

# **STATE OF ARIZONA**

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

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***Effective: October 1, 2014***

# **TANF STATE PLAN STATE OF ARIZONA**

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## **I. INTRODUCTION**

The Arizona State Legislature established the Department of Economic Security (DES) in 1972 by consolidating the authority, power, and duties of five separate state agencies, followed by a sixth in 1974 (A.R.S. § 41-1954). The intent of the 1972 legislation and subsequent amendments was to provide an integrated approach to human services.

The DES Vision is that *every child, adult, and family in the State of Arizona will be safe and economically secure*. The Department strives to achieve this through its Mission to *promote the safety, well-being, and self-sufficiency of children, adults, and families*.

There are five core values that form the basis for the work that DES does in the fulfillment of its mission:

- Value Our Team Members;
- Person/Family-Centric;
- Community Engagement;
- Optimum Interconnectivity; and
- Accountability.

These values serve several purposes and are applied in the daily work across DES.

On May 29, 2014, Arizona Laws 2014, Second Special Session, Chapter 1, (Senate Bill 1001) established as a new entity, the Department of Child Safety, (DCS). The primary purpose of DCS is to protect children. DCS is comprised of the State Child Welfare Program previously administered by DES, including Child Protective Services, Foster Care, Adoption, the Comprehensive Medical and Dental Program and the Office of Child Welfare Investigations.

DES's mission is best achieved through the holistic delivery of human services across programs. DES is a large human services agency composed of 35 different programs and approximately 7,500 employees that work together to help many of Arizona's vulnerable citizens, including low-income working families, individuals with developmental disabilities, the elderly, victims of domestic violence, and those seeking basic supports (food, utilities, and shelter). These programs and services are delivered through DES offices and staff statewide, through a partnership with DCS and through a network of contracted community-based providers. DES works collaboratively with the communities it serves, local and national advocacy organizations, other state agencies, the federal agencies that oversee DES's programs, the courts, and Native American Tribes in the delivery of services to the citizens of Arizona.

The Department provides services to more than two million Arizonans each month. DES's programs affect the safety, well-being and self-sufficiency of Arizonans. Within the Department of Economic Security, the Temporary Assistance for Needy Families (TANF) Program is

integral to helping families gain the skills they need to remove barriers that currently prevent them from being self-sufficient and permanently escape the hardships of poverty.

While some situations warrant more intensive and longer-term involvement between DES and families, because of multiple barriers to self-sufficiency, the Department's primary focus is to prevent dependence by providing short-term, less intrusive services and supports that help the individual or family become their highest-functioning self.

### ***Alignment of State of Arizona and TANF Goals***

The goals of the State of Arizona's human service system and the federal TANF law are very much aligned—particularly in the areas of strengthening the family unit to enhance child well-being and encouraging family economic mobility and sustainability. The State's goals are to:

- Strengthen individuals and families;
- Increase self-sufficiency;
- Collaborate with communities to increase capacity;
- Improve accountability through active performance-monitoring and increased transparency; and
- Improve outcomes for Arizonans by creating a person-centered human services system.

These five goals are inextricably linked to the goals of the TANF Program: Assist needy families so that children can be cared for in their homes; Reduce the dependency of needy parents by promoting job preparation, work and marriage; Prevent out-of-wedlock pregnancies; and Encourage the formation and maintenance of two-parent families.

The Arizona State Plan prioritizes those areas within the State and TANF goals that are aligned by focusing efforts on initiatives and service delivery reforms.

Arizona's TANF-funded programs (see Sections V and VI) work to achieve the following:

- Provide for the basic needs of vulnerable children and families, including those children residing with parents who are unable to provide their basic needs as well as those children living in certain foster or kinship arrangements, and adult recipients preparing to enter the workplace through temporary income assistance;
- Enhance employment skills through work activities for work-eligible individuals while providing supportive services to remove barriers to finding and maintaining employment;
- Provide families the support they need to be self-sufficient and able to care for their children. This includes supports to allow parents to work, including child care and

- transportation assistance, and collaborative efforts with community providers to help move families toward greater self-sufficiency and less reliance on public services;
- Ensure that families facing domestic violence situations that threaten economic security or family stability receive shelter services and assistance in achieving self-sufficiency and ensuring physical security and safe home environments for their children; and
  - Provide support for families in need of in-home support services to promote keeping families stable and safe and prevent children from entering the foster care system and provide care for children in a foster care setting or preparing to exit the foster care system as young adults.

The Department of Economic Security and the Department of Child Safety provide these services to eligible Arizona families without regard to race, color, religion, sex, national origin, age, or disability. These Departments, through ongoing monitoring and review of their practices, ensure that barriers or obstacles are not established which would make it difficult for eligible families to receive needed services.

The end result of the comprehensive, integrated work funded by TANF dollars in Arizona is that more of Arizona's children are living in economically and socially stable families or family-like settings. Providing opportunities for family stability and economic security has been shown to have many benefits, including healthier and safer children who grow up able to contribute to their communities.

### *Facilitating Services for the Recipient*

Arizona state law limits TANF cash assistance to no more than 24 months, except in case of hardship. In order to provide participants with the necessary services, the Department, through its two Jobs Program contractors, focuses on early engagement of all TANF work-eligible individuals to give them the best opportunity to increase their long-term self-sufficiency. The Jobs Program targets intensive case management to participants approaching their 24 month lifetime limit or facing ineligibility due to the youngest child aging out of TANF. Mailers and telephone "auto-dialer" messages are sent to those who will be affected. This targeted population is offered structured job search, work experience activities, short-term training, and assistance with obtaining high school diplomas or General Equivalency Diplomas (GED) for individuals lacking such education.

In SFY 2011, the Department's Division of Benefits and Medical Eligibility (DBME) implemented a new process management business model to streamline the Cash Assistance, SNAP and Medicaid eligibility process. The new model focuses on streamlining eligibility practices and processes for applications and interviews, verification and eligibility decisions, and maintenance and recertification of cases. DBME has improved its lobby management with a tracker system to capture, assign, and track client lobby and phone traffic. In conjunction with the electronic application process through Health-e-Arizona (HEA), emphasis is placed on completing the entire application and authorization process in one visit. This emphasis has allowed DBME to dramatically reduce the number of repeat office visits and phone calls, thereby minimizing lobby traffic while providing timely and more accurate eligibility determinations. A key component in streamlining

the eligibility process is the expansion of the use of the online Health-e-Arizona Plus application for Cash Assistance, SNAP and Medicaid, for which the Department determines eligibility. The Department partners with faith-based and community organizations located in both urban and rural areas by providing training to both the providers and to the impacted Department staff in the use of the Health-e-Arizona Plus electronic application process. Nearly half the applications received for these programs utilize the Health-e-Arizona Plus application. This usage displays a significant enhancement in efficiently receiving and processing applications for various types of assistance.

In addition to the expansion of automation at the point of application, Department programs are also building web sites that clients can use to check the status of their cases and their benefit balances and to read notices from their case managers. One example is the My Family Benefits (MFB) Web site, where applicants and participants in Cash Assistance, SNAP, and Medicaid are able to review ongoing case status, report family changes, and receive important help regarding their cases. Also, use of an Interactive Voice Response (IVR) System is already in place. These innovations ensure that participants have a means to gather information about their cases 24 hours a day without the need for Department staff to gather the information for them.

### ***Expansion and Enhancement of Grant Diversion***

In 2007, the Arizona State Legislature adopted a bill, introduced at the request of DES, to allow more families the option to receive Grant Diversion Program services as an alternative to the traditional Cash Assistance Program. Under that law, the Grant Diversion Program is first and foremost a program that promotes long-term self-sufficiency through employment. The legislation allows applicants with no long-term barriers to employment, who are likely to be employed within a 90-day window and have financial need to be eligible for the Grant Diversion Program. In addition to receiving one cash payment equal to three full months of Cash Assistance benefits, Grant Diversion Program recipients may receive employment services and short-term support service funding in excess of Cash Assistance benefit amount in order to resolve one-time issues during the 90-day window, pending employment. Eligibility for the Grant Diversion Program is limited to one time in a 12-month period.

The program is administered by the Division of Benefits and Medical Eligibility. Those applicants who are considering or who choose the Grant Diversion Program option are given the opportunity to consult with employment specialists to assist them in securing employment.

The program is showing remarkable success in helping families to overcome short-term barriers to employment and self-sufficiency. In calendar year 2013, 90 percent of families that received the Grant Diversion option did not return for additional Cash Assistance within six months of receiving this assistance. Those that did return received an eligibility determination for traditional Cash Assistance.

### ***Coordinating Services for Older Youth Exiting Foster Care***

Young adults leaving Arizona's child welfare system face a myriad of challenges, including being at risk of experiencing poverty. By the time a youth in foster care reaches the age of 18, he or she has faced many challenges. Two national studies by the Chapin Hall Center for Children of longitudinal outcomes for former foster youth show that one-third of children are receiving public assistance within two years of leaving foster care and that 51 percent are unemployed by age 22. Many youth have experienced several foster care placements, often resulting in several school changes, school absence, and low school achievement. For youth who exit care because they have reached the age of majority, the average number of placements and months in care is six placements over 41 months in care, or an average of almost two placements per year. Studies also show that youth aging out of foster care have very low levels of employment and earnings. In addition, without intervention, many youth experience a greater risk for substance abuse and other addiction, homelessness, early pregnancy, and may also come into contact with the juvenile justice or adult corrections systems as they struggle with challenges that arise after leaving the child welfare system. Once these youth become parents, they are at high risk of becoming future Cash Assistance Program recipients and being involved with the child welfare system, thus repeating the tragic cycle of child abuse, neglect, and poverty.

The DCS's Young Adult Program provides a comprehensive set of services to youth exiting foster care and also assistance for those who choose to continue involvement with DCS after the age of 18 through the Independent Living Program. Although TANF funds do not directly pay for these services, the prevention of poverty for youth exiting the foster care system will reduce the future need for them to access TANF-funded programs such as Cash Assistance. Through the Independent Living Program, a more coordinated, cross-system approach of enhancing services for young adults transitioning from foster care should result in better outcomes for youth who do not choose to maintain a formal connection with the DCS services beyond the age of 18.

Specifically, Arizona's TANF Program works in a collaborative way to provide youth with a continuum of necessary education and job skills to help obtain steady, meaningful employment and career advancement opportunities by facilitating connections for youth with employment and workforce programs, such as the Workforce Investment Act Youth Program. Complementary to education and employment supports, the DCS Young Adult Program places a stronger and more consistent focus on financial education, budgeting skills, and increased awareness about the importance of asset development and the ability to develop assets through matched savings accounts as an effective poverty prevention strategy.

Lastly, the DCS Young Adult Program is working with other state and community agencies to implement effective strategies that will link youth aging out of foster care with affordable and safe permanent housing options. By working with current and former foster youth, community partners, and other state agencies, the DCS anticipates identifying areas of assistance that could be enhanced for older youth, so that these youth will not be in poverty when leaving foster care.

## **II. OVERVIEW AND SCOPE OF ARIZONA'S TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS AND SERVICES**

The Arizona Department of Economic Security is responsible for the administration of Arizona's state-operated Temporary Assistance for Needy Families Program in accordance with Title IV-A of the Social Security Act as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and reauthorized in February 2006 under the Deficit Reduction Act of 2005 and extended for federal fiscal year 2011 as part of the Claims Resolution Act of 2010. TANF was subsequently reauthorized through the Consolidated Appropriations Act of 2014 until September 30, 2014 and most recently, extended through the Continuing Appropriations Resolution for 2015 until December 11, 2015. DES is the designated State IV-A agency and agrees to administer the program in accordance with Title IV-A of the Act and all other applicable federal laws, regulations, and provisions of this State Plan. Arizona's TANF Program is state-administered and provides services in all political subdivisions (counties) within the state.

The following organization units work in concert to achieve the State's human service goals. All of the programs affect or are affected by TANF, even if not directly funded by TANF:

- The DES Division of Benefits and Medical Eligibility (DBME) is responsible for the administration of the Cash Assistance Program.
- The DES Division of Employment and Rehabilitation Services (DERS) is responsible for the administration of the Work Program under TANF and for child care services.
- The DES Division of Child Support Services (DCSS) is responsible for the administration of child support functions and services.
- The DES Division of Aging and Adult Services (DAAS) is responsible for the state's Refugee Resettlement Program as well as services and programs for older Arizonans and other vulnerable populations such as victims of domestic violence, homeless families, and those in need of short-term crisis services.
- The DES Division of Developmental Disabilities (DDD) provides services and supports that enable individuals to live in their own communities to the greatest extent possible.
- The DCS is responsible for child protection, foster care, adoptive services, kinship care, family preservation services, and family support programs and also administers TANF-funded services.

The Family Assistance Administration (FAA) within DBME determines eligibility for the Cash Assistance Program based on TANF, state laws and rules, federal regulations, and DES policies. Staff in FAA considers the family's income, resources, and other factors to determine eligibility for Cash Assistance. FAA identifies and refers those required to participate in the Employment Administration's Jobs Program within DERS. Cash Assistance recipients may also be referred to

the Child Care Administration (CCA) to obtain child care services; and DCSS for child support services.

These programs work together to coordinate other supportive services that promote the safety, well-being, and self-sufficiency of children, adults, and families. The high level of collaboration and integration present across DES promotes a team effort in the delivery of services under Arizona's TANF Program.

In addition to the support services provided to families noted above, work-eligible individuals enrolled in the Jobs Program may be eligible for specific services and goods paid with TANF-funded program dollars to help them engage in work activities, accept and maintain employment, and successfully make the transition from welfare dependence to financial independence through working.

DES policy requires the provision of quality and timely language-assistance services to customers with Limited English Proficiency (LEP) to ensure meaningful access to programs, services, and activities. Each affected work unit of the Department, including all units that provide TANF-funded services, is responsible for the following:

- Developing and adhering to specific written procedures;
- Performing a needs and capacity assessment;
- Arranging for oral language assistance, as appropriate;
- Determining which of the Department's documents meet the definition of a vital document;
- Translating vital documents into frequently used languages other than English;
- Providing notification to customers of the availability of language-assistance services;
- Evaluating current Department web sites for LEP compliance;
- Developing and implementing standards to ensure LEP compliance on all future web pages;
- Training all staff who are likely to have contact with Department customers and the management staff who support them;
- Developing and incorporating an accessible issue resolution process; and
- Monitoring customer access to language assistance.

### **III. CASH ASSISTANCE PROGRAM ELIGIBILITY**

#### ***Definitions***

**Assistance Unit:** Those members of a needy family, or a child-only case, that meet the nonfinancial eligibility criteria for Cash Assistance and whose needs, income, resources, and other circumstances are considered as a whole to determine a Cash Assistance benefit amount.

**Caretaker Relative:** A parent or a nonparent relative, whether related by blood or adoption, who maintains a family setting for a dependent child and who exercises responsibility for the day-to-day physical care, guidance, and support of that child.

**Child-Only Case:** A case in which the eligible dependent child is in the legal custody of the Department of Child Safety and placed in unlicensed foster care with an unrelated adult or a nonparent relative who is not receiving Cash Assistance benefits.

**Family:** The following individuals living in the same home with:

- A head of household caretaker relative:
  - A dependent child;
  - Parent or parents of the dependent child;
  - Spouse of the parent or parents of the dependent child;
  - The head of household caretaker relative;
  - The spouse of the head of household caretaker relative;
  - Minor siblings of the dependent child;
  - Minor children of the head of household caretaker relative; and
  - Minor children of the spouse of the head of household caretaker relative; or
- A minor parent requesting Cash Assistance:
  - The minor parent or parents;
  - The minor parent's child;
  - The minor parent's adult caretaker relative;
  - The spouse of the minor parent's adult caretaker relative;

- Minor parent's minor siblings or step-siblings;
- Minor children of the adult caretaker relative; and
- Minor children of the spouse of adult caretaker relative.

**Head of Household:** A dependent child's parent or the spouse of the parent, or the dependent child's nonparent relative or spouse of the nonparent relative, who receives Cash Assistance for himself and on behalf of the dependent child or only on behalf of the dependent child.

**Needy Family:** A family that resides in the same home and that includes a dependent child, one or more of the dependent child's parents and nonparent relatives of the dependent child and their spouses whose countable income after application of appropriate disregards does not exceed 100 percent of the current federal poverty level or 130 percent of the current federal poverty level if assistance is requested by a nonparent caretaker relative for only the dependent child.

**Work-Eligible Individual:** A work-eligible individual is defined as an adult or minor parent receiving Cash Assistance or a non-recipient parent living with a child who receives TANF. Such individuals are required, as a condition of eligibility for Cash Assistance, to participate in work activities unless the individual is:

- A minor parent who is not the head of household;
- An alien who is ineligible to receive assistance because of his or her immigration status;
- A recipient of Supplemental Security Income (SSI) benefits, unless the recipient is employed and meeting the work requirements; or
- A parent otherwise mandated to participate in work activities who is providing care for a disabled family member living in the home provided the need for such care is supported by medical documentation.

### ***Cash Assistance Application***

Any person may apply for Cash Assistance by filing in person, by mail, online, or by fax, a DES-approved application form at any Family Assistance Administration local office. The DES approved application for Cash Assistance is in compliance with Title VI of the Civil Rights Act of 1964. DES staff will assist the applicant with completing the application form and with obtaining required verification. When requested, the requirement for an in-office interview may be waived and a telephone interview conducted in circumstances such as, but not limited to those in which the applicant:

- Is sixty years of age or over;
- Has a physical or mental disability that makes it difficult for the individual to come to an office;

- Is unable to access transportation;
- Is required to provide care to an ill household member;
- Resides in a rural area; and
- Is involved in work or training that will not allow them to come to the office.

DES will complete the eligibility determination within 45 days of the application file date unless the application is withdrawn, the applicant dies, or there is a delay resulting from a written request for additional verification information.

### ***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.

Also, 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. Arizona allows only one nonparent caretaker relative to be included in an assistance unit. 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.

### ***Eligibility Determination***

DES determines eligibility for a specific benefit month based on its best estimate of all non-financial, resource, and financial criteria that exist and are expected to exist for that month.

### ***Financial Eligibility***

Except in a child-only case, in order for a dependent child to meet the financial eligibility requirements for Cash Assistance, the dependent child must reside in a needy family.

### ***Resources***

The assistance unit may have resources and other property up to an equity value of \$2,000. Homestead real property occupied by the assistance unit is exempt. All vehicles are exempt from the resource determination. When a parent or minor sibling of a dependent child does not qualify for inclusion in the assistance unit, their resources are considered available to the assistance unit.

### ***Earned Income Disregards***

A portion of the earned income of every employed family member is disregarded when determining income eligibility and the same disregards apply to the earned income of employed assistance unit members when determining a cash benefit amount. The first \$90, along with 30 percent of the remaining income, dependent care costs, and income of minor family members and dependent children in an assistance unit are disregarded. For families and assistance units that include a child who is ineligible for Cash Assistance because of the Family Benefit Cap, an amount equal to the amount of cash benefits that the ineligible child would have received if included in the Cash Assistance benefit is deducted after all other earned income disregards have been computed.

### ***Self- Employment Income Standard Deduction***

In addition to the earned income disregards, self-employed family members may be eligible to receive a standard deduction of 40 percent of the countable gross self-employment income. The self-employment standard deduction is applied prior to calculating the earned income disregards. The self-employed family member must provide verification of at least one allowable expense to receive the deduction. Allowable expenses include any of the following:

- Bills for cleaning costs, maintenance of business location or necessary equipment;
- Business insurance related premiums;
- Costs of operating machinery or equipment;
- Costs of stocks or inventories; and
- Business related rent or utility costs.
- Interest paid on the purchase of any of the following:
  - Business property;
  - Capital assets;
  - Equipment;
  - Income producing real estate;

- Machinery; and
  - Other durable goods.
- Interest paid on income producing property;
- Labor;
- Livestock, raw material, seed and fertilizer;
- Rent or property taxes on business property;
- Salaries paid to employees and other employer paid benefits;
- Taxes paid on income producing property; and
- Sales taxes collected and paid.

When there are no expenses or no expenses can be verified, the self-employment standard deduction is not allowed. The earned income disregards are subtracted from the total gross self-employment income. The remaining amount of self-employment income is budgeted to the assistance unit.

### ***Income Budgeting***

Income is budgeted prospectively based on the best estimate of the amount of available countable income to be received in the benefit month. Income is available when it is received or when it is reasonably anticipated. Income received more often than monthly is converted into a monthly amount.

### ***Benefit Amounts***

Payment standards for Cash Assistance are based on 36 percent of the 1992 Federal Poverty Level adjusted for the assistance unit's size and a shelter cost factor. Cash Assistance benefits for assistance units with no shelter cost obligation are reduced by 37 percent. Assistance units whose countable income exceeds these standards are not eligible to receive a Cash Assistance payment. Arizona provides Cash Assistance benefits monthly through a deposit into the caretaker relative's accounts. DES will pay benefits to an eligible assistance unit receiving Cash Assistance only during a month for which the assistance unit is eligible for a payment. 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.

The state retains the right to adjust the percentage of the eligible assistance benefit that will be paid. Any adjustment will be equally applied to all assistance unit benefits.

## **Nonfinancial Eligibility Factors**

### ***Deprivation***

Eligible children must be deprived of the support or care of a parent because of the death of a parent, continued absence of a parent, disability of a parent, or unemployment or underemployment of the primary wage earning parent in two-parent families. In two-parent assistance units, when eligibility is determined based on the unemployment or underemployment of the primary wage earning parent, the assistance unit receives benefits only after the parents comply with assigned work requirements.

### ***Temporary Absence from the Home***

Eligibility can exist when the child is temporarily not living with the assistance unit at the initial application for a period not to exceed 30 days from the date the first cash payment is issued to assistance units receiving Cash Assistance. For active cases, eligibility can exist even though the relative or child is temporarily absent from the home for 30 days or longer, but not to exceed 180 days.

### ***Residence***

All members of the family and the assistance unit must reside in Arizona.

### ***Identity***

The applicant must show proof of identity.

### ***Social Security Number***

All persons requesting assistance must provide or apply for a Social Security Number.

### ***Citizenship and Alien Status***

Arizona provides Cash Assistance consistent with this State Plan to a person who is a U.S. citizen or a qualified alien in accordance with Title IV of PL 104-193, as amended, including battered aliens who are treated as qualified aliens under Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act. Arizona provides assistance to eligible qualified aliens who obtained qualified alien status prior to August 22, 1996. Qualified aliens who obtained qualified alien status on or after August 22, 1996, are not eligible for a period beginning five years from the date of entry into the U.S. unless they are: veterans of, or persons on active duty in, the U.S. armed forces (or the spouse or unmarried child of such an individual); Cuban-Haitian entrants (as defined in Section 501(e) of the Refugee Education Assistance Act of 1980); individuals admitted to the United States as Amerasian immigrants as described in Section 584 of the Foreign Operations Export Financing and related Appropriations

Act, as amended; refugees admitted under Section 207 of the Immigration and Nationality Act (INA); asylees admitted under Section 208 of the INA; Victims of Severe Forms of Trafficking In Persons Under Section 107(b)(1)(A) of the Trafficking Victims Protection Act of 2000; and persons who have been granted withholding of deportation or withholding of removal under Section 241(b)(3) or 243(h) of the INA may be eligible. However, eligible qualified aliens who obtained qualified alien status on or after August 22, 1996, and who have been continuously present in the U.S. from the latest date of entry prior to August 22, 1996, may be eligible for Cash Assistance.

### ***Drug Testing***

All adult Cash Assistance recipients must complete an Illegal Drug Use Statement. If reasonable cause of illegal drug use is present, Cash Assistance adult recipients must pass a drug test. Reasonable cause exists in the following circumstances: The recipient indicates on their Illegal Drug Use Statement that they have illegally used drugs in the past 30 days, or government or law enforcement documents indicate the use of illegal drugs in the past 30 days by the recipient.

### ***Minor Parents***

Unwed minor parents (less than age 18) are eligible for Cash Assistance only if they reside in the home of a parent, legal guardian, or other adult relative. There are exceptions for unwed minor parents who:

- Have no living or locatable parent, other legally responsible adult, or legal guardian;
- Are legally emancipated; or
- Would be at risk of physical or emotional harm by returning to the home of the parent or legal guardian.

The unwed minor parent is not eligible to receive Cash Assistance benefits unless they are residing in a needy family.

### ***School Attendance***

A dependent child between the ages of 6 and 16 must attend school unless there is good cause for not complying with this requirement.

### ***Immunizations***

A parent or caretaker relative in the assistance unit must ensure that dependent children are immunized as required by state law unless there is good cause for not complying with this requirement.

### ***Personal Responsibility Agreement***

All adult and minor parent applicants who are included in the Cash Assistance grant and a parent who is disqualified from Cash Assistance must complete and sign a Personal Responsibility Agreement. In the Two Parent Employment Program (TPEP) component, both parents must complete the Personal Responsibility Agreement. This agreement states adult recipients must, unless they have good cause, cooperate with work and child support requirements, agree to have their school-age children attend school, and have their children immunized. Disqualified parents who are not eligible for Jobs Program services are required to cooperate with all other Personal Responsibility Agreement requirements. Nonparent caretaker relatives who choose not to be included in the Cash Assistance benefit and Supplemental Security Income (SSI) benefit are not required to complete and sign a Personal Responsibility Agreement.

### ***Sanctions***

Arizona sanctions individuals who refuse to comply with certain program requirements without good cause. Parents or caretaker relatives who do not comply with program requirements without good cause will encounter a reduction or termination of their assistance unit's Cash Assistance benefits. These program requirements include the work program requirements for work eligible individuals, keeping dependent children in school, and maintaining dependent children immunizations. Sanctions also apply to recipients in active Cash Assistance cases who fail to comply without good cause with requirements for establishing paternity, establishing a legal child and/or medical support order, modifying or enforcing support and medical orders with respect to a child of the individual, and collecting child support payments.

Sanctions will not be imposed for any single custodial parent who refuses to comply with the work program requirements if the person has verified they cannot obtain needed child care for a child under 13 years of age due to suitable child care not being available or affordable, as defined by the Child Care Administration.

For all assistance units, except two-parent assistance units for whom deprivation is based on the unemployment or underemployment of the primary wage-earning parent, Cash Assistance benefits will be decreased as follows:

- For the first incident of noncompliance, the cash benefit will be reduced by 25 percent;
- For the second incident of noncompliance, the cash benefit will be reduced by 50 percent; and
- For the third and subsequent incident of noncompliance, the cash benefit will be terminated.

For two-parent assistance units where both parents are considered to be work eligible and for whom deprivation is based on the unemployment or underemployment of the primary wage-earning parent, Cash Assistance benefits are paid only after assigned work requirements are completed. The assistance unit does not receive the corresponding cash benefit if assigned work activities are not completed or the parent subsequently fails to comply with another "sanctionable" program requirement.

### ***Child Support***

Arizona does not approve an application for Cash Assistance if the applicant fails without good cause to comply with child support requirements. Applicants and recipients assign their rights to receive spousal maintenance, child support, and medical support from absent parents to the State of Arizona. Applicants and recipients, except nonparent relatives applying for or receiving Cash Assistance benefits only for a dependent child or an unlicensed foster care provider in a child-only case, are required to cooperate with the DES Division of Child Support Services (DCSS) in all activities, with certain good cause exceptions such as if the recipient believes cooperation is likely to result in physical or emotional harm to the dependent child, parent in the home, or the nonparent caretaker. Failure to cooperate without good cause will result in denial of a Cash Assistance application or a sanction for active cases. Child support collected on behalf of a child excluded from the Cash Assistance benefit because of the Family Benefit Cap, is passed through to the family receiving Cash Assistance benefits.

Qualifying applicants and recipients are provided with child support services through DCSS. These services include locating absent parents, establishing paternity, establishing a legal child and/or medical support order, enforcing support and medical support obligations, appropriately modifying obligations, and collecting support from absent parents.

### ***Pursuit of Other Benefits***

Any member of the assistance unit or a parent or minor sibling of a dependent child in an assistance unit must apply for all other cash benefits in addition to Cash Assistance for which the individual may qualify, except for needs-based benefits.

### ***Strikers***

Voluntary strikers and their dependent children may participate in Cash Assistance unless they are local, state, or federal government employees. Eligibility and benefits are based on prestrike gross income or the union strike pay provided to the striker during the strike period. Between the two options, the higher amount will be used.

### ***Criminal Justice System Disqualifications***

Arizona follows the provisions of federal law, denying Cash Assistance to persons who have been convicted of a felony for possession, use, or distribution of a controlled substance after August 23, 1996, or who are fugitive felons or probation or parole violators. Arizona Laws 2014, Second Regular Session, Chapter 17 (House Bill 2603) requires the courts to provide notice to DES of convictions for controlled substance offenses when the courts have knowledge that the convicted person receives Cash Assistance benefits.

### ***Verification***

Arizona verifies established eligibility criteria through an income eligibility verification system (IEVS), review of documentation, and other methods.

### ***Interstate Immigrants***

Arizona applies the same eligibility and payment standards for assistance units that have moved into Arizona from another state as for those that continuously reside in the state.

### ***Preventing Fraud and Abuse***

Arizona's Fingerprint Imaging Program contributes to the prevention of fraud and abuse by confirming through fingerprint matching that individuals are not receiving duplicate benefits. Arizona also conducts quality assurance reviews of Cash Assistance cases to ensure effective services and accurate benefits.

### ***Benefit Time Limits***

Needy families with an adult household member who receives Cash Assistance benefits for themselves or on behalf of a dependent child are limited to no more than 24 countable months of Arizona Cash Assistance benefits during their lifetime, except in case of hardship. This limit was effective with the July 2011 benefit and considers all countable payments made from October 1, 2002, and all future payments.

Except in cases of hardship, an assistance unit in which an adult or minor parent of a dependent child who is a head of household or married to a head of household and has received 60 months of assistance funded in whole or in part by the TANF block grant in this or any other state or from a tribal TANF program is not eligible to receive benefits from Cash Assistance.

In addition to the other time limits, in two parent assistance units when eligibility is determined based on the unemployment or underemployment of the primary wage earning parent, the assistance unit is eligible for cash payments for only six months out of a 12-month period.

### ***Family Benefit Cap***

There is no increase in Cash Assistance benefits for the birth of additional children after the assistance unit begins to receive Cash Assistance benefits. There are exceptions for:

- Births resulting from cases of sexual assault or incest;
- Firstborn children of minors who are included in the family “unit” receiving Cash Assistance benefits;
- Children born or adopted within ten months of the date of the first application submitted on or after November 1, 1995; and
- Children born or adopted at least ten months after a family has not received Cash Assistance benefits for one full year, and ten months or less after the month the parent resumes receiving Cash Assistance.

An assistance unit receiving Cash Assistance that includes a child who is ineligible because of the Family Benefit Cap may be eligible for an additional deduction from their earned income. The support rights of a benefit cap child are not assigned to the state. All child support collected for the benefit cap child is distributed to the assistance unit.

### ***Individual Development Accounts***

Assistance units receiving Cash Assistance may set aside up to \$9,000 in individual development accounts for education or training expenses, to purchase a first home, or to start a business. The total amount of all monies deposited into the individual development account during the lifetime of the account may not exceed \$12,000.

### ***Reporting Changes***

Assistance units receiving Cash Assistance benefits are assigned either a Standard Change Reporting or a Simplified Change Reporting requirement. Standard Change Reporting means that the assistance unit must report all changes in income, resources, or other circumstances that may affect eligibility or Cash Assistance benefit amount within ten days from the date a change becomes known. Simplified Change Reporting means that the assistance unit must report by the tenth day of the following month any change in income that exceeds 36 percent of the 1992 Federal Poverty Level and must report all other changes affecting eligibility at the next eligibility review.

All assistance units are assigned the Simplified Change Reporting requirement except for the following, which are assigned the Standard Change Reporting requirement:

- Assistance units that are also receiving Nutrition Assistance when Standard Change Reporting is required in that program.
- Assistance units that are also receiving Medical Assistance, when the Medical Assistance is approved for less than 12 months.
- Assistance units that are receiving a cash benefit in the Two Parent Employment Program component.

### ***Eligibility Reviews***

DES completes a review of all eligibility factors for each assistance unit participating in Cash Assistance. Most assistance units are subject to a six month review. Child-only cases and cases in which a nonparent relative or a parent who is receiving SSI is receiving a cash benefit only for a dependent child are subject to a 12-month review.

### ***Cash Assistance Payments***

All Cash Assistance benefits are deposited in an eligible assistance unit's Electronic Benefit Transfer (EBT) account. To comply with 42 U.S.C. 608(a)(12), Arizona enacted A.R.S. § 46-297, which became effective on September 13, 2013, to prohibit the use of a Cash Assistance EBT card at any of the following:

- A liquor store as defined in A.R.S. § 46-297.
- A commercial horse racing or dog racing facility as defined in A.R.S. § 5-101.
- A casino, gambling casino, gaming establishment, or a gaming facility located on Indian lands pursuant to A.R.S. § 5-601.02.
- An adult oriented entertainment establishment as defined in A.R.S. § 46-297.

Each of the categories of establishments listed above has a corresponding regulatory entity that has the statutory authority to ensure that these requirements are met. Liquor stores are regulated by the Arizona Department of Liquor Licenses and Control, dog and horse racing facilities by the Arizona Department of Racing and casinos are regulated through tribal compacts. The regulatory agencies have policies and procedures in place to strengthen their enforcement of their respective licensing requirements. In addition to ensuring that adult oriented establishments in the municipality's jurisdiction disable the ability of automatic teller machines (ATMs) and point-of-sale (POS) terminals to accept the TANF Cash Assistance EBT card, municipalities have the responsibility to develop local ordinance requirements to enforce the law as it pertains to adult oriented establishments.

Use of test EBT cards is the mechanism that the regulatory agencies use to determine if any of the ATMs or POS terminals in a prohibited establishment accepts or does not accept the card. The account information for these special cards is maintained separately by DBME and the amount on the card is minimal, but enough to complete a transaction on the terminal if it is not disabled. The regulatory agency using the cards pays for the small balance on each card.

The Arizona Department of Liquor Licenses and Control operates under A.R.S. § 4-242.01, which prohibits a liquor store as defined in A.R.S. § 46-297, from operating an ATM or POS terminal that accepts EBT cards. As of February 1, 2014, each officer of the Department of Liquor Licenses and Control has an EBT card to test establishments during inspections, investigations or complaints. The Department of Liquor Licenses and Control conducts approximately 300 inspections statewide per month. The frequency of inspections will vary amongst stores depending upon geographic location and any complaints received. If there is a violation, fines will be imposed and the Department of Liquor Licenses and Control may suspend, revoke or refuse to renew an establishment's license according to A.R.S. § 4-210 A(13).

The Arizona Department of Racing has test EBT cards that they will also use to enforce the disabling of ATMs and POS terminals from accepting EBT cards. Periodic inspections using test EBT cards will occur during the season for the horse racing facility and throughout the year for the dog racing facility. Licenses issued by the Arizona Department of Racing are valid for

three years and inspections also occur prior to issue or renewal of a license. Failure to comply with A.R.S. § 5-116, which prohibits ATMs and POS terminals operating on the premises of a horse or dog racing facility from accepting EBT cards, is a license violation subject to licensing action.

In Arizona, casinos and gaming establishments are only operated on Tribal lands. The Arizona Department of Gaming enforces section 3(k) of the Tribal State Gaming Compacts, in effect since 2003, which prohibits locating an automatic teller machine (ATM) that accepts EBT cards in a gaming facility. The Department of Gaming initially places the responsibility on the ATM vendors for coding the machines to reject EBT cards. However, before a gaming facility opens, the Department of Gaming ensures that the machines are disabled. The Department of Gaming then checks the machines quarterly, as well as on a random basis.

Municipalities that license or regulate adult oriented entertainment establishments are responsible under state law to ensure that such businesses have disabled the ATMs and POS terminals, as well as to enforce the continued prohibition of the use of EBT cards at these businesses.

Each regulatory entity maintains a list of their licensed establishments and is able to identify the locations statewide of where ATMs and POS terminals may reside in any establishment identified in section 4004(a) of P.L. 112-96 and A.R.S. § 46 -297. New businesses that meet the definition of a prohibited establishment are unable to operate without a license from these regulatory agencies and entities and therefore new establishments that must comply with the law are identified by them through the licensing process. New businesses are added to those that will receive periodic inspections by the entity that includes a determination if an ATM or POS is accepting TANF EBT cards.

The DBME has established a position whose responsibilities include monitoring the ATM and POS usage reports issued by the JP Morgan Chase Bank for various forms of fraud and anomalies. Although it is often difficult to identify the type of establishment by their name alone, this position is able to cross list any new establishments where EBT cards may have been misused and if necessary, verify the nature of the establishment with the agencies that regulate the licensing of the prohibited businesses. The licensing entity can then follow up with an investigation and appropriate licensing action.

All regulatory entities are able to obtain test EBT cards from DES to use in their initial licensing, routine inspections, and special investigations. Notification of the number needed and amount of funds placed on each test EBT card is submitted by the regulatory agencies to the Department's Financial Services Administration (FSA). DBME then processes the request and issues the test cards. Because a "dummy account" must be established to generate any type of card, the Department is able to track any successful use of the test TANF EBT card by referencing these special accounts dedicated to verification of compliance by these regulatory agencies and entities.

The Department assists the regulatory agencies in obtaining test EBT cards and will provide technical assistance. The Department maintains a contact list to facilitate the necessary

coordination and liaison with the agencies which includes requesting that they report to DES any businesses that do not comply with their licensing requirements and request that they evaluate the effectiveness of their respective monitoring and compliance programs.

In accordance with section 4004(c) of P.L. 112-96, as required in 42 U.S.C. 602(a)(1)(A)(viii), the following processes are in place to ensure that Cash Assistance recipients EBT accounts enable participants to have access to the cash benefit with minimal or no fees or charges and that information about accessing the cash benefit is available to recipients and the public:

- Recipients may obtain cash at any lawful establishment using a POS transaction at no charge.
- Recipients may complete electronic fund transactions, including ATM withdrawals, at all Chase Banks statewide for a minimal charge.
- An Arizona EBT Client Training Brochure (English and Spanish) is provided to all recipient households, which informs recipients of the options for accessing the cash benefit, including options that have fees and surcharges that apply to electronic fund transactions involving cash assistance.
- The brochure includes a statement saying, “It is illegal to withdraw TANF cash at ATMs or POS machines in liquor stores, casinos, horse or dog racing facilities, or adult entertainment establishments (A.R.S § 46-297).” Additionally, all active Cash Assistance households were informed by written notice prior to the September 13, 2013, effective date of A.R.S. § 46-297 of the prohibited use of the EBT card at ATMs or at POS terminals in the affected businesses and all Cash Assistance approval notices contain that information.
- The Arizona EBT Client Training Brochure is available on the Department of Economic Security’s web site for public access.

### ***Overpayments***

DES will seek recovery from an overpaid assistance unit receiving Cash Assistance benefits using one of the following repayment methods:

- Reduction in current benefits in an amount not to exceed ten percent of the assistance unit receiving Cash Assistance monthly payment, unless the family desires a larger reduction;
- Cash payments; or
- A combination of the above methods.

### ***Opportunity for Review and Appeal***

A hearing process is utilized that meets all of the requirements set forth by the U. S. Supreme Court in *Goldberg v Kelly*, 397 US 254 (1970). The hearing authority is the DES Appellate Services Administration, as provided for in A.R.S. §§ 46-205 and 41-1991 et seq. Applicants and recipients who have been adversely affected are given the opportunity to be heard in the state appeal process. When DES plans to take adverse action against an assistance unit participating in Cash Assistance, DES provides the assistance unit with written notice about appeal rights.

Recipients must provide a written or oral request for a hearing within 30 days of the adverse action notice date. If a recipient requests a hearing prior to the effective date of the adverse action, benefits may be continued at the current level pending the hearing decision. Within 90 days of filing of the hearing request, DES conducts a hearing, renders a decision, and notifies the assistance unit or caretaker relative receiving Cash Assistance benefits of the decision. An appeal from this decision may be filed within 15 days of the mailing date of the hearing officer's decision to the DES Appeals Board. A further appeal may be made to the Arizona Court of Appeals.

DES has an established grievance procedure for resolving complaints of displacement of regular employees (as defined in 42 USC § 607(f)) due to recipients participating in work activities.

#### ***Confidentiality/Nondisclosure of Information***

DES restricts the use and disclosure of all personally identifiable information regarding individuals who are considered family members and assistance units receiving assistance under Arizona's program. Such information is considered confidential and can only be used and/or released as requested by the individual, as ordered by a superior court judge, as provided for by rule of court, and/or as further authorized under A.R.S. § 41-1959 and DES data security policies in order to facilitate services and comply with state law and federal regulations. (A.R.S. § 41-1959 is included as Attachment 2.)

#### ***Nondiscrimination***

DES does not discriminate against any individual on the basis of race, gender, national origin, color, religion, age, or disability.

### **IV. CASH ASSISTANCE PROGRAM WORK REQUIREMENTS**

Arizona Laws 1997, Chapter 300, gave DES the authority to establish work activities consistent with TANF work requirements. The Employment Administration (EA) in DERS administers the Jobs Program that assists work-eligible individuals with meeting the work program requirements of TANF. The EA is also the administrative entity responsible for reporting the TANF work participation rates.

In 2002 (and amended in 2004), the Arizona State Legislature passed a law requiring the statewide privatization of Arizona's Jobs Program, which provides case management services, employment services, and support services (such as transportation and training) for individuals transitioning to work. In March 2007, two private, for-profit companies were selected as

contracted Jobs Program service providers after an extensive Request for Proposal (RFP) process. Transition of the caseload to the contractors was completed by August 30, 2007. On October 1, 2007, the contractors became responsible for the federal work participation rate in addition to their other contract responsibilities related to client service delivery and performance. Contracts for both providers will expire June 30, 2015. The RFP process will begin prior to the expiration of the current contracts.

Quarterly monitoring of program performance and adherence to contract requirements is conducted by the Division of Business and Finance, Quality Management Administration, Quality Assurance Unit. Contractors may earn quarterly penalties and incentives based on performance of the work participation rate and other performance measures related to engagement of clients, caseload reduction, and recidivism. If, due to failure by a contractor, the state fails its work participation rate, contractors are required by the contract to share in financial liability for any penalty imposed on the state by the federal government.

Work-eligible individuals in assistance units receiving TANF are required, as a condition of eligibility, to participate in work activities. A work-eligible individual is defined as an adult or minor child head of household receiving Cash Assistance or a non-recipient parent living with a child who receives TANF, unless the individual is a minor parent and not the head of household; an alien who is ineligible to receive assistance because of his or her immigration status; a recipient of Supplemental Security Income (SSI) benefits, unless the recipient is employed and meeting the requirements; or a parent otherwise mandated to participate in work activities who is providing care for a disabled family member living in the home provided the need for such care is supported by medical documentation.

### ***Participation in Work Activities Ensured***

Through the EA/Jobs Program, DES ensures that all work-eligible individuals living within an assistance unit participating in Cash Assistance engage in work activities. All work-eligible individuals in Cash Assistance are assigned to work activities by the contractors as soon as possible after their assistance unit has been approved for benefits. Work-eligible individuals are assigned to work activities after assessment of their employability skills, child care needs, and need for support services to assist in meeting the needs of the family. The program also engages in collaboration with community groups for effective utilization of resource opportunities, for additional services, and educational or skills training.

### ***Jobs Rights and Responsibility Agreement***

The DES EA/Jobs Program contractor completes a Jobs Rights and Responsibility agreement for each work-eligible individual referred to the Jobs Program that sets forth the obligations of the work-eligible individual and the services DES provides in assisting the family with obtaining and maintaining employment.

### ***Jobs Program Preliminary Orientation***

As part of the eligibility process, the Cash Assistance applicant must attend the Jobs Program Preliminary Orientation (JPPO). The purpose of conducting the JPPO before FAA determines eligibility for Cash Assistance is to ensure that the applicant has the opportunity to learn the purpose of the Jobs Program and the connection of their participation with the program to the ongoing receipt of their Cash Assistance benefits. In the overview of the Jobs Program, staff will explain the following information to the applicant:

- The Jobs Program case manager and the work-eligible individual will identify the activities that will improve the individual's employability skills and lead to financial independence through a mutual agreement;
- The Jobs Program can provide supportive services to work-eligible individuals to assist with removing their identified barriers to employment; and
- The consequences of failing to participate in the agreed upon work activities without good cause.

### ***Assessment and Employment Plan***

The DES Jobs Program contractors conduct an assessment of the participant's employability skills, work experience, education level, and any identified barriers to employment. DES and the work-eligible participant enter into an employment career development plan. This mutual agreement between the work program participant and contractor includes:

- Short-term and long-term employment goals and specific steps delineating how the individual will attain them;
- Required work activities;
- Eligibility and availability of needed supportive services; and
- Responsibilities of the DES/contractor and the individual in assisting the work-eligible individual with moving toward or obtaining employment.

DES expects and encourages the work-eligible individual to move toward independent performance in as many activities as they are capable, such as researching available employment and work experience opportunities, exploring resources for occupational training, and pursuing other community resources that will facilitate implementation of the employment plan.

Work-eligible individuals already engaged in activities that meet the work requirements as defined in 42 USC § 607 are case managed to ensure that they maintain engagement and are monitored to keep them employed while exploring opportunities for higher wages and career advancement.

### ***Work Program Participation***

DES ensures that the Jobs Program contractors engage work-eligible individuals in those work activities defined in 42 USC § 607 to meet participation rates. DES requires a work-eligible individual in an assistance unit receiving Cash Assistance benefits to engage in a work-related activity upon approval of Cash Assistance.

#### ***Definition of Work Activities***

Individuals may be required to engage in one or more of the following work activities:

- Unsubsidized employment;
- Subsidized private sector employment;
- Subsidized public sector employment;
- Work experience;
- On-the-job training;
- Job search and job readiness assistance;
- Community service programs;
- Vocational educational training;
- Job skills training directly related to employment;
- Education directly related to employment; and
- Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence.

#### ***Subsidized Employment Program***

The Subsidized Employment Program may be available to selected Jobs Program participants. Jobs Program participants gain work experience while employed with a public or private sector employer. The participant's Cash Assistance benefits are replaced with employer-paid wages while participating in the program. Subsidy payments are made to the employers of participants to offset the cost of wages and other employer-paid benefits for a trial period.

#### ***Temporary Deferrals***

Although continuous participation in the Jobs Program is required, an unavoidable circumstance may temporarily prohibit participation. Temporary deferrals are based on the following:

- The individual is temporarily mentally or physically incapable of engaging in any of the mandated work activities.

- The individual is a victim of domestic violence whose participation in work activities may cause an immediate threat to his/her own safety or the safety of his/her child(ren). Domestic violence has occurred when an individual has been subjected to physical and/or sexual abuse, sexual activity involving a child, nonconsensual sexual acts or activities, threats or attempts to commit physical or sexual abuse, mental abuse, neglect or deprivation of medical care or daily living necessities, or stalking.
- DES and the Jobs Program contractors work with domestic violence shelters to develop appropriate screening tools to identify domestic violence victims.
- The work-eligible individual is personally caring for a dependent that has a physical or mental disability as supported by medical documentation.
- The work-eligible individual is a parent or relative caretaker who personally provides care for a child under the age of one.
- The unmarried custodial parent under the age of 18 is without a high school diploma or GED and is caring for a child under 12 weeks of age.

#### ***Good Cause Exemptions for Noncompliance with the Work Activities***

When a required participant fails to participate, DES will contact the individual and determine if good cause exists. Good cause reasons may include but are not limited to:

- The participant's or family member's illness;
- The participant or dependent had an appointment that could not be rescheduled, such as a court-ordered appearance, medical appointment, or other similar appointment;
- A participant emergency family crisis such as loss of residence or the death of a participant's family member;
- The participant had a temporary, verified lack of transportation with no reasonable alternate means of transportation;
- The participant was prevented from participating because of inclement weather; and
- Child care for a child who is under the age of 13 is not available, affordable, or suitable. The DES Child Care Administration will assist the participant with arranging formal child care services; when arrangements cannot be made, the DES Child Care Administration will assist the participant with exploring informal child care options.
  - “Unavailable” child care arrangement means:
    - No vacancies or slots are available;

- Formal child care arrangements (licensed centers, Arizona Department of Health Services-certified group homes and DES-certified homes, and in-home providers) are available, but the provider states that a child's special needs would be an undue burden;
- No relative is available to provide care; and
- Child care is not available within a reasonable amount of time (more than one hour's travel time one way) to get children to child care and get to work, or more than 30 minutes each way if the only available mode of transportation is walking.
- “Unaffordable” child care arrangement means that it is determined by the DES Child Care Administration (CCA) Central Office that a Jobs Program-referred client cannot find care in their general geographic area within the DES reimbursement rate, and there is an additional cost of care above what DES pays (which the participant reports as unaffordable). When it is determined by the DES CCA that care is considered unaffordable, the client may be temporarily deferred from participating in the Jobs Program until affordable care can be found.
- “Unsuitable” child care arrangement means informal child care arrangements that are considered unsuitable when a provider is available to provide care, but is considered unsuitable by the participant (e.g., has a history of child neglect or abuse, domestic violence, serious criminal history, drug abuse, an emotional, mental or physical condition that prevents a person from providing safe care to children, or provides unsafe housing conditions). The determination of being unsuitable is based on the client’s statement.
- The participant is not capable of performing the work activity because of unsafe worksite conditions, the physical demands of the job, the participant’s lack of skills or knowledge for the position, and other similar circumstances; or
- Barriers to participation for which services are not available.

## **V. CHILD CARE FOR CASH ASSISTANCE PROGRAM PARTICIPANTS**

### ***Administration***

Child Care services for Cash Assistance recipients are administered by DES CCA. These services are coordinated with other child care services funded by other sources, i.e., Child Care and Development Fund (CCDF), Title XX Social Services Block Grant (SSBG), and state general funds. DES is the Designated Lead Agency for the CCDF. The administration of these services is coordinated in order to provide for a seamless child care delivery system. The DES CCA within DERS is responsible for the planning, policy, and day-to-day operations of child care programs that provide services to Cash Assistance benefits recipients and other families eligible for child care services.

More specifically, child care services are designed to help eligible families with the cost of child care to allow parents to participate in employment and specific education and training activities related to employment. Child care is provided for the portion of the day when neither parent is available to provide care.

#### ***Processes with Parents and General Eligibility***

Child care services may be provided for Cash Assistance recipients and for non-Cash Assistance recipients with family income at or below 165 percent of the Federal Poverty Level. If the family is eligible, DES determines any required co-payment amounts and the amount of child care to be authorized (i.e., number of full and/or part days). A sliding fee scale is used to determine income eligibility and each family's contributions to the cost of child care. In addition to family size and income, the number of children in child care is used as a factor in determining a family's contribution (co-payment). DES has imposed a waitlist to manage expenditures because of budget constraints. Persons who need child care for employment and are either on Cash Assistance or are transitioning off Cash Assistance are exempt from the waitlist.

The family's rights and responsibilities are reviewed, and the family is informed of available child care options and their right to choose the category and type of care that best meets their needs. Eligibility is determined within 30 days from the receipt of an application. Child care cases are reviewed at least once per year to evaluate ongoing eligibility for services.

#### ***Authorization for Services***

When a family is determined eligible to receive services, the family is authorized for a specific amount of care and level of reimbursement for such care. When a family has selected a provider who is registered with DES, a Certificate of Authorization is issued. The Certificate of Authorization form is a voucher-like instrument that is issued to an eligible family and the provider they have selected. Eligible families are informed that they may choose and use their Certificate of Authorization with any type of category of eligible providers.

### **VI. ADDITIONAL TANF-FUNDED PROGRAMS AND SERVICES**

Arizona has many TANF-funded supportive programs and services that meet the purpose or intent of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and the Deficit Reduction Act of 2005. Some of these programs and services assist families or individuals who may need temporary help to overcome an emergency. Other programs and services assist families to transition from Cash Assistance to employment and self-sufficiency. These programs and services recognize that some individuals currently receiving Cash Assistance benefits may need assistance in finding and retaining employment. In addition, Arizona offers TANF-funded programs that are designed to address specific barriers that can inhibit successful transition to self-sufficiency, such as being a victim of domestic violence, having limited education or work experience, and overcoming substance abuse.

- Short-Term Crisis Services – This program provides help to households experiencing an emergent need that cannot be met with their own income and resources. Households must have income less than 125 percent of the Federal Poverty Level or 150 percent of Federal Poverty Level if there is an elderly or disabled member in the household. Help provided can include emergency shelter, case management, eviction prevention or move-in assistance, utility deposits or payments, and other special services as appropriate to secure and maintain employment.
- Grant Diversion – Participation in the Grant Diversion Program in lieu of Cash Assistance is voluntary for the applicant. The purpose of Grant Diversion is to divert the cash participant from on-going cash assistance when the participant is likely to gain full-time employment within 90 days. Grant Diversion Program recipients are awarded a payment of three times the full monthly amount they would receive under Cash Assistance. Applicants who are potentially eligible for at least one dollar of Cash Assistance benefits and did not participate in Cash Assistance in the month of application or the Grant Diversion Program in the month before the application month and have not received another Grant Diversion payment in the 12 preceding months may be eligible to receive Grant Diversion Program benefits. An adult participant must sign the Grant Diversion Participant Script and Applicant Agreement form and be a part of the assistance unit. As the Grant Diversion Program meets the federal definition of a non-assistance service, participants are exempt from child support cooperation and the referral process for the Jobs Program Preliminary Orientation and other assigned work requirements. Nonparent relatives applying for Cash Assistance for the needs of a child only are not eligible to receive the Grant Diversion option.
- Jobs Program – The Jobs Program is intended to prevent long-term reliance on Cash Assistance and offers Arizona's families the opportunity to become self-sufficient and economically independent through employment. The Jobs Program is Arizona's mandatory employment and training program for work-eligible individuals who are participating in Cash Assistance. The Jobs Program's case management and employment services are operated by two private vendors: MAXIMUS, which serves Maricopa County, and ResCare Workforce Services, which serves residents throughout the remaining counties in Arizona. The program provides assessment for employability and barriers to employment, such as disability screening, and engages the individual in a variety of work-related activities to improve their employability skills. The program also offers supportive and some specialized services to remove barriers to employment. These activities and supportive services are provided to encourage and promote adequate employment at the earliest opportunity.
- Emergency Assistance – This program allows TANF funding to be used for services for children who are in out-of-home placement because of abuse or neglect. The program is consistent with the provisions contained in the state's former Title IV-A Emergency Assistance Program that was effective August 21, 1996. To date, these services have consisted of providing for the basic needs of these children. This is referred to as foster care maintenance costs. In order for a child to be eligible for Emergency Assistance, all of the following eligibility criteria must be met:

- An emergency exists that requires child welfare intervention due to an allegation of abuse, neglect, exploitation or abandonment or that is due to a judicial determination of dependency;
- The child is under age 18;
- The child is a U.S. citizen or an eligible noncitizen (See the alien eligibility criteria for Cash Assistance, Section III);
- The child is placed in out-of-home care;
- The child is not eligible for Title IV-E; and
- The child's income does not exceed 125 percent of the existing federal poverty level.

The Department of Child Safety (DCS) is responsible for determining a child's eligibility for Emergency Assistance, using information in the DCS's automated record system known as the Children's Information Library and Data Source (CHILDS). For this purpose, a child placed in out-of-home care is considered to be a family of one, sometimes referred to as a "child-only" case.

If the child is eligible, the program will pay for foster care maintenance costs for the child for up to 365 days from the date the child was placed in out-of-home care. Payment may be made for a variety of placement settings that would meet the child's basic needs of care, including family foster placement, shelter care, and group home placement. The need for placement outside of the family home is considered to be an emergency situation of a temporary nature. Efforts are made for the child to safely return to the family or for the child to be placed in another permanent placement situation if returning to the home would further endanger the child. Children placed in the custody of the Department of Child Safety are not subject to time limit restrictions.

- Children's In-Home Services – Arizona uses TANF funds to provide in-home services to children involved in open child protection cases. Service elements include family preservation services, parent aide services, parenting skills training, counseling, and peer self-help. For TANF or MOE funded services, the income limit for the family, which is comprised of the child, is 250 percent of the existing federal poverty level.
- Children's Out-of-Home Services – Some TANF funds are used to provide services to abused and neglected children in out-of-home care. The services include case management, counseling, transportation, and other services that are provided to children in foster care. For TANF or MOE funded services, the income limit for the family, which is comprised of the child, is 250 percent of the existing federal poverty level.
- Child-Only Cases – TANF funds are used to provide assistance to eligible dependent children in the legal custody of the Department of Child Safety and placed in unlicensed

foster care with an unrelated adult or a nonparent relative who is not receiving Cash Assistance benefits. For these cases, all Cash Assistance, nonfinancial eligibility factors apply. When the countable income of the dependent child is less than 36 percent of the 1992 Federal Poverty Level, a cash benefit will be issued to the nonparent relative or unrelated adult who is an unlicensed foster care provider. The cash benefit will be reduced dollar for dollar by any countable income of the dependent child.

- Coordinated Hunger Program – TANF funds are used for food storage and distribution costs to support the statewide food bank network. For TANF and MOE funded services, the income limit is 185 percent of the federal poverty level and at least one child in the family.
- Healthy Families Arizona – This community-based, multidisciplinary program serves at-risk families during pregnancy and after the birth of a baby, and it is designed to reduce stress, enhance parent-child interaction, promote child health and development, and minimize the incidence of abuse and neglect. This voluntary program uses a home visiting model to assist the family with obtaining services and provides emotional support, informal counseling, role modeling, effective life-coping skills, bonding, and education on developmental assessments so that learning disabilities, physical disabilities or behavioral health needs are identified early. The home visitation service provides education on the importance of preventive health care; assistance and encouragement to assess comprehensive private and public preschool and other school readiness programs; assistance with applying for private and public financial assistance, including employment services, and parent-child interaction. Families that receive TANF or MOE funded Healthy Families Arizona services must be below 250 percent of the current federal poverty limit.
- Adoption Services – TANF funds support services that provide for the selection of a family, placement, and supervision of a child. These include adoption maintenance services, special services, and one-time, nonrecurring expenses. Adoption services are available to families with two parents in the home. Children for whom TANF or MOE funded adoption services are provided must be below 250 percent of the current federal poverty level and not receive Title IV-E funds.
- Emergency Shelter Services – Arizona uses TANF funds for emergency shelter and transitional housing for domestic violence victims and their children and to homeless families. Services include emergency shelter for up to 120 days, counseling, and supports such as case management, transportation, child care, and life skills training. Families having a dependent child living with them or temporarily absent from the parent or relative for no more than 180 days from the time of access to the services and have a family income below 250 percent of the existing federal poverty level are eligible for this TANF or MOE funded service.
- Legal and Lay-Legal Advocacy for Domestic Violence Victims – Arizona uses TANF funds to provide legal and lay-legal advocacy services for domestic violence victims and their children. The legal and lay-legal advocacy services include a range of legal

assistance covering all civil matters that will help the victims and their children to become safe and self-sufficient. Attorneys and lay-legal advocates provide the services. The outreach for the services includes domestic violence programs and extends beyond shelters, since not all victims in need of legal assistance contact the domestic violence programs. The services are also targeted to underserved populations including rural, Native American, immigrant, and non-English speaking populations. Families having a dependent child living with them or temporarily absent from the parent or relative for no more than 180 days from the time of access to the services and have a family income below 250 percent of the federal poverty level are eligible for this TANF or MOE funded service.

- Substance Abuse Treatment – Arizona Families F.I.R.S.T. (Families in Recovery Succeeding Together) provides nonmedical substance abuse treatment services to recipients of Cash Assistance benefits whose substance abuse is a significant barrier to maintaining or obtaining employment and parents, guardians, or custodians whose substance abuse is a significant barrier to maintaining, preserving, or reunifying the family. To be eligible for this service, the family must meet all Cash Assistance eligibility criteria, including income standards.
- Permanent Guardianship Subsidy – This program provides assistance payments to permanent guardians of children who were in foster care and who are nonparent relatives or nonrelatives such as foster parents as defined in state statute. To be eligible for TANF or MOE funded services, the child must have income less than 250 percent of the federal poverty level.
- TANF Funds Transferred to Title XX Social Services Block Grant (SSBG) – Arizona has elected to transfer TANF funds to Title XX SSBG. These funds are used for programs or services for children or their families whose income is less than 200 percent of the Federal Poverty Level.
- Tribal Programs – A number of Native American Tribes have exercised the option to develop a TANF Program and to submit their proposal to the federal government for approval. Arizona adopts the financial eligibility criteria the Native American Tribes have set to receive Tribal benefits or services as the state's standard of need for Tribal benefits from state maintenance of effort funds. Arizona elects not to include individuals receiving Cash Assistance under a Tribal Family Assistance Plan or who are included in a Tribal Native Employment Works (NEW) in the computation of the state's work participation rate. Currently, the following Native American Tribes have federally-approved TANF Programs:
  - Salt River Pima-Maricopa Indian Community TANF Program – In July 1999, the state turned over the administration of TANF benefits in the Salt River Pima-Maricopa Indian Community to the Salt River TANF Program. The state administers the Supplemental Nutrition Assistance and Medical Assistance Programs, and DES staff are co-located with tribal staff in a single office on the reservation.

- Pascua Yaqui Tribe – The Pascua Yaqui Tribe has had an approved Tribal TANF Program since November 1997. However, the tribe opted to contract back with DES to determine eligibility. DES administers TANF benefits according to Tribal TANF policy.
- White Mountain Apache Tribe – The White Mountain Apache Tribe has had an approved Tribal TANF Program since April 1998.
- Navajo Nation – The Navajo Nation has had an approved Tribal TANF Program since October 2000 and began operating its Tribal TANF Program on March 1, 2002.
- Hopi Tribe – The Hopi Tribe has had an approved Tribal TANF Program since April 2001 and began operating its Tribal TANF Program in December 2004. However, the Tribe opted to contract back with DES to determine eligibility. DES administers TANF benefits according to Tribal TANF policy.
- San Carlos Apache Tribe – The San Carlos Apache Tribe began operating its Tribal TANF Program in May 2008. However, the tribe opted to contract back with DES to determine eligibility according to the Tribal TANF Plan and policy.

## **VII. TEEN PREGNANCY/OUT-OF-WEDLOCK BIRTHS**

In June 2013, the Arizona Department of Health Services, Bureau of Public Health Statistics, released its most recent ten year trend report on Teen Pregnancy in Arizona, 2001-2011. Some of the key findings are:

- Teen pregnancy rates dropped 36.1 percent in Arizona from 2001 to 2011.
- There were a total of 10,269 pregnancies to teens younger than 19 in 2011; which was the fewest number reported since 1984.
- The rates for younger teens (15-17 year-olds) have continued to decline. Rates among these younger teens dropped by nearly 47 percent in the past decade (from 43.2 per 1,000 in 2001 to 22.1 in 2011).
- The rate for older teenagers aged 18-19 years old declined by 31.2 percent (from 112.2 per 1,000 in 2001 to 77.2 per 1,000 in 2011).

The state fiscal year 2011 rate of births for female teens (aged 15-17) was 18.4 of every 1,000 births.

In the Arizona Department of Health Services 2014-2018 Strategic Plan, the Department identifies its Strategic Priority number one as “Impact Arizona’s Winnable Battles” and lists as

objective five, to reduce teen pregnancy, and has a performance measure to decrease the birth rate for teens aged 15-17.

### ***Teen Pregnancy Prevention Programs\****

The Abstinence Plus Program is part of a comprehensive statewide teen pregnancy prevention initiative that supports community-based efforts to reduce teen pregnancy and sexually transmitted diseases among youth. The program promotes responsible decision making and skill building by providing community-based education for youth and parents. There are 13 programs managed by the county health departments located in Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave, Navajo, Pima, Yavapai, and Yuma counties. Pinal and Santa Cruz county programs are administered by non-profit organizations. Currently, the following tribes also have programs: the Pascua Yaqui Tribe, the San Lucy District located on the Tohono O'odham Nation and the White Mountain Apache Tribe. Contractors use evidence-based curricula, such as Wise Guy, directed toward male teens and youth development programs that have been proven to delay sexual activity, improve contraceptive use among sexually active teens, prevent sexually transmitted diseases and prevent teen pregnancy. Program services are provided in school, after school, in the community and Juvenile Detention Center/Juvenile Probation. The primary target population of the programs is youth 12-18 years of age who are involved in the juvenile justice system; youth living in foster care and parents.

The Abstinence Education Program promotes abstinence as a healthy choice and a positive lifestyle through implementation of programs designed to change the culture and individual behavior concerning out-of-wedlock sexual activity. The program objectives are: 1) to implement programs for school aged children; 2) to implement "talking to your child" programs for parents and interested adults; 3) to reduce the incidence of out-of-wedlock pregnancies and births; and 4) to involve the community in the development and implementation of programs and activities that promote and support the abstinence message. The program encourages young men and women to abstain from sexual activity. The following agencies are providing services: BJ Foundation, Technical Assistance Partnership (Facts of Life), Pima Youth Partnership, Arizona Youth Partnership, University of Arizona Cooperative Extension Service in Maricopa County, Campasinos Sin Fronteras, and Catholic Charities of Maricopa and Yavapai counties. The target audience for services is youth 12-18 years of age, parents, or other interested adults.

### ***Sexual Violence Prevention and Education***

#### ***History\****

The Arizona Department of Health Services (ADHS) Sexual Violence Prevention and Education Program, through community level cooperative interventions, provides sexual violence prevention and education to students, professionals, and community members. In 1996, an amendment was added to the Preventive Health and Health Services Block Grant (PHSBG)

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\* Arizona Department of Health Services, Comprehensive Sexuality and Abstinence Program Internet pages, accessed on February 11, 2014 <http://www.azdhs.gov/phs/owch/sexcnwait/index.htm>  
Direct correspondence with ADHS Program Manager, March 3, 2014.

\* Source: Arizona Department of Health Services, Sexual Violence and Education Program Internet pages [http://azrapeprevention.org/about\\_svpep](http://azrapeprevention.org/about_svpep) accessed on February 12, 2014.

that authorized funds for rape prevention and education. In 2001, the funds moved from under the PHHSBG and a new Rape Prevention and Education Program (RPEP) was created. The Centers for Disease Control and Prevention (CDC's) National Centers for Injury Prevention and Control (NCIPC) was designated as having programmatic responsibility. In 2007, the RPEP program was renamed the Sexual Violence Prevention and Education Program (SVPEP) to reflect its broader goals of ending all sexual violence.

## **Permitted Uses**

- Educational seminars;
- Operation of hotlines;
- Trainings for professionals;
- Preparation of informational materials;
- Education/training programs for students/campus personnel;
- Education to increase knowledge about date rape drugs; and
- Other efforts to increase awareness of the facts about, or to help prevent sexual assault, including efforts to increase awareness in underserved communities, and individuals with disabilities.

The National Healthy People 2020 guidelines include two goals under the topic of Injury and Violence Prevention. These are to “reduce sexual violence by current or former intimate partners” and “reduce sexual violence.” “Arizona’s Healthy Arizona 2020 goals emphasize working collaboratively at the community level in order to improve the health of Arizona’s citizens.” This includes developing or improving partnerships with area professionals, such as law enforcement and the educational systems, including universities that reduce the incidence of physical and sexual abuse and assault. This effort provides a multi-faceted holistic approach that focuses on young men and women by building supports in the community.

For the past 14 years, the Arizona Department of Health Services (ADHS) Sexual Violence Prevention and Education Program, through community-level cooperative interventions, has provided education on statutory rape and rape prevention education to students, men, professionals, and community members, including law enforcement, educational systems, including universities, and persons responsible for providing guidance and counseling to young persons. These interventions have covered all racial and ethnic groups throughout Arizona—including Native American and Hispanic groups.

Within the framework of SVPEP is the flexibility for contractors to implement the program in a manner that “fits” their neighborhood or community. ADHS respects the differences in each culture. By utilizing neighborhood or community nonprofit agencies, the program works to ensure the recognition of the differences in family structure and in personal and family resources

found in the different communities throughout the state, while addressing sexual violence prevention and education on the unique characteristics of the community in which they live.

However, there are common threads between the contractors, such as: the legal definition of sexual harassment in Arizona, the legal definition of rape in Arizona, healthy relationships, and strategies that reduce the risk of sexual coercion and violence. Currently, Arizona has sexual violence prevention and education contractors in Coconino, Maricopa, and Pima counties.

In addition, Arizona's SVPEP also has a working relationship with the University of Arizona's Mel and Enid Zuckerman College of Public Health. This academic entity responds to research requests from SVPEP and ADHS; participates in SVPEP quarterly contractor meetings; and provides annual statistical updates programmatic, educational, general, and other related information that assists the contractors and the program manager in the management of the SVPEP and the contractors in the implementation and continuation of their sexual violence prevention and education programs.

Another program, the Sexual Assault Services Program (SASP) provides counseling and court accompaniment services in rural counties in Arizona. This program's target population includes adult, youth and child victims of sexual assault, family and household members of such victims and those collaterally affected by the victimization with the exception of the perpetrator. The goals of these efforts are: 1) To increase direct sexual assault services to underserved individuals; 2) To assist with the maintenance and expansion of rape crisis centers and other relevant programs dedicated to assisting those victimized by sexual assault; and 3) To build and enhance capacity to effectively address direct sexual violence services in communities.

Additional information and summaries of the SVPEP and other rape prevention outreach activities and resources can be found at the following links:

<http://azrapeprevention.org/home>  
<http://www.azdhs.gov/phs/owch/women/SASP.htm>

## **VIII. TRANSITIONAL MEDICAL ASSISTANCE**

Once an individual transitions to work, one of the significant barriers to maintaining self-sufficiency is the potential loss of health care coverage. Arizona provides up to 12 months of Transitional Medical Assistance to eligible persons.

## **IX. EMPLOYMENT IN THE ELDERCARE/LONG-TERM CARE WORKFORCE**

The Department does not intend to assist individuals with training for, seeking, and maintaining employment in the eldercare/long-term care workforce as described in TANF-ACF-PI-2011-06 at this time. Individuals interested in such occupations are offered assistance in obtaining their employment goal by using the applicable federal work activities.

## **ATTACHMENT 1**

### **ARIZONA STATE PLAN CERTIFICATIONS**

Arizona 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 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 encourage the formation and maintenance of two-parent families.

I, Janice K. Brewer, as Chief Executive Officer of the State, certify that:

1. The Arizona Department of Economic Security (DES) is the agency responsible for administering and supervising the program under part A in all political subdivisions of the State.
2. The DES assures that local governments and private sector organizations:
  - (a) Have been consulted regarding the plan and design of TANF Program 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. The DES will operate a Child Support Enforcement Program under the State Plan approved under part D of the Social Security Act.
4. The State will operate a Foster Care and Adoption Assistance Program in accordance with part E, and certify that the State will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance.
5. The DES 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 42 USC § 612, with equitable access to assistance under the State program funded under this part attributable to funds provided by the Federal Government.
6. The DES will 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. The DES will make available to the public a summary of the State Plan.

## ADDITIONAL CERTIFICATIONS

The State has established and is enforcing standards and procedures to:

1. Screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals;
2. Refer such individuals to counseling and supportive services; and
3. 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.

The State will not require a parent or caretaker who is not exempt from work requirements and is not engaged in work as defined in 42 USC § 607(c) to participate in community service employment after receiving assistance for two months.

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

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Signature of State Chief Executive Officer  
Janice K. Brewer, Governor

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Date

## **ATTACHMENT 2**

### **A.R.S. § 41-1959**

#### **41-1959. Confidential information; permissible disclosure; rules; violation; classification**

- A. Unless otherwise provided by law, all personally identifiable information concerning any applicant, claimant, recipient, employer or client or concerning any person involved in an adult protective services action, other than a perpetrator against whom an allegation of abuse, neglect or exploitation has been substantiated pursuant to section 46-458, is confidential and shall not be released unless ordered by a superior court judge or provided for by rule of court except as provided in subsections B, C and D of this section. Records and files that relate to investigations conducted by child protective services in the department are confidential. The department shall release this information only as prescribed by section 8-807.
- B. Employees of the department of economic security, the department of law and the court may obtain the information described in subsection A of this section in the performance of their duties as authorized by rules adopted by the director.
- C. Employees of the department of economic security, the department of law and the court may release any information which is otherwise held confidential under this section under any of the following circumstances:
  1. To the applicant, claimant, recipient, employer or client if a request is made in writing by any of such persons specifically requesting information which directly relates to the person requesting such information.
  2. To the extent necessary to make claims on behalf of a client for public or private assistance, insurance or health or medical assistance pursuant to title 11, chapter 2, article 7 or title 36, chapter 29 to which the client may be entitled.
  3. In oral and written communications involving the provision of services or the referral to services between employees of, persons under contract with, or persons holding a general employment relationship with the department of economic security, the department of law or the juvenile court.
  4. If the disclosure of otherwise confidential information is necessary to protect against a clear and substantial risk of imminent serious injury to a client.
  5. To agencies of the federal government, this state or any political subdivision of this state for official purposes. All information received by a governmental agency pursuant to this paragraph shall be maintained as confidential, except where pertinent to a criminal prosecution.

6. To foster parents and persons certified to adopt if necessary to assist in the placement with or care of a child by such persons.
  7. To an officer of the superior court, the department or any agency required to perform an investigation pursuant to section 8-105 if the information is pertinent to the investigation. All information received by the officer, department or agency pursuant to this paragraph may be disclosed to the court but shall otherwise be maintained as confidential.
  8. In any judicial or administrative proceeding involving an adult protective services client if the director of the department considers the information pertinent to the proceeding.
- D. Notwithstanding the provisions of sections 8-519, 8-541, 8-542 and 46-135, a standing committee of the legislature or a committee appointed by the president of the senate or the speaker of the house of representatives may obtain the information described in subsection A of this section on written notification to the director. Information obtained pursuant to this subsection may be used only for purposes of conducting investigations related to legislative oversight of the department. Information which is personally identifiable shall not be further disclosed.
- E. Any violation of this section is a class 2 misdemeanor.
- F. The department shall establish safeguards against the unauthorized use or disclosure of confidential information in title IV-D cases.