

**Date Effective:  
October 1, 2013**



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

**Commonwealth of Massachusetts**

**Executive Office of Health and Human Services**

**Department of Transitional Assistance**

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## **SECTION 402 OF THE SOCIAL SECURITY ACT - STATE PLAN REQUIREMENTS**

### **(a)(1) OUTLINE OF THE PROGRAM**

#### **(A) General Provisions**

**This plan provides an outline of how the State will accomplish the following:**

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

The Department of Transitional Assistance (DTA) is the primary agency responsible for administering and supervising Massachusetts' TANF block grant. The primary cash assistance program operated under TANF is the Transitional Aid to Families with Dependent Children (TAFDC) program. The TAFDC program is authorized by the Commonwealth's welfare reform law, Chapter 5 of the Acts of 1995.

In addition, Massachusetts provides eligible low-income families with benefits such as employment and training services. By providing these benefits, the state can assist families in improving their economic self-sufficiency and enhancing their ability to support themselves through meaningful employment. Unless otherwise stated within this document, for the purposes of claiming TANF and Maintenance of Effort (MOE) expenditures, Massachusetts defines a needy family as a family with a child or a non-custodial parent whose income does not exceed 85% of the State Median Income. The TAFDC program is described in detail below.

#### **TRANSITIONAL AID TO FAMILIES WITH DEPENDENT CHILDREN**

TAFDC is the state's cash assistance program for families with dependent children (including pregnant women in their third trimester) with limited assets and income. Massachusetts' goal is to help families achieve economic self-sufficiency through meaningful employment. To this end, the state completes a comprehensive needs assessment of every client, which evaluates their employment history, educational attainment and other factors. To the extent that resources permit, the state administers programs to meet those needs and addresses barriers to work, including providing a variety of educational and training opportunities. Client volunteers for state-funded educational and training programs receive more in-depth assessments from the vendors that enable their programs to address clients individualized needs. Families are also eligible for child care to ensure that they are able to maintain their employment and achieve their career goals. Therefore, the TAFDC program in Massachusetts strives to reduce reliance on the traditional welfare system by emphasizing a comprehensive approach to family self-sufficiency.

The eligibility criteria for TAFDC are set in the Code of Massachusetts Regulations (CMR). Assets are considered for eligibility determination, as defined in 106 CMR 204.100, while income applied to initial and ongoing eligibility determination is defined under 106 CMR 204.200. Payment standards for this program can be found in regulation at 106 CMR 204.420 and 425. (The Department's regulations are available online at: <http://www.mass.gov/dta>.)

Department regulations are promulgated in accordance with the state Administrative Procedures Act (G.L., c. 30A), which provides the public with an opportunity for notice, review and comment. Any change to the Department's regulations will result in a State Plan amendment only when the State is proposing a substantive change which would: 1) affect the State's compliance with the Personal Responsibility and Work Opportunity Reconciliation Act; or 2) implement a State option not previously included in the State's plan.

TAFDC benefits and services are provided to eligible families who reside in Massachusetts, and have dependent children who meet certain relationship requirements. In making determinations of eligibility, the Commonwealth uses fair and equitable standards for considering an applicant's/recipient's income and assets, and determining financial eligibility and benefit amounts. Uniform program policies are implemented statewide, with the exception of any pilot projects implemented by the Department.

Each applicant/recipient is advised of his or her rights and responsibilities. Applicants/recipients are expected to provide verifications of their eligibility, to report all related changes in a timely manner, and to have their eligibility reviewed periodically. They also are required to apply for certain other benefits for which they may qualify and to cooperate in the establishment and collection of support payments and the establishment of third party liability for medical coverage, unless they have good cause for not cooperating.

Applicants and recipients are notified of eligibility decisions in accordance with established timeliness standards, determinations of eligibility for benefits are made promptly.

### Major Provisions of TAFDC

*Time limit on benefits:* For purposes of determining eligibility for recipients subject to the State's two-year limit on benefits, the Department categorizes recipients as "exempt" or "nonexempt." Generally, exempt recipients are those unable to work because of a disability, the age of their children, or their own age (60 or older). Nonexempt recipients are those who do not have such barriers to obtaining employment. For a more complete listing of the exemption categories, see the Department regulations at 106 CMR 203.100. Time-limit regulations can be found at 106 CMR 203.200.

Nonexempt TAFDC recipients are limited to 24 months of assistance in a continuous 60-month period, with some exceptions. The time limit may be waived for a dependent child who is no longer able to live with his or her parent(s) if the custody or guardianship of the child has been legally transferred to the other parent or a relative. If this does not apply, a waiver of the time limit may be requested in writing to the Commissioner or the Commissioner's designee, describing the circumstances under which a waiver is being requested, and the Commissioner or designee may grant such a waiver as stated in 106 CMR 203.200(C).

Extensions of the time limit may be granted under certain circumstances. Extensions are short-term and are provided to those who have made a demonstrated effort to meet the work participation requirement and/or who are on a pathway to meaningful employment opportunities. Examples include a recipient who is participating in an education or training activity who needs time (not more than six months) to complete the activity; or is working full-time at minimum wage but earning less money than he or she would receive from TAFDC. In determining whether an extension will be granted, the Commissioner or designee will also consider the availability of child care and local job opportunities, the recipient's work history, work-related activities in which the recipient has participated, and whether the recipient has cooperated with the Department's rules and regulations. The Department recently enhanced its

eligibility system to automate what had been a paper-heavy review process and consolidated the number of designees so that decisions could be reviewed centrally. Victims of domestic violence may also receive waivers of the time limit under certain circumstances. A recipient who is granted an extension may be required to participate in a subsidized work program. Extension regulations may be found at 106 CMR 203.210. The domestic violence waiver regulations can be found at 106 CMR 203.110.

Benefits to recipients who have exceeded the federal TANF sixty-month limit, but who continue to be eligible under State law, will be included as part of the 20% hardship exception, or funded through the State maintenance of effort provisions.

*Work Program Requirements:* Work Program participation is required for non-exempt TAFDC recipients. The hourly requirement is dependent upon the age of the youngest child (with certain exceptions) and is as follows: 20 hours per week if the youngest child is age two to mandatory full-time school age; and 30 hours per week if the youngest child is mandatory full-time school age or older. TAFDC recipients can substitute employment with acceptable work activities that meets the provisions required by 106 CMR 203.400(A)(2). In two-parent households, each parent, unless otherwise exempt, is required to meet the work program requirement based on the age of the youngest child in the family as noted above. The current regulations specifying the Department's work program requirement can be found at 106 CMR 203.400(A)(2)(c)(d). Waivers of the work program requirement may be granted in cases of domestic violence. The Department's domestic violence waiver regulations may be found at 106 CMR 203.110.

*Community Service:* Nonexempt recipients subject to the work program requirement, who are not employed or participating in allowable education and/or training programs for the minimum number of hours per week required must participate in community service (or combination of work and/or an allowable education and/or training program and community service) for the required number of hours per week. The Department's community service regulations can be found at 106 CMR 203.400 and 207.170.

*Benefit Reduction:* All nonexempt recipients are subject to a 2.75 percent reduction in cash assistance benefits (approximately \$15 per month for a family of three). The Department's nonexempt need and payment standards can be found at 106 CMR 204.415 and 204.425.

*Earned Income Disregards:* To provide an incentive to work, families subject to the 2.75 percent benefit reduction are permitted to retain or "disregard" more of their earned income than exempt families when determining eligibility. Nonexempt recipients who work are allowed a \$30 plus one-half earned income disregard. Exempt recipients are allowed a \$30 plus one-third earned income disregard. Both disregards remain in place as long as a family is employed and eligible. The Department's current earned income disregard regulations can be found at 106 CMR 204.280 and 204.285.

*Teen Parents:* As a condition of eligibility, parents under the age of 20 must have a high school diploma or GED, or be in a program to obtain one. Unless they meet the Department's criteria to live independently, these youth must live in the home of a parent or adult relative. If there is abuse, neglect or substance abuse at home, the teen parent may reside in a supervised, structured setting through the Department's Teen Living Program, which operates through a partnership with the Department of Children and Families. The Teen Living Program does not currently have the capacity to meet demand, so the Department collaborates with Department of Housing and Community Development to shelter homeless teen parents through the state's Emergency Assistance (EA) program until a Teen Living Program becomes available. The Department's current Teen Parent regulations can be found at 106

CMR 203.600 through 203.640. School attendance may be waived for teen parents who are domestic violence victims. The domestic violence waiver regulations may be found at 106 CMR 203.110.

*Learnfare/School Attendance:* Under Massachusetts State Law, children under the age of 16 must attend school. A family with children under the age of 14 may be sanctioned if the child has an excessive number of unexcused absences from school, with certain exceptions. The Department's current Learnfare and school attendance regulations can be found at 106 CMR 203.900 and 203.560 and 203.570 - 203.575.

*Family Cap:* Under Massachusetts law, once a recipient is determined eligible for TAFDC, cash benefits will not be increased if additional children are born to the recipient, with certain exceptions. The Department's current Family Cap regulations can be found at 106 CMR 203.300. The family cap provision allows for certain exceptions and may be waived for certain recipients, who are victims of domestic violence or other circumstances. Please refer to 106 CMR 203.300(C) for exceptions, 106 CMR 203.300 (D) for waivers and 106 CMR 203.110 for the domestic violence waiver regulations.

*Immunization Requirement:* With limited exceptions for religious, medical or health reasons, children in TAFDC families must be immunized or the family's grant may be reduced. The Department's current Immunization regulations can be found at 106 CMR 203.800.

### The Employment Services Program (ESP)

The Department's Employment Services Program (ESP) offers a variety of education, skills training, and employment opportunities to clients delivered by the Department, community based agencies or Workforce Investment Area (WIAs). ESP is comprised of the following four components:

*Employment Ready/Job Search/Job Readiness component:* This is a program designed to meet the needs of participants with some work history and no serious barriers to employment. It is designed to help clients adapt to the work environment and to the job search process in a structured and supportive environment. It is geared to serve individuals who have work experience or who are returning to the labor market after an absence of not more than two years. Services include job readiness training, job search-support, case management, and job placement.

*Employment Education and Training/Skills Training component:* This is a program specifically designed to serve clients with minimal barriers to employment. Community-based agencies, schools and other nonprofit organizations provide skills training, education and job placement services to TAFDC recipients via contracts with the Department. The range of services for the first portion of this activity is short term in nature primarily focusing on skills training. Clients may then be placed in work sites where they can earn wages while looking for permanent employment.

*Employment Supports/Supported Work component:* This is a program specifically designed to serve clients with moderate barriers to employment. Services may include skills training, education and job placement services. Clients may also be placed in highly supportive work sites where they can earn wages in addition to receiving a reduced TAFDC grant while transitioning into an unsubsidized job.

*Enhanced Employment Supports component:* Service providers work with clients to reduce barriers and increase employment options through services that are customized for each individual; these include: assessment, placement and employment supports. This program is specifically designed to serve clients with significant barriers to employment. Clients who have been unable to meet the criteria of other ESP

programs or who have been unsuccessful in those programs may be appropriate for the more intensive services offered to obtain and maintain employment.

Additional ESP Activities include:

*Young Parents Program (YPP):* YPP provides literacy and other skills training to pregnant and/or parenting TAFDC recipients between the ages of 14 and 22, who have not achieved a high school diploma or its equivalent.

*Full Employment Program (FEP):* FEP is a voluntary program through which clients are placed in jobs and receive wages in lieu of TAFDC and SNAP benefits. The Department provides a wage supplement if a client's wages are less than he or she would receive in TAFDC and SNAP benefits.

*Volunteer to Succeed/Community Service Program (CSP):* CSP provides work experience to TAFDC recipients who are work required and have been unable to find paid employment. The goal of this program is to place recipients in activities that will establish a recent work history and good references through productive working relationships. Participation hours are consistent with the requirements of the Fair Labor Standard Act (FLSA).

*GED Testing:* In addition to assisting recipients to enter into GED programs, Massachusetts pays GED exam fees for all TAFDC grantees/other parents if appropriations are available.

*English as a Second Language (ESL):* ESL is an activity to provide English language education to recipients in order to better prepare them for the workplace.

*Distance Learning:* Distance Learning refers to video- and or computer-based educational activities available on the Internet. This is limited to the 15 publicly funded Community Colleges state-wide.

*Transportation Supports to ESP Participants:* Transportation supports are provided to TAFDC recipients who are participating in ESP activities.

*Individual Development Account (IDA) Program for Educational Advancement:* Although DTA doesn't sponsor its own IDA program at this time, DTA encourages persons to participate in these programs.

*Learning Disabilities (LD) Assessments:* This program provides learning disability screenings and assessments of TAFDC recipients, in order to identify barriers to learning and employment.

#### Other Program Administered By DTA That Meets One of the Four TANF Goals

*Supplemental Nutrition Allowance (SNA):* This program offers a Supplemental Nutrition Allowance benefit to certain SNAP clients who are not receiving TAFDC. Eligible families who are working and receiving SNAP or whose TAFDC cases close due to earnings and who are currently receiving Non Public Assistance (NPA) SNAP benefits only and have an employment status that meets the work participation requirements as outlined in 106 CMR 705.250 will be provided a supplemental nutritional assistance benefit.

## Other Programs Not Administered By DTA That Meet One of the Four TANF Goals

*Department of Housing and Community Development (DHCD) Homeless Coordinators* work within DTA local offices to prevent homelessness, to ensure access to shelter those for whom homelessness is unavoidable, and to rapidly re-house homeless families in stable, permanent housing. DTA continues to work closely with DHCD to assist homeless families in Emergency Assistance shelters who are receiving TAFDC. Such families are a priority population for the Department.

*Emergency Assistance (EA) Shelter Program to TAFDC Families:* Administered by DHCD, this program provides temporary emergency shelter to eligible homeless families receiving TAFDC and assists them in finding permanent housing. To be eligible, families must meet both the TAFDC and EA asset limits and gross income standards (130% of the federal poverty level). An EA-eligible family whose income increases and thereby exceeds this level will remain eligible for shelter benefits for up to six months beyond the date at which the income exceeds the standard.

*Emergency Assistance (EA) Shelter Program to Non-TAFDC Families:* Administered by DHCD, this program provides temporary emergency shelter to income eligible homeless families who are not TAFDC recipients and assists them in finding permanent housing. To be eligible, household gross income is required to be less than or equal to 130% of the federal poverty level, with assets not greater than \$2,500. An EA-eligible family whose income increases and thereby exceeds 130% of federal poverty will remain eligible for shelter benefits for up to 6 months beyond the date at which their income exceeds the standard.

*Academic Support Services:* This program provides targeted academic supports for students that have failed the Massachusetts Comprehensive Assessment System (MCAS) exam, serving high school students and post-twelfth graders who have not earned their competency determination.

*Alternative Education:* This program funds academic and enrichment services for youth considered at-risk. These services encourage positive youth development and promote high school graduation.

*Child Care for Continuing Education:* Former TAFDC recipients, who are not employed and who are completing an education or training program are eligible for child care services from the Department of Early Education and Care (DEEC) for up to six months after their TAFDC case closes.

*Child Care for TAFDC Clients:* Child care services are provided to certain TAFDC families participating in employment or an approved activity. Services are provided by Department of Early Education and Care (DEEC) as long as the TAFDC recipients are engaged in approved activities or until they transition from TAFDC. Once a family transitions from TAFDC, the family may be eligible for transitional child care (see below).

*Child Care for Transitioning Clients, Teen Parents and Income Eligible Families:* A former TAFDC recipient who is working and whose cash benefits end, and whose income does not exceed 200% of the Federal Poverty Guidelines, is eligible for Transitional Child Care (TCC) for one year from the date the cash assistance ends through the Department of Early Education and Care (DEEC). At the end of the year, if the former recipient is still employed, needs child care, and is financially eligible, the former recipient may continue to receive subsidized Income Eligible Child Care.

Low-income working families who have never received TAFDC assistance and whose income does not exceed 85% of the State Median Income may receive Income Eligible Child Care, if available. Teen

parents, whose income does not exceed 200% of the Federal Poverty Guidelines, may receive child care services that provide educational and developmental activities for children and allow them to develop their parenting skills while attending school or developing career skills.

*Child Protective Services:* The Department of Children and Families (DCF) is responsible for protecting children and strengthening and supporting families. As part of this responsibility, the agency must investigate all reports of child abuse and neglect. Reports are received by the agency, and a social worker is sent to visit the home. Child Protective Services (CPS) investigations offer an important entry point to an effective continuum of services focused on assisting families so that children can remain in the home.

*College Scholarship Programs:* College Scholarship Programs provide opportunities for young adults to attend college and to achieve higher education.

*Comprehensive Early Childhood Services:* Comprehensive Early Childhood Services include mental health services, family support and education, health and dental screenings, home visits, information and referral, and transportation for at-risk children and their families, where parents have income under 125% of the state median income. The goal of this program is to reduce the stressors that may adversely impact family cohesion and impair the overall promotion of maintaining families.

*Early Childhood Development Program:* This program provides early childhood development services for children (between the ages of three and four) of low-income working families with income up to 125% of the State Median Income.

*HomeBASE Housing Assistance:* The Department of Housing and Community Development (DHCD) implemented a housing assistance program called HomeBASE. HomeBASE offers time-limited cash payments to families as an alternative to placement in an EA family shelter or a motel. To be eligible for HomeBASE assistance, a family must first be determined EA-eligible by DHCD.

*Housing Search and Stabilization and Flex Funds:* The Division of Housing Stabilization (DHS), DHCD's newest unit, is charged with the mission of preventing homelessness, sheltering those for whom homelessness is unavoidable, and rapidly re-housing the homeless in stable, permanent housing. DHS's work is guided by the Massachusetts Commission to End Homelessness' Plan to End Homelessness and the Interagency Council on Housing and Homelessness.

*Lead Agencies:* The Lead Agency network was created to serve an important role in the Department of Children and Families' (DCF) community-based service model. The objective is to coordinate the necessary services and supports to the family so that the child is not removed from the home. In the cases where the child is in congregate care placement, the Lead Agency is responsible for coordinating services for the family so that the child can return to the home.

*Massachusetts Emergency Food Assistance Program (MEFAP):* The Massachusetts Regional Food Bank system purchases food from the state-funded Massachusetts Emergency Food Assistance Program (MEFAP). Food purchased from the program by the food bank system is then distributed at no cost to more than 800 emergency providers. MEFAP, via the food bank system, supplies food to emergency food pantries, soup kitchens and transitional houses and shelters.

*Massachusetts Rental Voucher Program (MRVP):* This program provides ongoing rental assistance to low-income families.

*Medical Services:* This program includes MassHealth benefits for qualified non-citizens.

*Mentoring Matching Grants:* These grants provide mentors for the Learning Achievement for Youth program. They encourage positive youth development and provide after school supervision.

*Needs-based Financial Aid Program & Endowment Foundation:* The University of Massachusetts provides needs-based financial assistance to Massachusetts students enrolled in and pursuing a program of higher education at one of the UMASS locations: Boston, Lowell, Worcester, Amherst, or Dartmouth. The scholarship program covers the cost of tuition for courses as well as the standard costs associated with attending school. These costs include related expenses such as room and board, health insurance, travel expenses, and personal expenses.

*Public Housing Operating Subsidy:* This program subsidizes the cost of operating state-owned public housing units, which are administered locally by public housing authorities. Only a pro-rata share equal to the subsidies provided to TAFDC recipients may be claimed.

*Reach Out and Read:* The Reach Out and Read Program is designed to improve parenting skills of the participants in early education and care programs, by providing books to at risk children, promoting family literacy and school readiness.

*Recreation and Camping Services:* The Recreation and Camping Services Program enhances the educational opportunity and academic achievement for youth in receipt of services from the Department of Children and Families. The Recreation and Camping Program provides youth the opportunity to experience the advantages of participating in recreational and education activities with their peers in racially and ethnically diverse settings, while increasing positive peer interactions and boosting self-esteem.

*Referrals to TANF Assistance:* The Department of Children and Families (DCF) Random Moment Time Study (RMTS) measures social worker time associated with referring individuals to the Department of Transitional Assistance (DTA) for public benefits including the state's TANF cash assistance program, Transitional Aid for Families with Dependent Children (TAFDC).

*Safelink Domestic Violence Hotline:* The Department of Children and Families (DCF) funds the Safelink Domestic Violence Hotline. The hotline is operated by Casa Myrna Vazquez, Inc. The hotline's objective is to provide an open and consistent response to callers in need of assistance due to domestic violence.

*Scholarship Reserve:* The Scholarship Reserve provides financial assistance to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing, or any other approved institution furnishing a program of higher education. The scholarship program covers the cost of tuition for courses as well as the standard cost of living at the institution. These costs include all related expenses such as room and board, health insurance, travel expenses, and personal expenses.

*School to Career:* This program provides work-based learning services primarily for secondary school students who have not yet passed the MCAS exam. The program has proven effective in transitioning youth from school to work by encouraging positive youth development and achievement through attaining job skills.

*State Earned Income Tax Credit:* The State Earned Income Tax Credit (EITC) is a refundable tax credit that is equal to fifteen percent of the federal earned income tax credit claimed by the filer in the same tax year.

*Substitute/Foster Care Services:* The Department of Children and Families (DCF) provides foster care services to children when they cannot be cared for in their own home. This assistance is part of a service plan to provide a safe environment for the child, while preparing the family for reunification.

*Summer Employment:* The Department of Conservation and Recreation (DCR) operates youth employment programs throughout the summer months. The Summer Employment program employs youth to provide peer-led youth recreation and interpretive programs. The programs are aimed at serving underprivileged populations, especially in economically developing areas. The summer and seasonal employment services through the DCR's MassParks Division employ individuals to provide services and programs at parks and recreational sites across the state during the peak season.

*Support and Stabilization:* DCF provides services that strengthen, support and maintain a family's ability to provide a safe and nurturing environment to children and keep them in their own homes when possible. Such services are designed to build upon the existing strengths and resources of family members and to enhance the ability of families to better meet their goals and identified needs.

*Teen Pregnancy Prevention Services:* This program provides family planning, outreach and education with a focus on youth between the ages of 10 and 19 who are at high risk for unintended and out-of-wedlock pregnancies.

*Universal Pre-K Program:* This program provides expanded access to preschool programs and services to children from the age of 2 years and 9 months until they are kindergarten eligible, through a system of service delivery options including public, private non-profit and for-profit preschools, child care centers, nursery schools, preschools operating within public and private schools and school districts.

*Workforce Development Grants:* The Workforce Development Grants Program provides individual grants on an annual basis to a variety of organizations across the Commonwealth of Massachusetts. The grant award process and all administrative functions are managed by Executive Office of Labor: Workforce Development (EOLWD). Some of the grants awarded are youth specific and provide job training and enrichment programming to youth.

*Youth at Risk Grants:* Administered by the Department of Public Health, these grants fund After School Programs which are linked to improved school outcomes, a reduction in drop-out rates and a reduction in out-of-wedlock pregnancies.

*Youth Residential Treatment:* Youth Residential Programs provide short-term residential rehabilitative services to youth between the ages of 14 and 18 who need a supervised environment to maintain and solidify their recently acquired sobriety. Services include diagnostic, counseling, educational and pre-vocational, recreational and HIV/AIDS related services. Youth receiving services are high-risk between 14 – 18 years old who are experiencing emotional/behavior, family, developmental and/or social dysfunction as a result of their alcohol and other drug use.

*Youth Violence Prevention Program:* The Department of Public Health’s (DPH) Youth Violence Prevention Program provides at-risk youth with comprehensive out-of-school programming. The grants are geared toward youth residing in at-risk communities.

*YouthWorks Youth Employment Program:* YouthWorks is a year-round employment program geared toward at-risk, low-income youth across the Commonwealth of Massachusetts. The program which serves youth, ages 14-21 has expanded its scope over the last few years to provide year-round employment for the youth. The program has increased efforts to serve dropouts and older youth by focusing on serving the “disconnected youth” of the state.

**(ii) Require a parent or caretaker receiving assistance under the program to engage in work (as defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier.**

The Department determines when an applicant/recipient is required to participate in the work program at application, eligibility reviews, and when the individual notifies the Department that his or her circumstances have changed. Individuals who are determined to be nonexempt and whose children are aged 2 or older must comply with the work program provisions required by 106 CMR 203.400(A)(2),(3),(5). The Department’s regulations regarding the work program can be found at 106 CMR 203.400 and the regulations regarding exemptions can be found at 106 CMR 203.100. Exemptions from the Work Program include for certain single custodial parents who are caring for children under the age of two (which encompasses the federal option to exempt parents with children under the age of one). In addition, if a single custodial parent caring for a child under six is required to work under the State’s regulations, and such parent has demonstrated an inability to locate child care for the reasons specified in Section 407(e)(2) of the Social Security Act, such parent will not be sanctioned for failing to participate in the work program.

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

Nonexempt parents/caretakers who fail to meet work program requirements under 106 CMR 203.400(A) are mandated to participate in community service. Once mandated, a nonexempt parent/caretaker who fails to work, participate in education and/or training or perform community service for the required minimum number of hours per week or the maximum hours allowed under the Fair Labor Standards Act (FLSA), is ineligible for cash assistance. Repeated failure to work or participate in education and/or training, or community service once mandated to do so, results in termination of assistance for the entire household. Recipients must verify their compliance with the work program requirement on a regular basis, and their participation status is tracked on the Department’s automated system. Regulations pertaining to work program sanctions and good cause for failure to comply with such requirements can be found at 106 CMR 207.200 et seq. The penalties for failing to comply with the participation requirement were established by Chapter 5, of the Acts of 1995, as amended.

The minimum number of hours of participation required for recipients is 20 hours per week if the youngest child is age two to mandatory full-time school age, and 30 hours per week if the youngest child is of mandatory full-time school age or older.

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

The State restricts the use/disclosure of confidential information. Current regulations regarding these restrictions can be found at 106 CMR 100.000 through 106 CMR 108.020: Fair Information Practices. Furthermore, Governor Patrick issued Executive Order 504 on September 19, 2008 which added additional safeguards regarding the security and confidentiality of personal information.

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

Massachusetts historically has had one of the lowest teen birth rates in the country. In 1996, there were 5,758 births in Massachusetts to women between the ages of 15 through 19, representing 28.5 per 1,000 females in that age range. In 2010, the most recent available data, there were 3,907 births among women ages 15-19 years for a rate of 17.1 births per 1,000 females ages 15-19 years, which was the lowest teen birth rate ever recorded in Massachusetts.

The Massachusetts teen birth rate in 2010 was 50% below the 2010 US teen birth rate of 34.3 births per 1,000 female ages 15-19 year. The percentage of unmarried mothers in Massachusetts (34.6%) was 15% lower than the US percentage of unmarried mothers (40.8%). In order to reduce the incidence of out-of-wedlock births, the Department of Transitional Assistance works with the state Department of Public Health (DPH). DPH coordinates family planning and teen pregnancy prevention efforts throughout the Commonwealth. In addition, DPH works with local schools (K-12) to develop sex and health education curricula that incorporate pregnancy prevention efforts.

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

The Governor's Council to Address Sexual and Domestic Violence (GCASDV) is an interdisciplinary council consisting of approximately 30 community-based experts appointed by the Governor, and representatives of various state agencies responsible for sexual and domestic violence service provision throughout the Commonwealth. The Department of Transitional Assistance is represented on the council. The GCASDV's mission and scope are found in Executive Order 486. The Council is charged with considering "policy initiatives to assure the effective, uniform, and collaborative response by law enforcement, judicial, health and human service agencies, including but not limited to the enhancement of interagency communication and cooperation, as well as the timely and accurate sharing of information between law enforcement, judicial personnel, the private bar, and other victim service providers."

The GCASDV has identified the continuation of the work of its Teen Sexual and Domestic Violence Prevention Working Group, focusing on sexual and domestic violence prevention and services for school districts, as a an action step for 2013-2014.

In addition, the Department's Domestic Violence Unit, comprised of staff with expertise in domestic violence, is represented on the State's Roundtables on Domestic Violence and Sexual Assault, which operate through the state's District Attorneys and on local High-Risk Assessment Teams, which are comprised of public and domestic violence service provider, law enforcement, district attorneys' staff, probation staff, batterers' intervention programs and other stakeholders to better identify and respond to domestic violence cases that pose the highest risk of lethality.

Finally, the Department's Domestic Violence specialists serve anyone who identifies as a victim of domestic violence and/or sexual assault, including males, by referring them to services in the community, including counseling and law enforcement, as appropriate.

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

The provisions of Section 408(a)(12) of the Social Security Act require States to maintain policies and practices as necessary to prevent assistance provided under the State program funded under this part from being used in any electronic benefit transfer transaction in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

The Commonwealth has enacted a state law to prohibit the use of cash assistance in electronic benefit transfer (EBT) transactions at liquor stores, casinos, gambling casinos or gaming establishments, and retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, as well as other establishments not identified in Section 408(a)(12). Retailers face fines from \$500 for a first offense, \$500 to \$2500 for a second offense and not less than \$2500 for a third offense. See G.L. c. 18, § J. In addition, the Commonwealth has prohibited the use of cash assistance held on EBT cards to purchase alcoholic beverages, lottery tickets, gambling, pornographic material or performances and other items and services. Clients who violate the purchasing provisions must pay the Commonwealth back for the prohibited purchase. For a second offense, the client is disqualified from benefits for two months and must pay the Commonwealth back for the prohibited purchase. For a third offense, the client is disqualified from benefits permanently and must pay the Commonwealth back for the prohibited purchase.

All TANF clients were mailed letters about the new state law prohibiting the use of cash assistance in specified establishments and for specified items/services. Posters are displayed in all local offices informing clients of the prohibited establishments and purchasing restrictions. The application for TANF benefits includes a penalty warning informing clients of prohibited items and services as well as the penalties for violations. At application and redetermination, all TANF clients are provided a brochure that includes information on prohibited establishments, prohibited purchases and penalties.

Retailers are notified about the law and its penalties. Local law enforcement agencies are notified about retailers who are found to have violated such law. In addition, the Department is offering posters and training for retailers on the new restrictions.

The Department is working with its EBT vendor on blocking the use of TANF EBT cards in prohibited establishments. The Department and its vendor are jointly researching potential prohibited establishments. The Commonwealth provides its EBT vendor with a final list of prohibited establishments monthly; the EBT vendor blocks the designated establishments' Point of Service (POS) device and ATMs on site. This process will be incorporated into the Department's business operations.

The Commonwealth remains committed to ensuring that clients have adequate access to their cash assistance. While most clients access their benefits via EBT card, clients have the opportunity to receive benefits through direct deposit to checking or savings accounts or direct vendor payments for rent, utilities, etc. The Department affords all clients the right to designate an authorized payee to act on their behalf in accessing cash benefits issued by EBT when the client is unable to do so for themselves.

The Department provides all TANF clients with information about free and no-cost benefit access options. See section (A)(i)(viii) below for details.

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

All TANF clients who receive benefits on an Electronic Benefit Transfer (EBT) card receive a brochure that advises clients about surcharge-free cash transactions and how to identify surcharge-free ATMs and POS devices. In addition, the brochure advises clients that they are entitled to two free ATM withdrawals in a calendar month, but that additional withdrawals are \$0.85 per transaction. This brochure, along with the EBT card itself, provide clients with a toll free customer service line that is available 24 hours a day, 7 days a week regarding an questions they have about accessing their benefits.

The Department has also created an EBT cash withdrawal information sheet that will be given to applicants and clients in all local offices. This information sheet identifies Massachusetts banks that provide EBT cash withdrawals without surcharges. The Department continues to pursue the expansion of its current surcharge-free options and the availability of low- and no-cost banking options.

In addition, the Commonwealth has partnered with a nonprofit, full-service credit counseling agency, funded through a large banking institution's nonprofit foundation, to offer financial literacy and credit counseling workshops. These workshops are available to clients at no cost, statewide, to assist in their development of short and long-term financial planning. The workshop curriculum encompasses how clients reduce or eliminate fees associated with using their EBT cards or otherwise utilize their TANF benefits through direct deposit or direct vendor payments for rent, utilities, etc. While clients are instructed on how to better budget their TANF funds, they are also reminded of the prohibited items, services and establishments, identified under State law and the associated penalties.

**(B) Special Provisions**

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

The State has elected not to implement this option at this time.

**(ii) Indicate whether the State intends to provide assistance under the program to individuals who are not citizens of the U.S., and if so, an overview of such assistance.**

Only non-citizens who are eligible under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) receive TAFDC benefits.

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

Benefits are provided to eligible applicants and recipients on a statewide basis. The standards for determining eligibility and the amount of assistance are established on an objective and equitable basis in accordance with the Department's regulations. These standards are based on an individual's income, assets, family size and circumstances. All Department activities are conducted in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act of 1990, as amended, the Age Discrimination Act of 1975, as amended, and the Massachusetts Constitution. The Department does not discriminate on the basis of race, color, national origin, sex, age, disability, religion, political beliefs or sexual orientation in admission or access to, or treatment or employment in its programs or activities. An applicant/recipient has a right to a fair hearing as set forth in the Department's current regulations at 106 CMR 343.000 *et seq.*

All benefits to which recipients are eligible are provided with reasonable promptness in accordance with timeliness standards that are included in the Department's regulations. The Department's current timeliness standards can be found at 106 CMR 701.500 - 701.530 and 106 CMR 702.160 - 702.180.

**(iv) Not later than one year after the date of enactment of the Act, unless the chief executive officer of the State opts out of this provision by notifying the Secretary, a State shall, consistent with the exception provided in section 407(e)(2), require a parent or caretaker receiving assistance under the program who, after receiving assistance for two months is not exempt from work requirements and is not engaged in work, as determined under section 407(c), to participate in community service or employment, with minimum hours per week and tasks to be determined by the State.**

As noted in section (i), if a parent/caretaker is not exempt from the work program requirement as defined by the State, and has received assistance for sixty days, and he or she is not working or substituting work hours with education and/or training, he or she will be required to participate in community service for the maximum hours allowed under the Fair Labor Standards Act (FLSA), for the hours per week that ensures his or her compliance with 106 CMR 203.400(A) *et seq.*

**(v) The document shall indicate whether the State intends to assist individuals to train for, seek, and maintain employment— (I) providing direct care in a long-term care facility (as such terms are defined under section 1397j of this title); or (II) in other occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel, and, if so, shall include an overview of such assistance.**

The Department currently enrolls individuals in programs to train for, gain and retain employment in the eldercare workforce. Employment Services Program providers have developed training programs for the long-term care and elder care fields. Programs currently cover certifications for home health aides, certified nursing assistants/aides, pharmacy technicians and medical assistants as well as Alzheimer's and CPR certifications. Because of the growing elderly population, the need for individuals trained to deliver such services has become a critically important factor in terms of meeting the health and social service needs of elders. Growth in the demographic has the potential to lead to increased employment opportunities for individuals who enter this field. The Department encourages its workforce providers to develop programs with a clear career path for clients entering these professions.

## **OPTIONAL PROVISIONS**

**The State provides the following information regarding *optional* provisions under the Personal Responsibility and Work Opportunity Reconciliation Act:**

### **Title I, Section 404 Use of Grants**

#### **(c) AUTHORITY TO TREAT INTERSTATE IMMIGRANTS UNDER RULES OF FORMER STATE**

**A State operating a program funded under this part may apply to a family the rules (including benefit amounts) of the program funded under this part of another State if the family has moved to the State from the other State and has resided in the State for less than 12 months.**

The State has elected not to implement this option at this time.

### **Title I, Section 404 Use of Grants**

#### **(f) AUTHORITY TO OPERATE EMPLOYMENT PLACEMENT PROGRAM**

**A State to which a grant is made under section 403 may use the grant to make payments (or provide job placement vouchers) to State-approved public and private job placement agencies that provide employment placement services to individuals who receive assistance under the State program funded under this part.**

The State uses its grant to make payments to State-approved placement agencies as it deems appropriate. Effective January 1, 2010, the State began to purchase such services through Competitive Integrated Employment Services (CIES), aimed at assisting recipients to obtain employment through the workforce development system.

**Title I, Section 404 Use of Grants**

**(j) REQUIREMENT FOR HIGH SCHOOL DIPLOMA OR EQUIVALENT**

**A State to which a grant is made under section 403 shall not be prohibited from sanctioning a family that includes an adult who is older than age 20 and younger than age 51 and who has received assistance under any State program funded under this part attributable to funds provided by the Federal Government or under the SNAP program, as defined in section 3(h) of the Food Stamp Act of 1977, if such adult does not have, or is not working toward attaining a secondary school diploma or its recognized equivalent unless such adult has been determined in the judgment of medical, psychiatric, or other appropriate professionals to lack the requisite capacity to complete successfully a course of study that would lead to a secondary school diploma or its recognized equivalent.**

The State has elected not to sanction such individuals at this time.

**Title I, Section 404 Use of Grants**

**(h) USE OF FUNDS FOR INDIVIDUAL DEVELOPMENT ACCOUNTS**

**A State to which a grant is made under section 403 may use the grant to carry out a program to fund individual development accounts (as defined in paragraph (2)) established by individuals eligible for assistance under the State program funded under this part.**

DTA allows eligible persons to participate in IDA programs.

**Title I, Section 407(b)(5) State Option for Participation Requirements**

**For any fiscal year, a State may at its option, not require an individual who is a single custodial parent caring for a child who has not attained 12 months of age to engage in work, and may disregard such an individual in determining the participation rates under subsection (a) for not more than 12 months.**

The State has elected to implement this option, with certain exceptions. Current regulations governing the work program requirement can be found at 106 CMR 203.400 and 106 CMR 203.100(A).

**Title I, Section 408 Prohibitions: Requirements**

**(a)(7) No Assistance for More than 5 Years**

**(C) Hardship Exception (i) In General**

**The State may exempt a family from the application of subparagraph (A) by reason of hardship or if the family includes an individual who has been battered or subjected to extreme cruelty.**

The State excludes from its time limit those individuals who have been determined to meet the Department's exemption criteria. Such exemptions can currently be found at 106 CMR 203.100(A). In addition, extensions and waivers of the time limit may be granted at the discretion of the Department for reasons that may include domestic violence and/or hardship. Regulations regarding such extensions and waivers can currently be found at 106 CMR 203.110 and 106 CMR 203.210.

**Title I, Section 408 Prohibitions: Requirements**

**(a)(10) DENIAL OF ASSISTANCE FOR MINOR CHILDREN WHO ARE ABSENT FROM THE HOME FOR A SIGNIFICANT PERIOD**

**(A) GENERAL**

A State to which a grant is made under section 403 shall not use any part of the grant to provide assistance for a minor child who has been, or is expected by a parent (or other caretaker relative) of the child to be, absent from the home for a period of 45 consecutive days, or at the option of the State, such period of not less than 30 and not more than 180 consecutive days as the State may provide for in the State Plan submitted pursuant to section 402.

In order to receive assistance, a child may not be absent from the home for more than 120 consecutive days without good cause. This regulation and the definition of good cause can be found at 106 CMR 203.595(A)(3) and 106 CMR 203.595(A)(6).

**Title I, Section 408 Prohibitions: Requirements**

**(a)(10) DENIAL OF ASSISTANCE FOR MINOR CHILDREN WHO ARE ABSENT FROM THE HOME FOR A SIGNIFICANT PERIOD**

**(B) STATE AUTHORITY TO ESTABLISH GOOD CAUSE EXCEPTIONS**

The State may establish such good cause exceptions to subparagraph (A) as the State considers appropriate if such exceptions are provided for in the State Plan submitted pursuant to section 402.

The Commonwealth defines good cause as hospitalization of the minor child, attendance at a residential school or absence due to a family crisis situation that is temporary in nature. The definition of good cause can be found at 106 CMR 203.595.

**Title I, Section 408 Prohibitions: Requirements**

**(b) INDIVIDUAL RESPONSIBILITY PLANS**

**(2) (A) IN GENERAL**

**On the basis of the assessment made under subsection (a) with respect to an individual, the State agency, in consultation with the individual, may develop an individual responsibility plan.**

The State does develop individual Employment Development Plans (EDPs) in conjunction with recipients. An EDP identifies the recipient's employment-related goals and the supportive services that will be provided to assist the recipient in meeting these goals. The regulation implementing EDP's can be found at 106 CMR 207.110.

**Title I, Section 408 Prohibitions: Requirements**

**(b) INDIVIDUAL RESPONSIBILITY PLANS**

**(2) (B) TIMING**

**The State agency may comply with paragraph (1) with respect to an individual: i) within 90 days (or at the option of the State, 180 days) after the effective date of this part, in the case of an individual who, as of such effective date, is a recipient of aid under the State Plan approved under part A (as in effect immediately before such effective date); or ii) within 30 days (or, at the option of the State, 90 days) after the individual is determined to be eligible for such assistance, in the case of any other individual.**

As required, the Department conducts initial assessments of applicants and recipients who are 18 years of age or older, have not completed high school or obtained a GED and are not attending secondary school. Assessments are completed within 90 days of benefit receipt.

**Title I, Section 114 Assuring Medicaid Coverage for Low-Income Families**

**(b)(3) OPTION TO TERMINATE MEDICAL ASSISTANCE FOR FAILURE TO MEET WORK REQUIREMENT (A) INDIVIDUALS RECEIVING CASH ASSISTANCE UNDER TANF**

**In the case of an individual who: (i) is receiving cash assistance under a State program funded under part A of title IV; (ii) is eligible for medical assistance under this title on a basis not related to section 1902(1); and (iii) has the cash assistance under such program terminated pursuant to 407(e)(1)(B) (as in effect on or after the welfare reform effective date) because of refusing to work, the State may terminate such individual's eligibility for medical assistance under this title until such time as there no longer is a basis for the termination of such cash assistance because of such refusal.**

The State has elected not to implement this option at this time.

**Title I Section 115 Denial of Assistance and Benefits for Certain Drug-Related Convictions**

**(d)(1)(A) Opt Out. A State may, by specific reference in a law enacted after the date of the enactment of this Act, exempt any or all individuals domiciled in the State from the application of subsection (a).**

**(B) Limit Period of Prohibition**

**A State may, by law enacted after the date of the enactment of this Act, limit the period for which subsection (a) shall apply to any or all individuals domiciled in the State.**

The State has decided to exempt individuals from the eligibility restrictions of Title I Section 115(d)(1) with the exception that incarcerated individuals described in that section, shall not be eligible for TAFDC cash assistance during the first 12 months after release from a correctional institution unless exemptions under 106 CMR 203.100 are applicable, or the individual qualifies for a domestic violence waiver under 106 CMR 203.110. Regulations pertaining to the ineligibility of such individuals can be found at 106 CMR 701.110(D).