

# **State of Arizona**

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

***Effective: October 1, 2020***

**STATE OF ARIZONA  
TANF STATE PLAN**

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## I. INTRODUCTION

The Arizona State Legislature established the Arizona Department of Economic Security (DES or Department) in 1972 by consolidating multiple state entities to provide an integrated approach to human services.

On May 29, 2014, Arizona Laws 2014, Second Special Session, Chapter 1 (Senate Bill 1001) established the Department of Child Safety (DCS) as a new entity. 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.

The Department established a True North as part of continuous improvement efforts to serve as a constant reminder of the agency's commitment to serve Arizonans.

### **DES True North**

All Arizonans who qualify receive timely DES services and achieve their potential.

The DES True North is supported by the Department's mission to make Arizona stronger through the agency's programs and services.

### **DES Mission**

The Department of Economic Security makes Arizona stronger by helping Arizonans reach their potential through temporary assistance for those in need, and care for the vulnerable.

The Department has established four goals to accomplish this mission:

- Serve Arizonans with integrity, humility, and kindness;
- Support Arizonans to reach their potential through social services that train, rehabilitate, and connect them with job creators;
- Provide temporary assistance to Arizonans in need while they work toward greater self-sufficiency; and

- Provide children with food, health care, and parental financial support; provide services to individuals with disabilities; and protect the vulnerable by investigating allegations of abuse, neglect, and exploitation.

The Department endeavors to fulfill its mission by employing five core values that serve as the foundation for the work performed by the Department:

- Teamwork: We collaborate with humility, and partner with kindness;
- Respect: We appreciate each other, and value those we serve;
- Integrity: We are trustworthy, honest, and reliable;
- Accountability: We commit to excellence, innovation, and transparency; and
- Diversity: We respect all Arizonans and honor those in need.

DES is a large human services agency that, as of the end of State Fiscal Year (SFY) 2019, administers 43 different programs and has 7,767 employees who 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 statewide through DES offices, 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' programs, the courts, and Native American Tribes in the delivery of services to the citizens of Arizona.

DES provides services to approximately three million Arizonans each month (program duplicated count). DES' programs positively affect the safety, well-being, and self-sufficiency of Arizonans. Within DES, the Temporary Assistance for Needy Families (TANF) program is integral to helping families gain the skills they need to remove barriers that 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, DES' primary focus is to prevent dependency by providing short-term, less intrusive services and supports that help the individual or family meet basic needs for well-being and safety and serve as a bridge to self-sufficiency.

### ***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. Arizona's goals are inextricably linked to the four purposes of the TANF program:

1. Provide assistance to needy families so that children can be cared for in their homes;

2. Reduce the dependency of needy parents by promoting job preparation, work, and marriage;
3. Prevent and reduce the incidence of out-of-wedlock pregnancies; and
4. Encourage the formation and maintenance of two-parent families.

The Arizona TANF State Plan prioritizes the four purposes of the TANF program by focusing efforts on initiatives and service delivery reforms.

Arizona's TANF-funded programs are designed to help individuals:

- Receive basic needs for vulnerable children and families, including children residing with parents who are unable to provide their basic needs, as well as children living in certain foster or kinship arrangements, and adult recipients preparing to enter the workplace through temporary income assistance;
- Gain enhanced employment skills through work activities while providing supportive services to remove barriers to find and maintain employment for work-eligible individuals;
- Achieve self-sufficiency and the ability to care for children by providing families the support they need to work, including child care assistance, transportation assistance, and collaborative efforts with community providers to help move families toward greater self-sufficiency and less reliance on public services;
- Gain access to shelter services, assistance in achieving or maintaining self-sufficiency, and ensure physical security and safe home environments for children of families facing domestic violence situations that threaten economic security or family stability; and
- Maintain stable and safe home environments by providing support for families in need of in-home support services to 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.

DES and DCS 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 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***

In order to provide participants with the necessary services, the Division of Employment and Rehabilitation Services (DERS), through its two TANF Jobs Program contractors, focuses on early engagement of all TANF work-eligible individuals to provide the best

opportunity to increase long-term self-sufficiency. The TANF Jobs Program's intensive case management and individual responsibility plan, known as Employment and Career Development Plan (ECDP), are designed to assist participants as they work to gain self-sufficiency before they reach their TANF Cash Assistance (CA) time limit. Work activities include structured job search, job readiness, work experience activities, short-term training, and assistance with obtaining a high school diploma or high school equivalency (HSE) diploma, for individuals lacking such education. Supportive and specialized services are provided to remove barriers that prevent a participant's transition from CA to economic independence through employment. Such services address the unique challenges faced by participants with barriers, such as criminal records, disabilities, mental health concerns, and substance abuse issues. Through services provided by the TANF Jobs Program, participants obtain the basic skills needed for personal accountability, safety, and stability.

The DES Division of Benefits and Medical and Eligibility (DBME) uses the Arizona Management System (AMS), a Lean method of organization and management, to increase efficiency and flow of the eligibility process for TANF CA recipients, as well as clients applying for Medicaid and Supplemental Nutrition Assistance Program (SNAP) benefits. 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 Plus (HEAplus), emphasis is placed on standard work for each Program Service Evaluator (PSE) who processes applications, conducts interviews, verifies information, and makes eligibility determinations. DBME has also updated the Interactive Voice Response (IVR) for call centers that integrates information from the HEAplus application system and provides improved call center customer service and customer self-service options. The emphasis placed on leaner standard work for PSEs, local offices, and call centers has resulted in a significant improvement in lobby and call center wait times, reduced interview duration, and a reduction in the number of required office visits.

DES partners with faith-based and community organizations located in both urban and rural areas by providing training to providers in the use of the HEAplus electronic application process. All applications received through these programs use the HEAplus application, which has significantly enhanced the ability to efficiently receive and process applications for various types of assistance.

In addition to the expansion of automation at the point of application, a TANF CA, SNAP, or Medicaid participant may review ongoing case status, report family changes, and receive help regarding the participant's case using the My Family Benefits website. An IVR is also available to ensure that a participant has the means to obtain case information 24-hours a day without the need for DES staff to manually gather the information.

### ***Grant Diversion***

Arizona's Grant Diversion (GD) program, which is administered by DBME, allows more families an alternative to the traditional TANF CA Program. The GD program is first and foremost, a program that promotes long-term self-sufficiency through employment. TANF

CA applicants who do not have any long-term barriers to employment, are likely to be employed within a 90-day window, and have financial need may be eligible for the GD program. Applicants who are considering, or have chosen, the GD program option are provided the opportunity to consult with employment specialists for assistance with securing employment.

In addition to receiving one cash payment equal to three full months of TANF CA benefits, GD program recipients may receive employment services and short-term support service funding in excess of the TANF CA benefit amount in order to resolve one-time issues during the 90-day window, pending employment. Eligibility for the GD program is limited to one instance in a 12-month period.

The GD program has shown remarkable success in helping families to overcome short-term barriers to employment and self-sufficiency. In calendar year 2019, 92.3 percent of families that participated in the GD program did not return for additional TANF CA within six months of receiving assistance. Those that did return received an eligibility determination for traditional TANF CA.

### ***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, the youth has faced many challenges. Many youth have experienced several foster care placements, often resulting in several school changes, school absence, and low school achievement. A study by Child Trends (2019) finds that older youth who age out of foster care are at increased risk of several adverse outcomes as adults, including homelessness, high unemployment rates, low education attainment, and early or unintended pregnancies. Once these youth become parents, they are at high risk of needing assistance through the TANF CA program and involvement with the child welfare system, thus repeating the cycle of child abuse, neglect, and poverty. Extended foster care is one tool that can decrease these risks by providing older youth the opportunity to receive services and establish permanent connections with supportive adults prior to leaving the foster care system.

The DCS Extended Foster Care Program, formerly known as the Young Adult Independent Living Program, is a coordinated, cross-system approach to enhance services for young adults transitioning from foster care and is expected to achieve improved outcomes. The Extended Foster Care Program provides a comprehensive set of services to youth exiting foster care and assistance for those who choose to continue involvement with DCS after the age of 18 and up to age 21. Although TANF funds do not directly pay for these services, the prevention of poverty for youth exiting the foster care system may reduce the future need for youth exiting the foster care system to access TANF-funded programs, such as TANF CA.

Arizona's TANF CA 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 Innovation and Opportunity Act (WIOA) Title I Youth Program. Training current and former foster youth in life skills, such as financial education, including asset development and budgeting skills, provides increased awareness about the importance of effective poverty prevention strategies.

DCS continues to work with other state and community agencies to implement effective strategies that will link youth aging out of foster care with affordable, safe, and permanent housing options. By working with current and former foster youth, community partners, and other state agencies, 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**

DES is responsible for the administration of Arizona's state-operated TANF CA program in accordance with Title IV-A of the Social Security Act, as amended. 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. These units administer programs funded by TANF or are impacted directly by TANF-funded programs:

- DBME is responsible for the administration of the TANF CA Program and SNAP.
- DERS is responsible for the administration of the TANF Jobs Program.
- DERS is also responsible for the Child Care Administration (CCA), which oversees the administration of 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.
- 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 TANF CA Program based on state laws and rules, federal laws and regulations, DES policies, and the DES TANF State Plan. FAA staff consider the family's income, resources, and other factors to determine eligibility for TANF CA. FAA identifies and refers

to DERS those individuals required to participate in the TANF Jobs Program. TANF CA recipients may also be referred to CCA to obtain child care services and to 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 clients with Limited English Proficiency (LEP) to ensure meaningful access to programs, services, and activities. Each affected work unit of DES, 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 DES documents meet the definition of a vital document;
- Translating vital documents into frequently used languages other than English;
- Providing notification to clients of the availability of language-assistance services for populations that consist of speakers of both frequently used and less frequently used languages;
- Evaluating current DES 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 DES clients and the management staff who support them;
- Developing and incorporating an accessible issue resolution process; and
- Monitoring client access to language assistance.

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

#### ***Definitions***

Assistance Unit: Members of a needy family, or a child-only case, who meet the nonfinancial eligibility criteria for TANF CA and whose needs, income, resources, and other circumstances are considered as a whole to determine a TANF CA 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 an eligible dependent child is in the legal custody of DCS or, effective August 9, 2017, a tribal court or a tribal child welfare agency located in Arizona and placed in unlicensed foster care with an unrelated adult or a nonparent relative who is not receiving CA 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 TANF CA:
  - 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 the 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 TANF CA for self and on behalf of the dependent child or only on behalf of the dependent child.

Needy Family: A family, as defined above, whose countable income after application of appropriate disregards does not exceed 100 percent of the current Federal Poverty Level (FPL) or 130 percent of the current FPL if assistance is requested by a nonparent caretaker relative for only the dependent child.

Work-Eligible Individual: An adult or minor parent receiving CA or a non-recipient parent living with a child who receives TANF. Such individuals are required, as a condition of eligibility for CA, 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.

### ***TANF CA Application***

Any person may apply for TANF CA by filing a DES-approved application in person at any FAA local office, by mail, online, via telephone, or by fax. The DES-approved application for TANF CA complies 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, if needed. Eligibility interviews may be conducted by telephone.

DES will complete eligibility determination of the TANF CA application within 45 calendar 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 TANF CA is requested and who meet all the nonfinancial eligibility criteria. These eligible individuals constitute the assistance unit and include a dependent child, the dependent child's parent(s), and minor siblings. When a parent or minor sibling of a dependent child does not qualify for inclusion in the assistance unit, their income and resources are considered available to the assistance unit for purposes of determining the amount of the cash benefit.

A nonparent head of household may choose to be included in an assistance unit with a dependent child. In this situation, any dependent children of the head of household will also be included in the assistance unit. When a dependent child of the head of household 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 adult nonparent 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 TANF CA benefit month based on its projection 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 TANF CA, the dependent child must reside with a needy family.

### ***Resources***

An assistance unit may have resources and other property up to an equity value of \$2,000. Homestead real property occupied by an assistance unit and 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.

Real property, as defined by the Department, that the assistance unit is making a good-faith effort to sell, is not countable for a period of up to six months from the time of application. When the net proceeds from the sale cause the assistance unit to exceed the resource limit, the amount of TANF CA received, up to the amount of net proceeds received from the sale of the property, must be repaid to the Department. All necessary lien forms are required to be completed and signed prior to approval. When the sale does not occur during the six-month period, the household will be responsible to repay the benefits received due to exceeding the resource limit.

#### ***- 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 following deductions are allowed:

- \$90 from the total countable income;
- 30 percent of the remaining income; and
- Allowable dependent care expenses from the remaining income..

For families and assistance units that include a child who is ineligible for TANF CA 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 TANF CA benefit is deducted after all other earned income disregards have been computed. The earned income of minor family members and dependent children in an assistance unit is disregarded in full.

#### ***- 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:

- 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;
- 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; or
- Sales taxes collected and paid.

When there are no expenses or expenses cannot 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 projection 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 TANF CA are based on 36 percent of the 1992 FPL adjusted for the assistance unit's size and a shelter cost factor. TANF CA 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 TANF CA payment. DES provides TANF CA benefits monthly through a deposit into the caretaker relative's Electronic Benefit Transfer (EBT) account. DES will pay benefits to an eligible assistance unit receiving TANF CA 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.

DES, in conjunction with the Joint Legislative Budget Committee, may adjust the eligible assistance payment amount, when needed. Any adjustment will be equally applied to all assistance units.

### ***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 program activities.

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

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

DES provides TANF CA, consistent with this State Plan, to a person who is a U.S. citizen or a qualified alien in accordance with Title IV of the Social Security Act, as amended, including:

- Battered aliens who are treated as qualified aliens under Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA).
- 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);
  - Persons admitted to the U.S. 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; and
  - Iraqis and Afghans granted special immigrant status under section 101(a)(27) of the INA.

Persons who have been granted withholding of deportation or withholding of removal under Section 241(b)(3) or 243(h) of the INA may also be eligible for TANF CA.

- ***Drug Testing***

All adult TANF CA recipients must complete an *Illegal Drug Use Statement*. When DES has reasonable cause to believe that an adult recipient uses illegal drugs, DES requires the adult recipient to complete a drug test. Reasonable cause exists when:

- An adult recipient affirms the use of illegal drugs in the 30 calendar days prior to completing the *Illegal Drug Use Statement*.
- Government or law enforcement documents provided to the Department by the issuing jurisdiction indicate the use of illegal drugs in the past 30 calendar days by the recipient.

When an adult recipient tests positive for illegal drugs, the adult recipient is disqualified from TANF CA for twelve consecutive months. TANF CA will continue to be issued for all other eligible members of the assistance unit.

- ***Minor Parents***

An unwed minor parent (less than age 18) is eligible for TANF CA only if they reside in the home of a parent, legal guardian, or other adult relative. There are exceptions for an unwed minor parent who:

- Has no living or locatable parent, other legally responsible adult, or legal guardian;
- Is 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 TANF CA benefits unless they are residing in a needy family.

- ***School Attendance***

A dependent child between the ages of 6 and 16 must attend school or be homeschooled, 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 TANF CA grant and a parent who is disqualified from TANF CA must complete and sign a *Personal Responsibility Agreement* (PRA). In the Two-Parent Employment Program (TPEP) component, both parents must complete the PRA. This agreement states that, unless good cause exists, an adult TANF CA recipient must:

- Cooperate with work and child support requirements,
- Agree to have school-aged children attend school, and
- Ensure children in the assistance unit receive immunizations.

Individuals who are not work-eligible are not subject to the work provisions through the TANF Jobs Program but are required to cooperate with all other PRA requirements. A nonparent head of household who chooses not to be included in the TANF CA benefit and SSI benefit recipients are not required to complete and sign a PRA.

***Sanctions***

DES sanctions individuals who fail to comply with certain program requirements without good cause. DES will reduce or terminate an assistance unit's TANF CA benefits for parents or caretaker relatives who do not comply with program requirements without good cause. These program requirements include:

- All applicable work program requirements for work-eligible individuals;
- Keeping dependent children in school;
- Maintaining immunizations of dependent children; and
- Complying 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 also apply to recipients in active TANF CA cases who:

- Voluntarily terminate paid employment without good cause; or
- Use, sell, or possess a controlled substance in violation of Arizona statutes.

TANF Jobs Program participants may continue TANF CA eligibility and avoid sanctions by demonstrating compliance with the work requirements in the absence of good cause.

Sanctions will not be imposed for any single custodial parent who fails to comply with the work program requirements when the single custodial parent provides verification to the Department indicating that suitable child care for a child under 13 years of age is unavailable or unaffordable, as defined by the CCA.

Effective August 9, 2017, 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, TANF CA benefits will be reduced by:

- 50 percent for the first incident of noncompliance; and
- 100 percent for the second and subsequent incidents of noncompliance.

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, TANF CA benefits are paid only after assigned work program activities are completed. The assistance unit does not receive the corresponding cash benefit if assigned work program activities are not completed, or the parent subsequently fails to comply with another sanctionable program requirement.

### ***Child Support***

DES does not approve an application for TANF CA when an 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 are required to cooperate with 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 head of household. A nonparent head of household applying for or receiving TANF CA benefits only for a dependent child or an unlicensed foster care provider in a child-only case is exempt from these requirements. An applicant's or recipient's failure to cooperate, without good cause, will result in denial of a TANF CA application or a sanction for active cases. Child support collected on behalf of a child excluded from the TANF CA benefit because of the Family Benefit Cap is passed through to the family receiving TANF CA benefits.

Qualifying applicants and recipients are provided with child support services through DCSS. These services include locating a noncustodial parent, establishing legal paternity for children, establishing and enforcing a child support order, establishing and enforcing a medical support obligation, and appropriately modifying obligations.

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

Any member of an assistance unit or a parent or minor sibling of a dependent child in an assistance unit must apply for all other cash benefits, such as Social Security Survivor's Benefits, Unemployment Insurance, or Veteran's benefits, including benefits for a spouse or dependent child of a Veteran, in addition to TANF CA for which the individual may qualify, except for needs-based benefits.

### ***Strikers***

Voluntary strikers and their dependent children may participate in TANF CA unless they are local, state, or federal government employees. TANF CA eligibility and benefits are based on prestrike gross income or the union strike pay provided to the striker during the strike period, whichever is higher.

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

DES follows the provisions of federal law, denying TANF CA to persons who have been convicted of a felony for possession, use, or distribution of a controlled substance after August 22, 1996, or who are fugitive felons or probation or parole violators. A.R.S. § 13-3414 requires the courts to provide notice of convictions to DES for controlled substance offenses when the courts have knowledge that the convicted person receives TANF CA benefits.

### ***Verification***

DES verifies established eligibility criteria through an Income Eligibility Verification System (IEVS), review of documentation, and other methods.

### ***Interstate Immigrants***

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

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

Arizona applications for TANF CA include a notification to applicants that it is mandatory for a TANF CA recipient to cooperate with a fraud investigation and that any failure to cooperate may result in case closure and the termination of benefits.

In addition to these measures, effective August 9, 2017, Arizona Revised Statute (A.R.S.) § 46-297.01 was enacted to implement the following anti-fraud measures:

- When two replacement EBT payment cards are requested within a 12-month period, DES sends the TANF CA recipient a notice stating that another request will initiate a DES investigation to determine if there is fraud.

- When a TANF CA recipient requests three or more replacement EBT cards within a 12-month period, DES schedules an interview with the TANF CA recipient to determine if fraud exists.
- When a TANF CA recipient uses more than ten percent of their TANF CA benefits in a six-month period on out-of-state purchases, DES schedules an interview with the TANF CA recipient to determine if fraud exists.

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

A needy family with an adult household member who receives TANF CA benefits on behalf of the adult household member or a dependent child is limited to no more than 12 countable months of Arizona TANF CA benefits during their lifetime, except in case of hardship. This limit became effective with the July 2016 benefit and considers all countable payments made from October 1, 2002, and all future payments. Effective August 9, 2017, a needy family may receive TANF CA for an additional 12 months if:

- The needy family includes at least one adult required to participate in the TANF Jobs Program;
- All adults who are required to participate in the TANF Jobs Program are in full compliance in the 12th month of TANF CA participation and remain in compliance; and
- All children who are required by Arizona law to attend school maintain no less than a 90 percent attendance record.

A two-parent assistance unit is eligible for cash payments for only six months out of a 12-month period, in addition to the other time limits, when eligibility is determined based on the unemployment or underemployment of the primary wage-earning parent. A two-parent assistance unit may receive an extension for an additional three months of cash payments. Extensions may be granted to parents who are:

- Working with the TANF Jobs Program to complete Vocational Educational Training,
- Starting a job that will begin during the extension period, or
- Failing to meet the work requirements during the six-month period, but have good cause.

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 Arizona, any other state, or from a Tribal TANF program is not eligible to receive TANF CA benefits, except in cases of hardship.

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

The Department does not increase TANF CA benefits for the birth of additional children after the assistance unit begins to receive TANF CA benefits. There are exceptions for:

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

TANF CA benefits may not be provided to any caretaker relative on behalf of a child who is ineligible due to the Family Benefit Cap, except in any of the following circumstances:

- The child is in the legal custody of DCS or, effective August 9, 2017, a tribal court or tribal child welfare agency located in Arizona and is placed with a nonparent relative or unrelated adult in unlicensed foster care;
- The child is placed with a nonparent relative by a court;
- The child has been abandoned; or
- The child's parents are deceased, or one parent is deceased, and the other parent has abandoned the child.

An assistance unit receiving TANF CA 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 capped child are not assigned to the state. All child support collected for the benefit capped child is distributed to the assistance unit.

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

An assistance unit receiving TANF CA may set aside up to \$9,000 in an Individual Development Account (IDA) for education or training expenses, to purchase a first home, or to start a business. The total amount of all monies deposited into the IDA during the lifetime of the account may not exceed \$12,000.

### ***Reporting Changes***

An assistance unit receiving TANF CA 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 TANF CA benefit amount no later than the tenth calendar day of the month following the month in which the change occurred. Simplified Change Reporting means that the assistance unit must report by the tenth calendar day of the following month any change in income that exceeds 36 percent of the 1992 FPL 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 who are also receiving SNAP benefits when Standard Change Reporting is required in that program; and
- Assistance units who are receiving a cash benefit in the TPEP component.

### ***Eligibility Reviews***

DES completes a review of all eligibility factors for each assistance unit participating in TANF CA. Most assistance units are subject to a six-month review. Child-only cases and cases in which the nonparent head of household is not included in the assistance unit or a parent who is receiving SSI is receiving a cash benefit only for a dependent child are subject to a 12-month review.

### ***TANF CA Payments***

All TANF CA benefits are deposited in an eligible assistance unit's EBT account. Arizona enacted A.R.S. § 46-297, which became effective on September 13, 2013, to comply with 42 U.S.C. § 608(a)(12) and prohibits the use of a TANF CA 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; and
- An adult-oriented entertainment establishment as defined in A.R.S. § 46-297.

A.R.S. § 46-297 was revised in 2016 to also prohibit the use of a TANF CA EBT card at a Medical Marijuana dispensary. This statute was revised again on August 9, 2017 to prohibit the use of a TANF CA EBT card to purchase lottery tickets.

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, (DLLC), dog and horse racing facilities by the Arizona Department of Gaming (ADG), Racing Division, 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 CA EBT card, municipalities have the responsibility to develop local ordinance requirements to enforce the law as it pertains to adult oriented establishments.

Regulatory agencies use test TANF CA EBT cards to determine if any of the ATMs or POS terminals in a prohibited establishment accepts 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.

DLLC 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 TANF CA EBT cards. As of February 1, 2014, each officer of the DLLC has an EBT card to test establishments during inspections, investigations, or complaints. DLLC may suspend, revoke or refuse to renew an establishment's license according to A.R.S. § 4-210(A)(13).

ADG Racing Division has test TANF CA EBT cards that are used to enforce the disabling of ATMs and POS terminals from accepting TANF CA EBT cards. Periodic inspections using test EBT cards occur during the season for a horse racing facility and throughout the year for a dog racing facility. Licenses issued by ADG are valid for three years and inspections also occur prior to issuance 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 TANF CA EBT cards, is a license violation subject to licensing action.

In Arizona, casinos and gaming establishments are only operated on Tribal lands. ADG enforces section 3(k) of the Tribal State Gaming Compacts, in effect since 2003, which prohibits locating an ATM that accepts TANF CA EBT cards in a gaming facility. ADG initially places the responsibility on the ATM vendors for coding the machines to reject TANF CA EBT cards. However, before a gaming facility opens, the ADG tests the POS terminals and ensures that the machines are coded to reject a TANF CA EBT card. ADG 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 TANF CA 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 Public Law (P.L.) 112-96 Section 4004(a) 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. New establishments that must comply with the law are identified by regulatory agencies and entities through the licensing process. New businesses are added to a list of established businesses that will receive periodic inspections by the entity that includes a determination if an ATM or POS terminal is accepting TANF CA EBT cards.

DBME has established a position in which the DBME employee's responsibilities include monitoring the ATM and POS usage reports issued by Fidelity Information Systems (FIS), the card-issuing partner, for various forms of fraud and anomalies. Although it is often difficult to identify the type of establishment by a person's name alone, the DBME employee is able to cross-reference any new establishments where TANF CA 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 TANF CA 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 TANF CA 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. Since 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 CA EBT card by referencing these special accounts dedicated to verification of compliance by these regulatory agencies and entities.

DES assists the regulatory agencies in obtaining test TANF CA EBT cards and will provide technical assistance. DES maintains a contact list to facilitate the necessary coordination and liaison with the agencies, which includes requesting 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 the Middle Class Tax Relief and Job Creation Act of 2012, as required in 42 U.S.C. 602(a)(1)(A)(viii), the following processes are in place to ensure that a TANF CA recipient's TANF CA EBT account enables a participant 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 TANF CA recipients and the public:

- There are 10,209 POS devices distributed widely across Arizona that accept the Quest card (Arizona's TANF CA EBT card). A TANF CA recipient may elect to withdraw cash at no charge when completing a purchase.
- Bank of America, as well as Wells Fargo and Chase banks, do not impose an additional charge for withdrawing TANF CA benefits with a TANF CA recipient's Quest card in Arizona. FIS charges 0.32 cents per transaction.
- A client training brochure, *How to Use Your Arizona EBT Card* (FAA-1045), available in English and Spanish, is provided to all TANF CA 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 TANF CA. FAA-1045 is available in the Documents Center under Flyers + Pamphlets on the DES website for public access and includes the following statement: "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 TANF CA 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 TANF CA EBT card at ATMs or POS terminals in the affected businesses and all TANF CA approval notices contain that information.

### ***Overpayments***

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

- Reduction in current benefits in an amount not to exceed ten percent of the TANF CA monthly payment, unless the assistance unit desires a larger reduction;
- Cash payments made to the Department's Office of Accounts Receivable & Collections directly from the assistance unit; or
- A combination of the above methods.

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

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

TANF CA recipients must provide a written, electronic, 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 calendar days of filing the hearing request, DES conducts a hearing, renders a decision, and notifies the assistance unit or caretaker relative receiving TANF CA benefits of the decision. An appeal of this decision may be filed within 15 calendar 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 U.S.C. § 607(f)) due to a TANF CA recipient who is 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. Personally identifiable information is considered confidential and may only be used or released as requested by the individual, as ordered by a superior court judge, as provided for by rule of court, 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, authorized DES to establish work activities consistent with TANF work requirements. DERS administers the TANF Jobs Program that assists work-eligible individuals with meeting the federal work provisions. DERS is also the administrative entity responsible for providing the work participation rate data used in the TANF Data Reports.

Work-eligible individuals in assistance units receiving TANF CA are required, as a condition of eligibility, to participate in work activities.

In 2002 (and amended in 2004), the Arizona State Legislature passed a law requiring the statewide privatization of Arizona's TANF Jobs Program, which provides case management, employment, and support services, such as transportation and training, to individuals transitioning to work. The program has been operated by contracted providers since 2007.

After an extensive Request for Proposal process, new contracts emphasizing positive outcomes through employment were awarded in August 2016. Two private, for-profit companies — MAXIMUS Human Services, Inc. and ResCare Workforce Services — were selected to continue as the contracted TANF Jobs Program service providers. The contracts became effective November 1, 2016.

The DERS Quality Assurance and Integrity Administration monitors program performance and the DERS Finance and Business Operations Administration monitors adherence to contract requirements for the TANF Jobs Program. The TANF Jobs Program contractors may earn incentives or incur penalties related to client employment, employment retention, and case read accuracy. If Arizona fails the work participation rate due to failure by a contractor, the contractor is required to share in financial liability for any penalty imposed on the state by the federal government.

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

DES ensures that all work-eligible individuals living within an assistance unit participating in TANF CA engage in work activities through the TANF Jobs Program. All work-eligible individuals are assigned to work activities by the contractors as soon as possible after the assistance unit has been approved for TANF CA. Work-eligible individuals are assigned to work activities after assessment of their employability skills, barriers to employment, child care needs, and need for support services to assist in removing barriers to employment. The TANF Jobs Program also collaborates with community groups for effective utilization of resource opportunities, for additional services, and educational or skills training.

All federally allowed work activities are monitored by a TANF Jobs Program case manager who verifies actual participation hours. The *Arizona Work Verification Plan*

outlines each activity and what types of documentation are acceptable for verification purposes.

The TANF Jobs Program Policy Manual, Chapter 5, Section (V)(C), states all actual hours of participation must be verified prior to recording actual participation hours in the TANF Jobs Program Automated System. All federal work activities must be monitored for client progress and to ensure the work participation requirements are being met.

Intensive monitoring and verification of participation in federal work activities by each participant ensures there is continued engagement in federal work activities. TANF Jobs Program case records include thorough documentation and verification to substantiate the actual recorded hours. A TANF Jobs Program case manager verifies a participant's hours of participation and the hours are then recorded in the Jobs Program Automated System.

### ***TANF Jobs Program Rights and Responsibility Agreement***

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

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

The TANF CA applicant must complete a preliminary orientation as part of the eligibility process. This requirement does not apply to a TPEP assistance unit. The purpose of conducting the preliminary orientation before FAA determines eligibility for TANF CA is to provide the work-eligible individual with a general overview and purpose of the TANF Jobs Program, and the relationship of the TANF Jobs Program and continued receipt of TANF CA benefits.

### ***Assessment and Employment and Career Development Plan***

The TANF Jobs Program notifies a work-eligible individual of the initial TANF Jobs Program case management appointment in writing when the work-eligible individual is selected to participate in the TANF Jobs Program, at which time the work-eligible individual becomes a participant in the TANF Jobs Program. During the initial TANF Jobs Program case management appointment, a TANF Jobs Program case manager:

- Explains the rights and responsibilities of the participant, the Jobs Program, and the Department's child care program to the participant, including:
  - An explanation of the consequence for a participant's non-compliance with the TANF Jobs Program requirements, without good cause or a demonstration of compliance, which may result in progressive sanctioning, pursuant to A.R.S. § 46-300; and
  - The deferral and exclusion procedures from participating in the TANF Jobs Program, as well as good cause reasons.

- Conducts an assessment of a participant's employability skills, work experience, education level, and any identified barriers to employment; and
- Completes a mutually agreed upon ECDP with the participant that includes employment goals, required work activities, locations for each assigned activity, dates for beginning and ending activities, available services offered by the TANF Jobs Program or community resources, a list of referrals made as a result of the participant's assessment, and signatures of the participant and TANF Jobs Program case manager assigned to oversee provision of services to the participant.

DES expects and encourages a participant 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 ECDP.

A participant already engaged in activities that meets the work requirements, as defined in 42 U.S.C. § 607, is case managed by the TANF Jobs Program to ensure the participant remains engaged and is monitored to encourage employment retention while exploring opportunities for higher wages and career advancement.

### ***Countable Work Activities***

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

- Unsubsidized employment;
- Subsidized 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 in high school or a GED preparation class or education directly related to employment for a participant who is a head of household and has not obtained a high school diploma or HSE diploma for any parent under 20 years of age who is a single teen custodial parent or a married teen parent.

### ***Subsidized Employment***

Subsidized employment activities may be available to TANF Jobs Program participants. A TANF Jobs Program participant gains work experience while employed with a public or private sector employer that receives a subsidy from TANF or from other public funds to offset the cost of wages and benefits paid by the employer to the participant. At the end

of a trial period, the employer is expected to retain the participant as an employee without receiving a subsidy.

### ***Temporary Deferrals***

Although continuous participation in the TANF Jobs Program is required, an unavoidable circumstance may temporarily prohibit participation. A participant may be exempt or deferred from the TANF Jobs Program for a period of time, however, all participants are encouraged to seek and maintain employment as quickly as possible. A TANF Jobs Program case manager may provide a temporary deferral from Jobs Program participation when a participant:

- Has a temporary or permanent disability.
- Is a victim of domestic violence or the participant's child is a victim of domestic violence and participation in the TANF Jobs Program threatens the safety of or, in the perception of the participant, causes an immediate threat of physical, mental, or emotional harm to the participant, the participant's child, or any child living with the participant. 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 TANF Jobs Program contractors work with domestic violence shelters to develop appropriate screening tools to identify domestic violence victims. A participant must provide appropriate documentation to the TANF Jobs Program case manager to receive a temporary deferral due to domestic violence.
- Is a single custodial parent under the age of 18 years and personally caring for a child less than 12 weeks of age.
- Is a single custodial parent or caretaker relative personally caring for a child less than one year of age, for no more than 12 months in the participant's lifetime, unless the participant is a teenage custodial parent who does not have a high school diploma or HSE diploma.
- Is a TPEP parent, if the parent has a temporary disability or illness that is expected to last less than 30 days, as verified by an acceptable medical source.

A participant who is eligible for a temporary deferral may voluntarily elect to participate in work activities. A voluntary participant may not be sanctioned if subsequently unable to participate in work activities. A temporarily deferred participant is notified in writing of the time period and reason for the temporary deferral. The TANF Jobs Program encourages a deferred participant to engage in suitable work activities by contacting the participant's TANF Jobs Program case manager a minimum of one time per month. All temporary deferrals are limited to a six-month time period, after which a TANF Jobs Program case manager must reverify the participant's circumstances prior to issuing a subsequent temporary deferral.

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

When a required participant fails to participate in required work activities, the Jobs Program case manager will contact the participant and determine if good cause exists. A good cause reason for a participant's failure to participate in work activities may include:

- A barrier to participation for which services are not available;
- Participation in referred services to address a barrier to participation;
- An illness that prevents participation;
- Required care of a family member with an illness or a disability;
- An appointment for either the participant or the participant's dependent child that cannot be rescheduled, such as a court-ordered appearance, medical appointment, or other comparable appointment;
- A family emergency;
- A lack of transportation with no reasonable alternate means of transportation;
- Inclement weather that prevents participation;
- Inability to obtain child care for a child who is less than 13 years old because the child care is unavailable, unaffordable, or unsuitable.
  - "Unavailable" child care means:
    - No vacancies or slots are available;
    - Formal child care arrangements (licensed centers, Arizona Department of Health Services (ADHS)-certified group homes, DES-certified homes, and in-home providers) are available, but the provider states that a child's special needs would be an undue burden;
    - A relative is unavailable to provide care; or
    - 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 arrive to work, or more than 30 minutes each way if the only available mode of transportation is walking.
  - "Unaffordable" child care means DES determines that a TANF Jobs Program-referred client cannot find care in the participant's general geographic area within the DES reimbursement rate and there is an additional cost of care above what DES pays that the participant reports as unaffordable. When CCA determines that child care is considered unaffordable, the TANF Jobs Program participant may be temporarily deferred from participating in the TANF Jobs Program until affordable child care can be found.
  - "Unsuitable" child care means child care is available through a provider, but the participant declares in writing that the provider is unsuitable based on factors that may include the provider's:
    - History of child neglect or abuse,
    - Current experience with domestic violence,
    - History of serious crime,
    - History of substance abuse,
    - Emotional, mental, or physical condition that prevents the provider from providing safe care to children,
    - Residence in a home that is unsafe for children, or
    - Similar attributes that render the provider unsuitable to provide child care services.

- Unavailability of child care for a child age 13 or over who requires adult supervision because the child:
  - Has a disability, including mental health or other health-related issues;
  - Would harm self or others if left alone; or
  - Is on court-ordered probation that requires the child to remain in the home or is under house arrest;
- Unavailability of translation services needed to participate, or needed translation services are not provided;
- Incapability of performing a work activity due to:
  - Unsafe work conditions;
  - Physical demands of the job;
  - Lack of skills, aptitude, or knowledge for the position;
  - Strike, lockout, or other bona fide labor dispute; or
  - Conditions of the participant's membership in a union representing employees in the occupation;
- A current situation in which the participant is a victim, or self-perceives as a victim, of domestic violence that:
  - Threatens the safety of the participant or any child living with the participant; or
  - Causes physical, mental, or emotional harm to the participant or any child living with the participant;
- A failure by the Department to provide the participant with services agreed upon in the ECDP; or
- Other comparable circumstances beyond the participant's control, including an error by the Department.

### ***Post TANF Cash Assistance Eligibility***

Effective August 9, 2017, the Department may provide TANF Jobs Program services to eligible assistance units transitioning off TANF CA due to Arizona's time limit if the services are needed to assist a member of an assistance unit with obtaining employment or maintaining employment, or receiving a higher level of employment. This additional 12 months of TANF Jobs Program services are only available for members of an assistance unit who were participating in the TANF Jobs Program at the time of TANF CA case closure, and the case was not subject to sanction due to failure to participate in the TANF Jobs Program in the month of TANF CA case closure.

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

### ***Administration***

Child care services for TANF CA recipients are administered by CCA within DERS. These services are coordinated with other child care services funded by other sources, such as Child Care and Development Block Grant (CCDBG), Title XX Social Services Block Grant (SSBG), and state general funds. DES is the designated lead agency for the CCDBG. The administration of these services is coordinated in order to provide for a seamless child care delivery system. CCA is responsible for the planning, policy, and day-to-day

operations of child care programs that provide services to TANF CA benefit recipients and other families eligible for child care services.

More specifically, child care services are designed to help eligible families with a portion of 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***

Arizona has a two-tiered eligibility system for child care services, which may be provided for TANF CA recipients and for non-TANF CA recipients with family income at or below 165 percent of the FPL, with the exit threshold set at 85 percent of the State Median Income (SMI). If the family is eligible, DES determines any required copayment amount 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 copayment for 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 co-payment, which is only imposed on clients receiving Transitional Child Care. A TANF Jobs Program participant who receives TANF Jobs Program Child Care or TANF CA Employed Child Care is not required to pay a copayment. DES has imposed a waitlist to manage expenditures because of budget constraints. Persons who need child care for employment and are either receiving TANF CA or are transitioning off of TANF CA are exempt from the waitlist, however the waitlist has been suspended since June 3, 2019.

CCA informs the family of their rights and responsibilities, 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. CCA reviews child care cases once per year to evaluate ongoing eligibility for services.

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

When a family is determined eligible to receive child care services, the family is authorized for 12 months of care. When a family has selected a provider who is registered with DES, CCA issues a Certificate of Authorization. The Certificate of Authorization form is a voucher-like tool 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 or category of eligible providers. If a family decides to change its choice of provider, the family must contact CCA to receive another Certificate of Authorization.

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

Arizona has many TANF-funded supportive programs and services that meet the purpose or intent of the PRWORA of 1996 and Public Law (P.L.) 112-96. 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 with transitioning from TANF CA

to employment and self-sufficiency. These programs and services recognize that some individuals currently receiving TANF CA benefits may need assistance in finding and retaining employment. Additionally, 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 emergent needs that cannot be met with their own income and resources. Households must have income at or below 125 percent of the federal poverty level or 150 percent of the federal poverty level if a senior or a person with disabilities is a member of the household to qualify for services. If TANF funds are used for this service, the household must also include a child under 18. All eligible household members must meet U.S. citizenship or qualified legal resident criteria and must be Arizona residents at the time of the application. Services provided may include emergency shelter, case management, eviction prevention, move-in assistance, utility deposits or payments, rent payments, and other special services appropriate for securing and maintaining employment.
- 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 Arizona’s former Title IV-A Emergency Assistance Program (EAP) that was effective August 21, 1996. To date, these services, referred to as foster care maintenance costs, have consisted of providing for the basic needs of these children. In order for a child to be eligible for this 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 CA, 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 FPL.

DCS is responsible for determining a child’s eligibility for EAP, using information in DCS’s automated record system. 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 DCS 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. Children's In-Home Services are essential for maintaining stable and safe home environments and to provide support services to preserve the family unit and prevent children from entering the foster care system. Services based on needs, concerns, and stressors of the child and family, and address the safety and risk factors identified by DCS. DCS may provide family preservation services, which are intended to allow children to safely remain in their homes. Services are provided on a moderate level or on an intensive level based upon risk of out-of-home placement due to potential abuse or neglect. Services include an assessment of the family's needs, identification of community resources, reducing stress factors that may contribute to potential abuse or neglect, and developing a parenting plan that is implemented and monitored. Parent aide services focus on enhancing parental protective capacities so children can safely remain in their homes. For TANF or Maintenance of Effort (MOE)-funded services, the income limit for the family, which is comprised of the child, is 250 percent of the existing FPL.
- 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 only, is 250 percent of the existing FPL.
- Child-Only Cases – TANF funds are used to provide assistance to eligible dependent children in the legal custody of DCS, a Tribal court located in Arizona, or a Tribal child welfare agency located in Arizona and placed in unlicensed foster care with an unrelated adult or a nonparent relative who is not receiving TANF CA benefits. For these cases, all TANF CA nonfinancial eligibility factors apply. When the countable income of the dependent child is less than 36 percent of the 1992 FPL, 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 FPL 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 FPL.

- Adoption Services – TANF funds support services that provide for the selection of a family, placement, and supervision of a child, including 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 FPL 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 for 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 are eligible to receive Emergency Shelter Services. For TANF or MOE-funded services, the income limit for the family, which is comprised of the child only, is 250 percent of the existing FPL.
- Rapid Rehousing – Arizona uses TANF funds to rapidly house homeless families and victims of domestic violence and their children into permanent housing. Services consist of up to nine months of financial assistance that may include short-term rental assistance for up to three months and medium-term rental assistance for up to nine months. Rapid Rehousing may also include housing relocation and stabilization services, such as housing search and placement, case management, mediation, legal service, and credit repair.
- 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, because 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 that have a dependent child living with them or are 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 FPL are eligible for this TANF or MOE-funded service.
- Substance Abuse Treatment – Arizona Families in Recovery Succeeding Together (F.I.R.S.T.) provides nonmedical substance abuse treatment services to recipients

of TANF CA benefits whose substance abuse is a significant barrier to obtaining or maintaining employment and parents, guardians, or custodians whose substance abuse is a significant barrier to maintaining, preserving, or reunifying the family. A family must meet all TANF CA eligibility criteria, including income standards to be eligible for this service.

- Permanent Guardianship Subsidy – This program provides assistance payments to permanent guardians of children who are in foster care and who are nonparent relatives or who are nonrelatives, such as foster parents, as defined in state statute. To be eligible for TANF or MOE-funded services, a child must have income less than 250 percent of the FPL.
- TANF Funds Transferred to Title XX 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, as defined by each individual program and service, whose income is less than 200 percent of the FPL.
- 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 MOE funds. Arizona elects not to include individuals receiving TANF CA 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 SNAP and the 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.

## VII. TEEN PREGNANCY/OUT-OF-WEDLOCK BIRTHS<sup>1</sup>

In March 2016, the ADHS, Population Health and Vital Statistics Section, Bureau of Public Health Statistics, released its report, *Pregnancies by Pregnancy Outcome, Race/Ethnicity, and Age Group, 2008-2018*. Some of the key findings are:

- Teen pregnancy rates dropped by 58.5 percent from 14,047 in 2008 to 5,829 in 2018.
- The number of teenage pregnancies and the teen pregnancy rate of 2018 were the lowest recorded since at least 1980.
- The pregnancy rate for Arizona teenagers 15-19 years old in 2018 was 25.1 pregnancies per 1,000 females, which was 7.4 percent lower than the 2017 rate and 60.3 percent lower than the 2008 rate.
- The pregnancy rate for younger teenagers 15-17 years old declined by 68.8 percent from 34.6 per 1,000 in 2008 to 10.8 per 1,000 in 2018.
- The pregnancy rate for older teenagers 18-19 years old declined by 58.1 percent from 111.3 per 1,000 in 2008 to 46.6 per 1,000 in 2018.

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

The Teen Pregnancy Prevention (TPP) Program provided through ADHS offers two strategic approaches - Abstinence Education and Abstinence Plus Education. These programs incorporate positive youth development strategies and are designed to improve the health and social well-being of youth through the reduction of teen pregnancies and sexually transmitted diseases by increasing awareness of healthy relationships and life skills, including financial literacy and education and career success. The TPP program provides youth with knowledge and skills that can be applied throughout their lives.

Programs are funded through the Arizona lottery funds and the U.S. Health and Human Services. Funds are used to contract with local communities to develop culturally diverse programs and strategies designed to reduce the onset and incidence of teenage sexual activity and sexually transmitted disease.

Both programs offer a Parent/Youth Communication Education component, which can provide parents or guardians the tools to actively engage in meaningful communication with their teens on a variety of topics, including sexual health issues.

#### **- *Abstinence Education<sup>2</sup>***

The Abstinence Education Program implements evidence-based and evidence-informed abstinence curricula. Program content is medically accurate, culturally diverse, and age appropriate. Strategies are designed to reduce the onset of teenage sexual activity,

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<sup>1</sup> ADHS, Population Health and Vital Statistics, Teenage Pregnancy, 2008-2018, <https://pub.azdhs.gov/health-stats/report/ahs/ahs2018/pdf/text1a.pdf>

<sup>2</sup> ADHS, accessed 3/10/2020, <http://www.azdhs.gov/prevention/womens-childrens-health/womens-health/index.php#teen-pregnancy-abstinence>

sexually transmitted diseases (STDs), and sexually transmitted infections (STIs) by promoting abstinence as the 100 percent sure way to prevent a pregnancy, STD, or STI.

- ***Abstinence Plus Program***<sup>3</sup>

The Abstinence Plus Program implements evidence-based and evidence-informed abstinence-plus curricula. Program content is medically accurate, culturally diverse, and age appropriate. Strategies are designed to reduce the incidence of teenage pregnancy, STDs, and STIs by promoting abstinence as the 100 percent sure way to prevent a pregnancy, STD, or STI and also provides information on contraception, method of use, and effective rates.

## **VIII. SEXUAL VIOLENCE PREVENTION**

- ***Sexual Violence Prevention and Education***<sup>4</sup>

ADHS receives funds from the Centers for Disease Control (CDC) to provide programs aimed at preventing sexual violence in Arizona. ADHS published *Arizona-Ending Sexual Violence: A Community-based Statewide Strategic Action Plan for Sexual Violence Primary Prevention 2020-2025* in June 2019. The plan is intended to be a framework that is meant to be shared and used by a variety of agencies interested in enhancing protective factors and reducing risk factors for sexual violence in Arizona.

The target populations include students in junior high through college, women and men in the community, professionals (medical, education, legal, law enforcement), and minority populations.

The mission of the Sexual Violence Prevention and Education Program is to promote prevention of sexual coercion and violence by increasing the public's knowledge about sexual coercion and violence through sustainable education, collaboration, and advocacy.

The goals of the program include:

- Increasing respect for self and others through primary prevention of sexual violence and education for Arizona children, youth, and young adults, and
- Increasing Arizonans' engagement in sexual violence prevention.

- ***Sexual Assault Services Formula Program***<sup>5</sup>

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<sup>3</sup> ADHS, accessed 3/10/2020, <https://www.azdhs.gov/documents/prevention/womens-childrens-health/womens-health/teen-pregnancy-rfga/exhibits/exhibit-1-policy-procedure.pdf>

<sup>4</sup> ADHS, accessed 3/10/2020, <http://www.azdhs.gov/prevention/womens-childrens-health/womens-health/index.php#sexual-violence-prevention>

<sup>5</sup> GOYFF, accessed 3/10/2020, <https://goyff.az.gov/content/sexual-assault-services-program-sasp>

The Sexual Assault Services Formula Grant Program (SASP) was created by the Violence Against Women Act of 2005 and is administered by the U.S. Department of Justice. As a SASP recipient, the Governor's Office for Youth, Faith, and Family (GOYFF) distributes grant funding to provide core services, direct intervention, and related assistance to victims of sexual assault. Services may include dual programs, which offer both sexual violence and domestic violence intervention services, medical services, criminal justice system support, and social support systems.

The goals of these efforts are to:

- Increase direct sexual assault intervention services to underserved individuals;
- Assist with the maintenance and expansion of rape crisis centers and other relevant programs dedicated to assisting those victimized by sexual assault; and
- Build enhanced capacity to effectively address direct sexual violence intervention services in communities.

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

DES does not intend to assist individuals with training for, seeking, and maintaining employment in the eldercare/long-term care workforce, as described in TANF-Administration for Children and Families-Program Instruction-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, Douglas A. Ducey, 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. 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. 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. 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. 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. 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:**

\_\_\_\_\_  
Signature of State Chief Executive Officer  
Douglas A. Ducey, Governor

\_\_\_\_\_  
Date

## ATTACHMENT 2

### **A.R.S. § 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 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. Department records and files that contain information related to investigations conducted by child protective services or the department of child safety 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 that 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 that 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, a state, a political subdivision of any state or a tribal government 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. 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.

8. To the entities as specified in section 23-722.04, subsections A and E for the development of a state workforce evaluation data system and program performance purposes and other program and research purposes as defined in a data sharing agreement but not including information regarding adult or child protection actions.

D. Notwithstanding section 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 that 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.