Maine's TANF program follows each State Plan requirement. Unless otherwise specifically indicated, the references to sections of law in this document are to Title IV-A of the Social Security Act.

- (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 the job preparation, work, and support services to enable them to leave the program and become self-sufficient.***

General Provisions

The State of Maine Department of Health and Human Services (DHHS) is the state agency responsible for administration of the federal Temporary Assistance to Needy Families (TANF) Block Grant. DHHS administers a financial assistance and jobs preparation program consistent with the objectives of the IV-A Block Grants described at Sec. 401. In its administration of the program, the Department respects the rights, privacy and personal dignity of the individual under the United States Constitution, the Social Security Act and the Civil Rights Act of 1964.

The Department calls its financial assistance program Temporary Assistance for Needy Families (TANF). The jobs preparation program is called ASPIRE-TANF. The programs work together to help families move from welfare to work.

- TANF provides temporary financial assistance to needy, dependent and deprived children and their parents (or caretaker relatives) to meet their basic needs while being cared for in their homes.
- Simultaneously, ASPIRE-TANF provides case management and support services to help families prepare for, find, and keep employment; while the Division of Child Support Enforcement and Recovery (DSER) helps families establish paternity and secure financial and medical support.

In accord with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), the State of Maine has developed its TANF State Plan based upon the four major purposes of TANF, which are to:

- Provide assistance to needy families so that children may be cared for in their own home or in the home of a relative;
- End dependence of needy parents on government benefits by promoting job preparation, work, and marriage;
- 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
- Encourage the formation and maintenance of two-parent families.

All individuals have the right to apply for any assistance without regard to race, color, national origin, sex, gender orientation, religion, or handicap. In accordance with the Americans with Disabilities Act, no qualified individual with a disability will, by reason of such disability, be excluded from participation or be denied the benefits of the services, programs or activities of the Maine Department of Health and Human Services, or be subjected to discrimination by the Maine Department of Health and Human Services.

Additionally, applicants and recipients are assured confidentiality, equitable and courteous treatment and may appeal decisions and have fair hearings should they disagree with any action taken affecting their benefit.

Eligibility for the Maine Temporary Assistance to Needy Families (TANF) Program:

An eligible family must meet age, relationship, deprivation, citizenship, alien status, residency, and cooperation requirements, as well as remain within the income and resource limits of the program. The eligible family must attend a TANF Orientation session and sign a Family Contract. Specific criteria are located in the Maine Public Assistance Manual available at the Department of Health and Human Services website at <http://www.maine.gov/dhhs/ofi/rules/index.shtml>.

TANF Program Application

All individuals have the right to file an application for TANF or PaS benefits. An application for TANF or PaS is considered an application for Medicaid. Eligibility for financial assistance and for Medicaid is determined separately. Benefits will be calculated from the date of application or from the date of statutory eligibility, whichever occurs later.

The applicant or their representative must complete and sign, under penalty of perjury, an application and be interviewed face-to-face. Unless granted good cause all mandatory ASPIRE-TANF applicants must attend an orientation meeting within thirty (30) days of application and must sign a Family Contract. The Family Contract states the responsibilities of the parties to the agreement including, but not limited to, cooperation in child support enforcement and determination of paternity, the requirements of ASPIRE-TANF Program participation and referral to parenting activities and health care services. The Family Contract will be amended to include individual employability plans as filing unit members enter the ASPIRE-TANF program and when

participation review occurs. Eligibility will be determined after both the initial interview and the orientation meeting are completed. A decision will be made within 30 days.

Good cause exists in the following situations:

1. Natural disasters, such as fires or floods, having a direct impact on the applicant/recipient or an immediate family member.
2. Illness of such severity on the part of the applicant/recipient or an immediate family member that the applicant/recipient is unable to direct his or her personal affairs.
3. Refusal of an employer to provide earned income verification, or the unavailability of an employer to provide verification before the deadline.
4. Lost or stolen mail.
5. Refusal of a landlord to verify housing expense.
6. Death of the applicant/recipient or an immediate family member.
7. Inability of a third party (e.g. Social Security Administration) to provide the necessary documentation within the designated time period.
8. Domestic Violence Victim

Cash Benefits for an Assistance Unit

Except in a child-only case, cash benefits are paid only to, or on behalf of, members of a needy family for whom cash assistance is requested and who meet all the nonfinancial eligibility criteria. These eligible individuals constitute the assistance unit and include a dependent child and the dependent child's parents and minor siblings. When a parent or minor sibling of a dependent child does not qualify for inclusion in the assistance unit, their income and resources are considered available to the assistance unit for purposes of determining the amount of the cash benefit.

A nonparent caretaker relative may choose to be included in an assistance unit with a dependent child. In this situation, any dependent children of the nonparent caretaker relative will also be included in the assistance unit. When a dependent child of the nonparent caretaker relative does not qualify for inclusion in the assistance unit, their income and resources are considered available to the assistance unit for purposes of determining the amount of the cash benefit.

In a child-only case, the assistance unit comprises only the eligible dependent child, and only the income and resources of the dependent child are considered when determining a cash benefit amount.

Financial Eligibility

Consideration is given to the income of all members of the filing unit as well as excluded stepparents, sponsors of aliens, sanctioned parents and parents or legal guardians of minor parents.

Assets

Eligibility is limited to families whose available resources total less than \$1,000. The value of the home and a primary vehicle is excluded.

Earned Income Disregards

A portion of the earned income is disregarded when determining income eligibility and a cash benefit amount. The first \$108 and 50 percent of the remaining income, dependent care costs, and income of minor family members and dependent children in an assistance unit are disregarded.

Income Budgeting

Eligibility and the benefit are determined for a specific benefit month based on the best estimate of all nonfinancial, asset, and financial criteria that exist and are expected to exist for that month. Benefits are determined prospectively.

Benefit Determination

Payment standards are based on a Standard of Need. To determine eligibility for cash assistance, the total of a family's countable earned income (after disregards) and unearned income is compared with the appropriate assistance payment standard for the unit. See Attachment A.

The benefit amount for the month of application is prorated based on the number of days remaining in the month after the application file date.

Non-Financial Eligibility Requirements**Deprivation**

The household must contain an eligible dependent child who is living with a specified relative and who is deprived of the care and support of a parent due to death, disability, continued absence or underemployment of the principle wage earner. Determination of deprivation for a child who lives with two-parents is based on the unemployment or underemployment of the Primary Wage Earner (PWE) or the incapacity of a parent.

Age

The child must be under the age of 18 or over the age of 18 but under the age of 20, and a full-time student in secondary school, or the equivalent level of vocational or technical training, and meets all other eligibility requirements may be included.

Residence

All recipients must be living in Maine voluntarily with the intent to make Maine their home.

Citizenship

All recipients must be U.S. citizens, aliens lawfully admitted for permanent residence or otherwise permanently residing in the U.S. under color of law.

Social Security Numbers

All individuals applying for or receiving TANF or PaS must furnish the agency with a Social Security Number of proof of application for a Number and furnish the Number when received.

Non-Payment Situations

Maine will deny assistance for fugitive felons, probation and parole violators and individuals convicted of a drug-related felony who test positive for the use of controlled substances unless that individual enrolls in a substance abuse program.

Maine will deny assistance for 10 years to a person found by a hearings officer or Court to have made fraudulent statements or representation with respect to identification or place of residence in order to obtain specified types of assistance in 2 or more states.

Temporary Absence

Temporary absence from the home of the child or caretaker relative for more than 45 days is allowed under certain circumstances provided that the caretaker relative has full responsibility for the supervision and guidance of the child and provided that any delegation of authority is temporary, voluntary and revocable. The child or caretaker relative must return home at the completion of the reason for separation unless there is good cause for the person to be out of the home.

Child Support

Cooperation with the Division of Support Enforcement and Recovery is required as a condition of eligibility for cash assistance.

Lifetime Time Limits on Assistance

TANF cash assistance is intended to be a temporary means of support while families work towards self-sufficiency. Federal TANF Assistance will not be given to a family that includes an adult who has received assistance for 60 or more months, whether or not consecutive, under any program funded with Federal Funds which are part of the TANF Block Grant except that states are permitted to extend benefits funded with the

Federal/TANF Block Grant beyond 60 months to up to 20% of their caseload. States may also continue benefits to families using State only funding.

A family in Maine may not receive TANF assistance for longer than 60 months in a lifetime except in those cases in which the department has determined that the family qualifies for an exemption or temporary hardship extension.

Exemptions from the Time Limit:

- A minor child living with a parent who receives SSI benefits;
- A minor child living with a non-parent caretaker relative;
- An adult living in Indian Territory or Trust lands;
- Pregnant or minor parents who are not the head of household
- Receipt of non-cash assistance.

Temporary Hardship Extensions to the Time Limit:

- Domestic Violence;
- Disability;
- Caring for a Significantly Disabled Family Member;
- Participation in a Training or Education Program;
- Working Families;
- Pregnancy;
- Loss of Job;
- Occurrence of an Emergency Situation

See <http://www.maine.gov/sos/cec/rules/10/ch331.htm> , Ch. 331, Maine Public Assistance Manual, Eligibility Process, pgs. 21-25a.

(ii) Require a parent or caretaker relative 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.

All parents and caretaker relatives who request and receive assistance are required to sign a Family Contract and participate, unless temporarily exempt, in DHHS approved work-related activities.

The definition of work – An individual is considered working if:

1. Employed in unsubsidized employment 30 hours a week or more.
2. Employed part-time (less than 30 hours per week) and also fully participating in assigned activities designed to help obtain full-time employment.
3. Unemployed but participating in an assigned work activity.

One Parent Families

Single parent families shall participate for a minimum of twenty (20) hours per week for parents whose youngest child in the home is under the age of six (6), and for a minimum of thirty (30) hours per week for parents whose youngest child in the home is six (6) years of age or older, in one of the following work activities to help the parent obtain stable full-time paid employment.

Recipients of TANF based on underemployment of the principal wage earner and single parents with skills necessary to work who have no children under age 6 are referred immediately for Job Search activities.

Participants who have received TANF and are unable to find employment after 24 months, will be assigned to Workforce or MaineServe for referrals to employment experiences in the private or public sector.

Maine provides written and/or oral notice of the availability of temporary good cause exemptions from work or work-related activities and from child support requirements to victims of domestic violence at each application and review of eligibility for TANF.

Core Activities for One Parent Families:

- Countable toward the first 20 hours of participation each week are:
- Unsubsidized Employment – includes “Paid Employment”, Self – Employment, On-the-Job-Training, Work Study, ASPIRE Child Care Employment, and Apprenticeship.
- Work Experience – includes Field Training (skills)
- On-the-Job-Training – On-The-Job-Training is considered to be Unsubsidized Employment
- Job Search & Job Readiness (6 weeks in any 12-month period – 12 weeks in any 12-month period for States with Needy State status) – Job Search and Job Readiness activities include Individual Job Search, Group Job Search, Pre-Vocational (ASPIRE), Pre-Vocational (Referred), Substance Abuse/Mental Health Treatment, Field Training (readiness), Placement Assistance, and Job Development
- Community Service Programs – Activities include TEMP (regular), TEMP (UP), and Volunteering
- Vocational Educational Training – Activities include Associate’s Degree (PaS), BA/BS Degree (PaS), College Courses, Community College Degree (PaS), Community College Certificate, Community College Courses, Adult Ed (skills),

Employer Sponsored Training, and Technical/Trades Courses. Participants are limited to 12 months of Vocational Educational Training in their lifetime. One hour of study time will be counted toward participation for every verified hour of classroom participation.

Non-core Activities for a One Parent Family:

Countable after the first 20 hours of participation each week:

- Job Skills Training Directly Related to Employment – Activities includes all activities listed in Vocational Educational Training. There are no time limits on Job Skills Training activities;

- Education Directly Related to Employment – Activities include Adult Basic Ed (ABE), English as a Second Language (ESL), Adult Ed (diploma); High School, and G.E.D. preparation.
- Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence. Satisfactory attendance in secondary school or in a GED program is countable as a core activity in the case of a parent who is married and is under twenty (20) years old.

Two-Parent Families

In families consisting of two parents, one parent is required and shall be engaged in work activities as defined below, for at least thirty-five (35) hours per week during the month, not fewer than thirty (30) hours per week of which are attributable to one or more of the following listed work activities.

Core Activities for Two-Parent Families:

- Unsubsidized Employment – includes “Paid Employment”, Self – Employment, On-the- Job-Training, Work Study, ASPIRE Child Care Employment, and Apprenticeship.
- Work Experience – includes Field Training (skills)
- On-the-Job-Training – On-The-Job-Training is considered to be Unsubsidized Employment
- Job Search & Job Readiness (6 weeks in any 12-month period – 12 weeks in any 12-month period for States with Needy State status) – Job Search and Job Readiness activities include Individual Job Search, Group Job Search, Pre-Vocational (ASPIRE), Pre-Vocational (Referred), Substance Abuse/Mental Health Treatment, Field Training (readiness), Placement Assistance, and Job Development
- Community Service Programs – Activities include TEMP (regular), TEMP (UP), and Volunteering
- Vocational Educational Training – Activities include Associate’s Degree (PaS), BA/BS Degree (PaS), College Courses, Community College Degree (PaS), Community College Certificate, Community College Courses, Adult Ed (skills), Employer Sponsored Training, and Technical/Trades Courses. Participants are limited to 12 months of Vocational Educational Training in their lifetime. One hour of study time will be counted toward participation for every verified hour of classroom participation.

Above thirty (30) hours per week, the following activities may also count for participation:

- Job Skills Training Directly Related to Employment – Activities includes all activities listed in Vocational Educational Training. There are no time limits on Job Skills Training activities;
- Education Directly Related to Employment – Activities include Adult Basic Ed (ABE), English as a Second Language (ESL), Adult Ed (diploma); High School, and G.E.D. preparation.

- Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence. Satisfactory attendance in secondary school or in a GED program is countable as a core activity in the case of a parent who is married and is under twenty (20) years old.

A family with two parents, whether or not receiving child care, in which one or both parents participate in a work experience or community service program may not be required to participate for more than the maximum number of hours per week allowable by the Fair Labor Standards Act (FLSA). If the total is less than the minimum number of hours required by Federal and/or State law, the difference will be made-up involving the participant in non-work activities.

Temporary Exemptions from Participation for All Families

Except in the instance of a work experience or community service program which must meet the requirements of the FLSA as described above, if the family receives child care assistance and an adult in the family is not disabled or caring for a severely disabled family member, then the work-eligible individuals must be participating in work activities for an average of at least fifty-five (55) hours per week. At least fifty (50) hours must come from participation in the activities listed in the Core Activities above. Above fifty (50) hours per week, the activities listed in Non-Core Activities above may also count as participation.

- A recipient who is the single custodial parent or a caretaker relative of a child under one year of age and is personally providing care for that child This exemption is limited to no more than 12 months per single custodial parent or caretaker relative;
- A parent caretaker relative needed in the home to care for a disabled family member who is living in the household
- A recipient who is a Vista volunteer under the Federal Domestic Volunteer Service Act of 1973; or
- A recipient who receives Social Security Disability Insurance (SSDI).

Parents

A custodial parent under 20 years of age who is a recipient of TANF and has not completed high school or its equivalent must participate in the ASPIRE-TANF Program regardless of the age of the youngest child and attend courses to complete high school, with an emphasis on education in a traditional high school setting.

(iii) Ensure that parents and caretaker relatives receiving assistance under the program engage in work activities in accordance with section 4072.

Non-Compliance with Work Requirements

When the mandatory individual has refused or failed to comply, with the regulations of the ASPIRE-TANF Program, without good cause, accept employment, terminated employment or reduced earnings, the following shall apply:

During the first ninety (90) days of noncompliance with work requirements, the amount of cash assistance to which an otherwise eligible family is entitled shall be reduced by the portion of the family's benefit attributable to any parent who, without good cause, has failed to comply with DHHS work requirements.

After ninety (90) days of noncompliance, the Department shall terminate cash assistance to a family if any parent in the family has failed, without good cause, to comply with work requirements. The penalty becomes effective on the next benefit month after the adverse action period.

(iv) Take 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.

Federal and State rules provide for the basic rights and dignity of all applicants or recipients of financial services regarding their confidentiality. The Department must ensure that information about the recipient is maintained in a confidential manner and only released under certain circumstances.

Information about TANF applicants and recipients is maintained in a confidential manner and only released under certain circumstances. Information requested from outside the OFI shall be released by permission by the client or by subpoena. The release of information shall be limited to programs which establish eligibility and provide services through agencies subject to comparable standards of confidentiality.

(v) Establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies.

(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 extended in scope to include men.

Maine's TANF program continues to collaborate with and support the efforts of other State agencies and local groups on issues pertinent to adolescent health and specifically to reduce teen pregnancy and unintended births. Those agencies include the Teen and Young Adult Health Program administered by the Maine Center for Disease Control and Prevention.

The Maine Teen Health Website was partially funded with a grant from DHHS. The goal of this program is to improve the health and well-being of teens and young adults in Maine by providing comprehensive, accurate, and non-judgmental reproductive and sexual health information and resources.

The Department's Division of Support Enforcement and Recovery has worked with the Bureau of Health and the Office of Vital Statistics to produce pamphlets placing emphasis on rights and responsibilities of both male and female parents.

The Department will continue to work with the Legislature on the issue of statutory rape. There have been no changes in State law as of the writing of this Plan. Education programs provided by Sexual Assault Crisis and Support Centers are geared to students, both male and female, covering issues such as: childhood sexual abuse, sexual harassment, dating violence, acquaintance rape, and gender issues and stereotyping.

(vii) How the state intends to implement policies and procedures to prevent access to assistance through electronic benefit transfer transactions in an automated teller machine of point-of-sale device located in casinos, gaming establishments, liquor stores, and retail establishments which provide adult-oriented entertainment.

1. In May of 2012 the 125th Legislature passed Public Law Chapter 687 (LD 1888-An act to Strengthen the State's Ability to Investigate and Prosecute the Misuse of Public Benefits) to ensure that public benefits are used as intended. The Governor signed this legislation on 5/21/2012 with the law becoming effective . The legislation implements the requirement of the new federal law discussed above. State law restricts using the cash benefits on an EBT cards in:
 - a retail establishment where 50% or more of the gross revenue of the establishment is derived from the sale of liquor;
 - a gambling facility, except that use of the EBT system is permitted in any portion of the premises of a gambling facility that is set aside separately for the sale primarily of staple foods; or
 - a retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

The penalty for unauthorized spending of benefits is disqualification through an Intentional Program Violation (IPV) and, when discovered, a referral will be made to the Fraud Investigation Unit for further review and recovery. There are no penalties to the retailer at this time.

2. Block TANF cash transactions at restricted locations
3. Picture EBT Card
4. Monitor EBT cash transactions to track misuse on database
5. Acknowledgement Form provides information on appropriate use of TANF cash EBT cards and the penalties for misuse is discussed with and signed by the client at application and redetermination.
6. TANF cash assistance restrictions and penalties for misuse are discussed with TANF applicants at TANF Orientation and in the TANF Handbook.
7. Discussion is ongoing with TANF recipients during telephone and face-to-face contact.

(viii) Explanation of how the state plans to ensure that (1) recipients of the assistance have adequate access to their cash assistance, and (2) recipients of assistance 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.

(1) If a TANF recipient reports there is no place other than a restricted location to access their benefit, eligibility staff will work with the recipient to attempt to identify other locations for use by the recipient. This is done on a case-by-case basis taking into consideration the recipient's specific circumstances. If it is determined a recipient does not have adequate access to TANF cash benefits, options such as issuing the cash benefit via deposit into the recipient's bank account or to a third party payee will be explored.

Low-income families will still be able to access benefits at grocery stores, restaurants, gas stations, and other establishments. Recipients are able to access their cash benefits at Automated Teller Machines (ATM) or Point of Sale (POS) machines in the same manner as other citizens can access their banked funds.

(2) Recipients of TANF assistance have adequate access to using or withdrawing their benefits with minimal fees or charges, including the opportunity to access assistance with no fee or charges outside of these restrictions. TANF recipients have two free ATM withdrawals each month at ATMs which do not surcharge. If a TANF recipient reports they are unable to access an ATM that does not surcharge, the Department will work with that recipient to locate an acceptable alternative.

Recipients of TANF cash assistance receive information on applicable fees and surcharges that apply to electronic funds transfer in a brochure that accompanies the EBT card, in the TANF Handbook given to each new TANF applicant and via the Pine Tree Card website at www.pinetrecard.com.

Information on applicable fees and surcharges that apply to electronic fund transactions involving TANF assistance is made publicly available.

SECTION IV 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.

Families moving to Maine from another state are not treated differently than other families.

(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.

The Department will continue to provide benefits to qualified aliens who are eligible for assistance under Title IV-A TANF Block Grant for a period of 5 years beginning on the qualified alien's date of entry into the United States.

Additionally, Maine will use separate State funds to provide benefits to legal aliens who were eligible under the AFDC Program rules who are not considered qualified under TANF.

(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.

Maine's Appeals Process

Maine provides timely and adequate notice prior to taking an adverse action and provides opportunities for the recipients who have been adversely affected to be heard in a state administered appeals process. There are set time limits for requesting and holding hearings and issuing decisions. Hearings are presented before impartial hearing officers. If the client is unhappy with the decision, he or she may request reconsideration or appeal to the courts.

(iv) Title VI, Subtitle H, Sections 6701-6703 of the Patient Protection and Affordable care Act of 2010(PPACA) contains the "Elder Justice Act of 2009". Section 6703(a)(2) of the PPACA amends section 402(a)(1)(B) of the Social Security Act (42 U.S.C. 602(a)(1)(B)) to add the following new clause to the state plan requirements?

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 1397j) of this title); 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.

Maine has opted out of this provision.

Family Violence Option

Maine has opted out of this provision. However, Maine has implemented comparable State policy to address issues of family violence for TANF recipients. The definition of domestic violence for the purpose of good cause is the inability to participate due to domestic violence when the individual is unable to participate because of physical injuries or the psychological effects of activities related to abuse; because the abuser actively interferes with the individual's participation; because the location puts the individual at risk; or for other good cause related to domestic violence.

Families with a household member that has been subjected to domestic violence may have good cause for not participating in TANF Orientation, work participation, cooperation with child support enforcement and other activities that would place the recipient at risk of family violence.

STATE PLAN CERTIFICATIONS:

In accordance with the need to certify that Maine will operate its Temporary Assistance for Needy Families (TANF) program in accordance with the statutory requirements in Social Security Act, Part A, 402(a)(2) through (7), the State of Maine is submitting the TANF state plan.

The State will operate a program to provide TANF so that children may be cared for in their own homes or in the homes of relatives; to end dependency 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 encourage the formation and maintenance of two-parent families.

The state program is known as: Temporary Assistance for Needy Families (TANF).

The Chief Executive Officer for the State of Maine: Governor Paul R. LePage.

Certifications

The signature on this State Plan certifies the following:

1. During the fiscal year, the State will operate a child support enforcement program under the State plan approved under part D.
2. During the fiscal year, the State will operate a foster care and adoption assistance program under the State plan approved under part B, 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.
3. The Department of Health and Human Services will administer and supervise the TANF Program for the fiscal year, and shall include assurances that local governments and private sector organizations-
 - 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.
 - Will have had at least 45 days to submit comments on the plan and the design of such services.
4. 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.
5. 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.

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

Date

Governor Paul R. LePage

Attachment A Eligibility Guidelines

TANF and PaS Program Income Tests, Standard of Need, and Maximum Payment Charts for Applicants:

ADULT INCLUDED

BASIC					SPECIAL NEED						
Number in filing unit	Gross Income Test	Second Income Test	SON	Maximum Grant	Gross Income Test	Second Income Test	SON	Maximum Grant +	Special Need	= Total	Max. Gap
1	485	283	294	230	578	333	394	494	200	430	64
2	762	445	463	363	855	495	563	663	200	563	100
3	1,023	596	620	485	1,116	646	720	820	200	685	135
4	1,286	750	780	611	1,379	800	880	980	200	811	169
5	1,548	903	938	733	1,641	953	1038	1138	200	933	205
6	1,811	1,055	1,096	856	1,904	1,105	1196	1296	200	1,056	240
7	2,072	1,208	1,255	981	2,165	1,258	1355	1455	200	1,181	274
8	2,335	1,361	1,414	1,105	2,427	1,411	1514	1614	200	1,305	309
Additional Member	+262	+153	+159	+124	+262	+153	+159	+159	+200	+124	

ADULT NOT INCLUDED

BASIC					SPECIAL NEED						
Number in filing unit	Gross Income Test	Second Income Test	SON	Maximum Grant	Gross Income Test	Second Income Test	SON	Maximum Grant +	Special Need	= Total	Max. Gap
1	285	167	174	138	332	217	374	138	200	338	36
2	546	319	332	262	639	369	532	262	200	462	70
3	808	472	491	386	901	522	691	386	200	586	105
4	1,071	624	649	508	1,164	674	849	508	200	708	141
5	1,334	778	809	634	1,427	828	1,009	634	200	834	175
6	1,597	931	967	756	1,690	981	1,167	756	200	956	211
7	1,859	1,083	1,125	880	1,952	1,133	1,325	880	200	1,080	245
8	2,120	1,236	1,284	1,004	2,213	1,286	1,484	1,004	200	1,204	280
Additional Member	+262	+153	+159	+124	+262	+153	+159	+124	+200	+124	