

# TITLE 18: HUMAN SERVICES

## PART 19: DIVISION OF ECONOMIC ASSISTANCE

### TANF STATE PLAN

# **MISSISSIPPI STATE PLAN**

## **TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

**Authorized by the  
Personal Responsibility and  
Work Opportunity Reconciliation Act of 1996 (Public Law 104-193)**

**Reauthorized by the  
Deficit Reduction Act of 2005 (DRA) (Pub. L. 109-171)**

**Mississippi Code  
Section §§ 43-17-1 - 43-17-39**

**Mississippi Department of Human Services**

**January 2023**

# State of Mississippi

## TANF State Plan

### Temporary Assistance for Needy Families (TANF)

States that include TANF in the Combined State Plan must outline how the State will meet the requirements of section 402 of the Social Security Act including how it will:

**a. 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 gain necessary skills and credentials required to obtain living wage employment and leave the program, specifically cash assistance, and become self-sufficient (section 402(a)(1)(A)(i) of the Social Security Act).**

For the period beginning July 1, 2020, Mississippi will conduct a program designed to provide access to allowable work activities that will serve all political subdivisions (counties) in the State with emphasis on providing assistance to needy families with children and providing parents with job preparation, work, and support services to enable them to leave the program and become self-sufficient to the degree that State and local resources allow.

#### *Program Administration*

The TANF Program is administered by the Mississippi Department of Human Services (MDHS), the single State agency designated by State law for eligibility determination and spending authority. The organization is State administered with at least one full-service office for intake and client service delivery located in each county with structured supervisory and regional administrative levels.

Mississippi will operate a statewide work program mandated by State law and TANF to provide work activities and supportive services (childcare, work stipend, and work-related expense payments) focused on enabling families to achieve and maintain self-sufficiency. In Mississippi, TANF monthly benefits and supportive service payments provided to individuals participating in allowable work activities or transitional programs are provided to the family by means of a Mississippi Debit MasterCard® card account. TANF supportive service payments issued to providers are paid by check, direct deposit, or by vouchers redeemable for services.

Mississippi will continue to provide financial assistance to needy families determined eligible under the established policies and the Standard of Need and maximum payment level for that size family. Needy Families are identified according to ongoing income, resources, and deprivation criteria. The monthly TANF grant described in Mississippi Code 1972 Annotated at 43-17-5(1), is \$200 for the first person, \$36 for the second person and \$24 for additional persons, except as restricted by the Family Benefit Cap. A needy family is defined as a family with a dependent

child(ren) and an average annual income at or below 185 percent of the need standard. TANF funds may be used to provide non-financial assistance/services to families with income at or below 350 percent of the Federal Poverty Level.

### *Evaluation of Resources*

Mississippi adopted Broad-Based Categorical Eligibility (BBCE) in June 2010 which exempted TANF families from being tested for resources, with certain exceptions, and provided TANF-funded services through Families First Resource Centers, thus conferring BBCE to certain applicant/recipient households.

In 2017, the Mississippi Legislature passed House Bill 1090, The Medicaid and Human Services Transparency and Fraud Prevention Act, or “Hope” (“Act to Restore Hope Opportunity and Prosperity for Everyone”) Act. The Hope Act required a significant change in the consideration of resources for applicants and recipients of Temporary Assistance for Needy Families (TANF) benefits. Under the requirements of the Hope Act, conferring BBCE status to most benefit households is no longer permitted. Effective July 1, 2019, all families applying for TANF (new applications and redeterminations) will be subject to an evaluation of all household resources. The resource limit is \$2000 for all TANF households.

Under Change Reporting rules, families subject to an evaluation of resources must self-report if the total amount of resources exceeds the resource limit for the family. This self-reporting requirement is included in the Rights and Responsibilities (MDHS-EA-300) provided to the family. The Change Reporting Form (MDHS-EA-946) provides households the opportunity to self-report changes in liquid resources, such as cash, stocks, bonds, and bank accounts.

A child or children under 18 years of age and their parent(s) or other caretaker relative must meet all technical and financial eligibility requirements in order to qualify for a TANF benefit.

The child or children must be deprived of one or both parents due to:

1. Incapacity.
2. Death.
3. Continued absence which includes, but is not limited to, absences by reason of:
  - a. Divorce.
  - b. Desertion or non-support of legal parent.
  - c. Illegitimacy.
  - d. Hospitalization for more than a temporary period.
  - e. Imprisonment.
  - f. Court sentence to perform unpaid public work or service while living at home.
  - g. Removal of the child from the home by court order.
  - h. Legal adoption by a single parent.
4. Unemployment of the principal wage earner (PWE)

### *TANF UP Program*

Mississippi operates a separate state program to serve needy two-parent families. State funds are used for cash assistance payments (TANF grant and transportation stipends). This program will not count toward the state's MOE requirements. Although two able-bodied parents are in the home, a dependent child is considered deprived of parental care or support when the natural or adoptive parent is unemployed. Two-parent families are only eligible if the parent is designated as the "principal wage earner."

- Meets the state's definition of "unemployed," which means that he or she is not currently working or has not worked full-time for at least thirty (30) days prior to receipt of TANF benefits,
- Works less than 100 hours per month,
- Has not refused a bona fide offer of employment or training, without good cause, within the 30-day period prior to receipt of TANF benefits; and
- Is not on strike.

All other eligibility requirements for the two-parent family are the same as the TANF (Basic) case.

To encourage the formation and maintenance of two-parent families:

- When the TANF recipient marries, the new spouse's income and resources will be disregarded for six months. This will allow the single parent who marries an employed person the opportunity to continue receiving TANF cash assistance and work preparation activities without immediately losing benefits because of the spouse's income. (One-time disregard for the first marriage of the PI on or after October 1, 1999)
- Recent work history requirements will be waived for two-parent families when both parents are under 21 years of age to allow these young families to qualify for the TANF Unemployed Parent program.

### *Deny TANF Assistance*

- a. According to the TANF prohibitions/requirements outlined in federal regulations and state statute, Mississippi will, except for individuals and families specifically exempt or excluded for good cause, deny TANF assistance to:
  - Families without a minor child residing with the parent or adult caretaker relative;
  - Families including an adult head-of-household or spouse of the head-of-household, pregnant minor head-of-household or spouse of such head-of-household, a minor parent head-of-household or spouse of such minor parent head-of-household who has received assistance under TANF for 60 months (cumulative but not necessarily consecutive);
  - Families not assigning certain support rights to the State;
  - Families who fail to cooperate in establishing paternity or obtaining child support;
  - Teenage parents without a high school diploma or a high school equivalency (HSE) diploma, who are not employed and do not attend school or an equivalent training program;

- Minor parents not living in an adult-supervised setting;
  - Minor children who are absent from the home for a significant period (30 days or more). NOTE: A relative who fails to report the absence of a child within five days will be disqualified;
  - Fleeing felons and parole violators; and
  - Ineligible aliens
- b. Mississippi will also deny TANF assistance to families if the adult(s), age 18 or older, included in the assistance unit fails to engage in TANF applicant job search activities, fails to comply with the Employability Development Plan signed by the individual, fails to cooperate with the TWP, fails to participate satisfactorily in the assigned work activity, or after receiving TANF assistance for twenty-four (24) months, whichever is earlier.
  - c. Mississippi will deny TANF assistance to families if the adult(s), age 18 or older, included in the assistance unit fails to submit to a written substance abuse screening questionnaire.
  - d. Mississippi shall deny TANF assistance to a convicted fleeing felon.
  - e. Mississippi will also deny assistance for ten years to an individual convicted in Federal or State court of having made a fraudulent statement or representation, with respect to the individual's place of residence in order to receive TANF assistance simultaneously from two or more states.
  - f. Recipients of SSI are excluded from the TANF assistance Unit.
  - g. In accordance with agency policy, adults and minor children who fail to comply with enumeration requirements will be excluded from the TANF assistance unit.

Mississippi will coordinate services, where available, with public and private entities (i.e., Mississippi Departments of Rehabilitation Services, Employment Security and Mental Health, and the Mississippi Community College Board, etc.) to allow TANF families with barriers (i.e., little or no work experience, domestic violence, limited English proficiency, learning disabilities, mental, physical disabilities and/or substance abuse) an opportunity to gain access to services and resources needed to obtain the highest level of self-sufficiency within the constraints of the TANF time-limits. Special screening and referral procedures will be used to identify and refer the individual for the appropriate service. Mississippi will deny benefits to individuals who fail to comply with the activities provided by these entities.

Mississippi will not deny assistance to a minor parent with a child under the age of 12 weeks for failure to attend school but will permit the minor parent to voluntarily participate in educational activities as medically appropriate.

Mississippi will deny benefits to all adult TANF applicants who do not meet an exemption from work requirements and fail to comply with TANF Work Registration requirements or vocational rehabilitation activities during the 30-day TANF application processing period.

Mississippi will deny benefits to all adult TANF applicants age 18 and older who fail to submit to a written drug screening questionnaire. State law provides for an individual sanction of TANF until compliance for an adult recipient age 18 or older who fails, without good cause, to submit to a required drug test or declines to enter into required treatment for a substance abuse disorder or fails to meet the requirements of his/her treatment plan, including refusal to take or testing positive to a required drug test.

Mississippi will not issue assistance payments to a family that includes an adult head-of-household, minor head-of-household, minor parent head-of-household, spouse of such head-of-household or a non-recipient parent who has received TANF funding for 60 months (whether consecutive or not), except as allowed by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 in regard to the 20% exemption.

#### *60-Month Extension*

Hardships will be assessed starting at forty (40) months and continued eligibility determined at the end of the individual's five (5) year time limit. The following individuals, as approved, may continue to receive benefits beyond the five-year time limit so long as the State does not exceed the 20% exemption criteria:

- Adults who are determined to be temporarily or permanently incapacitated and the household income does not exceed the TANF Basic 100% Requirement.
- Parents who are required to provide full-time care for an ill or incapacitated child or adult in the home and the household income does not exceed the TANF Basic 100% Requirement.

A family will **not** be considered for a 60-month time limit extension when the only child remaining in the TANF case is a family cap child and is ineligible for monthly TANF benefits.

#### *School Attendance Requirement*

Mississippi requires regular school attendance and regular immunizations for all dependent children served under TANF. This is in accordance with regulation described in Mississippi Code of 1972 Annotated at 43-17-5 (5). A 25% monthly benefit reduction is imposed for failure to comply without good cause.

#### *Family Cap*

Mississippi will impose a family benefit cap to prevent increases in assistance for new children coming into the family after the initial ten months of benefits, with certain exceptions.

#### *Earned Income Disregards*

Mississippi will provide a one-time total earned income disregard opportunity for six months to TANF adults who find a job working at least 35 hours per week, at or above the federal minimum wage either: within 30 days after authorization for new TANF approvals on or after July 1, 1997; or within 30 days after the initial start date of the job readiness/job search work activity. The six-month total disregard of earnings will be available only once for new TANF approvals and ongoing cases beginning July 1, 1997, and thereafter.

A three-month total earned income disregard will be available when the TANF case is subject to closure because of increased earnings and the individual is employed at least 25 hours per week at or above the federal minimum wage. The three-month disregard cannot be claimed in combination with the six-month disregard. The three-month disregard can be claimed again after a 12-month consecutive break in assistance.

### *Non-Discrimination*

The MDHS does not discriminate against any individual or group because of race, sex, religion, national origin, color, marital status, handicap, or political beliefs. Mississippi will follow the nondiscrimination provisions in Title IV, Section 408, for any program or activity receiving funds under Public Law 104 - 193, provision in State Law and Title IV of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act.

### **b. Require a parent or caretaker receiving assistance to engage in work (defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once he or she has received 24 months of assistance, whichever is earlier, consistent with the child care exception at 407(e)(2) (section 402(a)(1)(A)(ii) of the Social Security Act)**

The goal of the program is to end the dependence of needy parents on government benefits by promoting job preparation, work and marriage. The work program emphasizes unsubsidized jobs with supportive services following employment and/or transitional services following termination of the TANF grant because of increased earnings or loss of earned income disregards. The family also receives supportive services while engaged in other allowable activities.

Mississippi will require work eligible individuals (adults or minor heads of household or a non-recipient parents) receiving assistance under the Program to engage in allowable work activities once the State determines parents or caretakers are work eligible. Work eligible individuals may not receive assistance under the program for more than 24 months (whether or not consecutive), unless they are engaged in allowable work program activities.

Upon referral to the work program, the client will be assessed within 30 days to identify and prioritize the individual's strengths and needs and translate these into realistic goals which will lead to employment and self-sufficiency. A uniform assessment should be utilized among all participants as a guide to conduct in-depth, interactive interview assessments to evaluate job skills, levels of work readiness and intermediate goals needed in order for individuals to reach their long-term career goals. An Employability Development Plan (EDP) is the client's plan of action for achieving these goals. The EDP describes the responsibilities of the client as well as entities performing case management. The plan also describes the supportive services available to the client, lists the assigned work activity, and reinforces the consequences for failure to participate.

MDHS may contract, using Federal TANF funds, with public, private or private non-profit entities to provide TANF Work Program services as needed statewide. Services may include but may not be limited to Case Management which is the process designed to coordinate work activities and supportive services for TANF Work Program participants. This involves monitoring the participants attendance and progress and amending the Employability Development Plan, component assignment, and supportive services, as necessary, to keep the participant on a path to achieving self-sufficiency. When appropriate, reasonable accommodations and language assistance may be provided to recipients to endure meaningful access and effective communication. All contractual services used will be competitively procured for non-state agencies. The subgrant will contain performance measures which will assure TANF Work Program goals are achieved. The strategy for accomplishing the goals and objectives outlined for



the work program must include utilizing the case management approach or working closely with MDHS Case Managers.

The adults in the TANF case will participate in one or more of the following work activities as defined below:

a. Job Search and Job Readiness

Job readiness and job search activities are considered one activity by Federal law. These activities are defined as the act of seeking or obtaining employment, preparation to seek or obtain employment, including life skills training, and substance abuse treatment, mental health treatment, or rehabilitation activities for those who are otherwise employable. Such treatment or therapy must be determined to be necessary and certified by a qualified medical, substance abuse or mental health professional. A qualified professional is defined as any individual who is licensed or certified.

Structured job search and job readiness assistance activities are supervised daily by the case manager, instructor or other responsible person.

The maximum number of hours that can be included in the State's participation rate calculation for each participant in any 12-month period is limited to:

- o a maximum of 120 hours for a single custodial parent whose youngest child is under age six; and
- o 180 hours for a single custodial parent whose youngest child is age six or older.

A maximum of four consecutive weeks may be counted and reported as participation. After four consecutive weeks are reported, there must be at least a one-week break (seven consecutive days) before additional participation can be included in the participation rate calculation process.

b. Unsubsidized Employment

Unsubsidized employment is full or part-time employment in the public or private sector for which the state does not furnish aid or support to the employer for wages paid to the TANF recipient. Types may include:

- o Regular and/or contractual employment in the public or private sector for which a person receives unsubsidized wages on an hourly, weekly, or monthly basis.
- o Self-employment is work for which a person earns income directly from one's own business, trade or profession rather than a specified salary or wages from an employer. Income may be verified by a 1099/W2 form, check stubs or written statements from customers.

c. Subsidized Employment

Subsidized employment is defined as employment in the private or public sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of

the wages and costs of employing a TANF recipient. Subsidized employment includes the following employment models:

- Work supplementation where TANF funds that would otherwise be paid as assistance are paid to the employer;
- A third-party contractor, like a temporary staffing agency, serves as employer of record and is paid a fee to cover salary, expenses and success in placing employees;
- Work study programs which involve paid employment provided by an educational institution if the student's earnings are subsidized by the educational institution; and
- Supported work for individuals with disabilities in an integrated setting, e.g., Vocational Rehabilitation Ability Works. Workers with disabilities may receive individualized services such as, but not limited to, transportation, family support or additional supervision.

Employers participating in a subsidy program must submit monthly documentation to verify participant attendance data. Agency staff will monitor and review employer reports to determine whether sufficient documentation exists to substantiate reported time and to warrant a subsidy payment. This auditing process will ensure the agency only pays for and reports actual and allowable hours of participation.

#### *Work Study*

Work study is also defined as subsidized employment. Work study is an approved employment plan at an accredited college, frequently granted in addition to other student financial aid. Various public funding sources may be utilized to pay earnings for hours worked. Earnings may be paid directly to the student or applied toward the student's tuition fees.

#### *Temporary Employment with the U.S. Census*

Certain temporary employment with the U.S. Census is defined as subsidized employment. This specifically refers to temporary census workers who are hired part-time during a census campaign. The employment is not expected to last longer than three months and the income received is totally disregarded in establishing TANF eligibility and the TANF benefit amount. Employment will be verified, by the case manager, via employer wage verification forms or check stubs. Countable work hours must be based on employer reports (wage forms) or check stubs and will be projected forward up to three months.

#### d. Work Experience

Alternative Work Experience Program (AWEP) placements are only made with private non-profit or for-profit entities for no cash payment. These activities are intended to improve soft skills and build employability skills by offering training and experience for a better understanding of the work world so the individual may move more quickly into full-time employment. Individuals participating in these programs are subject to the Fair Labor Standards Act (FLSA) requirements and cannot be required to participate for more hours than the total benefits divided by the federal minimum wage (FMW). The maximum

number of hours in any month that a participant may be required to participate in AWEP is based upon the family's combined value of TANF assistance (monthly grant and work stipend) and SNAP benefits divided by the federal minimum wage. The TANF benefit amount, net out child support, will be determined during the TANF application process and at each TANF redetermination appointment for all TANF cases that are subject to TANF Work Program requirements. TANF recipients assigned to this activity cannot displace regular workers. Based on certain criteria private, for-profit entities may be used for AWEP placements. For example, a certain type of placement may be necessary for the participant to gain skills needed to successfully accomplish his/her career goals. Such entities must be approved in writing by the Director of the Division of Workforce Development and Program Management or designee.

e. Community Service Programs

Community Service placements are only made with public entities and are limited to projects that serve a useful public purpose in fields such as health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, and public safety. The main objective of assigning the TANF Work Program (TWP) participant to a community service activity is to improve soft skills and employability skills by offering training and experience for a better understanding of the work world so the individual may move more quickly into full-time employment. Individuals participating in these programs are subject to the Fair Labor Standards Act (FLSA) requirements and cannot be required to participate for more hours than the total benefits divided by the federal minimum wage (FMW). The maximum number of hours in any month that a participant may be required to participate in Community Services is based upon the family's combined value of TANF assistance (monthly grant and work stipend) and SNAP benefits divided by the federal minimum wage. The TANF benefit amount, net out child support, will be determined during the TANF application process and at each TANF redetermination appointment for all TANF cases that are subject to TANF Work Program requirements. TANF recipients assigned to this activity cannot displace regular workers.

*AmeriCorps (NCCC) Volunteers*

AmeriCorps work activities are defined as community service. AmeriCorps NCCC is a 10-month, full-time, team-based residential program for individuals between the ages of 18-24 who are current TANF recipients or who have been included in a TANF case within the last six (6) years. AmeriCorps NCCC recruits and trains individuals who are willing to devote at least one year to serving in their community to meet specific needs. In addition to gaining valuable skills, members are provided a living allowance during the ten (10) month program, housing, meals, limited medical benefits, uniforms, and up to \$400/monthly for childcare, if eligible.

f. Vocational Educational Training

Vocational education is defined as an organized educational program which offers a sequence of courses directly related to the preparation of individuals for employment in current or emerging occupations that do not require an advanced degree. Such programs shall include competency-based applied learning which contributes in an individual's academic knowledge, higher-order reasoning, problem-solving skills, work attitudes, general employability skills, and the occupational-specific knowledge and skills that prepare participants for a specific trade, occupation, or vocation. Vocational education programs must be provided by education or training organizations, such as vocational-technical schools, community colleges, post-secondary institutions, proprietary schools, nonprofit organizations, and secondary schools that offer vocational education. Vocational educational training cannot be included in the work participation rate for more than 12 months for any individual. No more than 30% of the individuals counting toward the participation rate in a month may meet the work requirement by participating in vocational educational training. A teen parent head-of household attending secondary school or in an educational activity directly related to employment will be included in the 30%.

g. Education Directly Related to Employment

Education directly related to employment is defined as educational activities related to a specific occupation, job or job offer for individuals who have not received a high school diploma or an HSE diploma. This includes educational courses designed to provide the knowledge and skills for specific occupations or work settings, but may also include adult education, English as a second language (ESL), literacy skills, HSE prep classes, and supervised study sessions.

h. Secondary School Attendance

Satisfactory attendance at secondary school or in a course of study leading to an HSE diploma is an allowable "non-core" activity for individuals age twenty and older who do not have a high school diploma or HSE diploma. Participation in this activity is not restricted to individuals for whom obtaining an HSE diploma is a prerequisite for employment. Minor parents, under age twenty, who have not completed secondary school or received an HSE diploma will be encouraged to pursue a high school diploma or HSE diploma. Educational activities for individuals under the age of twenty are considered "core" activities and are countable in the participation rate calculation. Educational activities for individuals age twenty and older are considered "non-core" activities and participation will only count in the work participation rate after the individual participates for an average of twenty (20) hours per week in a "core" activity.

i. On-the-Job Training

On-the-Job Training is defined as paid employment provided by a public or private employer through a contractual arrangement in which the employer provides training and skills essential to perform the job and the employer is reimbursed for the added costs

associated with training. While engaged in productive work, the participant is provided additional daily supervision and training, which will provide the knowledge or skills essential to fully and adequately perform the job. The participant is compensated at a rate (including benefits) comparable to that of other employees performing the same or similar jobs. The state reimburses the employer up to 50 percent of the wages paid to the participant utilizing federal funds to offset the cost of training and supervision given to the participant. The employer is expected to retain the participant as a permanent, unsubsidized employee at the end of the training period.

j. Job Skills Training Directly Related to Employment

Job skills training directly related to employment is training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace. Job skills training can include customized training to meet the needs of a specific employer or training that prepares an individual for employment, including literacy and language instruction, if necessary, to enable the participant to perform a specific job or engage in a specific job training program.

If available, funds shall be used by the Mississippi Community College Board (MCCB) for the assessment, enrollment, certification, follow-up and performance standards as they relate to career-related training of TANF Work Program (TWP) participants. Training may be established based on employer needs in a particular area of the State. Training may also be established on an individual basis based on the individual's career goal(s)/objective(s) and training needs in conjunction with employer needs.

As described in Mississippi Code of 1972 Annotated at 43-17-5(6)(g), MDHS policy prohibits the displacement of regular workers by TANF recipients. No adult in a work activity shall be employed or assigned when another individual is on layoff from the same or any substantially equivalent job within six months, before the date of the TANF recipient's employment or assignment; or if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy created with an adult receiving TANF assistance. The Mississippi Department of Employment Security will appoint one or more impartial hearing officers to hear and decide claims by employees of violations.

***Federal or State Emergency Declarations***

In the event of a federal or state declared emergency, and placement opportunities and/or supportive services for work-eligible individuals are limited or not available, the state may, in specified counties, regions or statewide, temporarily place participants in "holding" until a suitable placement and/or supportive services can be arranged. Once a declared emergency period ends, the state will assess each family's current circumstances and require participation in allowable work activities on a case-by-case basis focusing on the safety, health and wellbeing of the family. The family's 60-month time limit counter will continue to increment but the 24-month time limit counter may be arrested during the emergency period. The 24-month counter will begin incrementing the month following the end of the declared emergency period, unless the participant is placed in an allowable work activity. Cases for participants placed in holding will be reviewed

no less than every 30 days to determine if the family's circumstances have changed and if a placement and/or supportive services are available.

The state will permit participant's the ability to claim good cause if they are unable to comply with TANF Work Program (TWP) requirements due to the emergency. TWP participants who are unable to participate in allowable work activities as a result of the emergency will be given good cause which will not affect the family's TANF benefits due to other reasons that prevent compliance and are outside the participant's control. TWP participants who can participate in the TWP but fail to comply could face conciliation and sanction. Participants will only have to provide evidence of good cause due to the emergency to avoid the timed penalty sanction if questionable.

### *State Agency Collaboration and Other Initiatives*

In deciding how to best use Federal TANF funds for low-income families, MDHS issues Request for Proposals (RFP) to engage businesses, faith-based groups, other state/local agencies as well as local community based organizations in developing strong collaborative relationships to serve as the vehicle for the delivery of services to 1) provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives, 2) end the dependence of needy parents on government benefits by promoting job preparation, work and marriage, 3) prevent and reduce out-of-wedlock pregnancies, and 4) encourage the formation and maintenance of two-parent families. Continuation and/or expansion of these initiatives are subject to availability of funding and the justification of need. MDHS may contract with public and/or private entities to provide services under TANF initiatives to assist families, end welfare dependency, and become self-sufficient. In conjunction with the above-mentioned collaborations, initiatives include, but are not limited to:

a. Child Care Enhancements

To end the dependence of needy parents on government benefits by promoting job preparation, work and marriage, MDHS may provide quality, comprehensive childcare services for children in the Temporary Assistance for Needy Families (TANF) Program and income-eligible, working families at risk of going onto TANF who meet Child Care Development Fund (CCDF) eligibility.

b. Responsible Parenthood Initiative

To encourage the formation and maintenance of two-parent families and prevent and reduce out-of-wedlock pregnancies, MDHS may provide comprehensive services that support and educate parents on the importance of responsible parenthood. The program goals are to:

- increase public awareness concerning the impact of a parent's absence,
- assist parents in becoming "Team Parents" and to share the legal, financial and emotional responsibilities of parenthood with the custodial parent of their child(ren),
- improve the self-image of parents and their families,
- increase parents' parental involvement in their child(ren)'s education,
- improve academic performance and graduation rate and reduce the dropout rate of

- their children,
- decrease the teenage pregnancy rate,
- decrease juvenile crime,
- promote two-parent families and both parents' role in the family, and
- recruit parents and expectant parents to volunteer as mentors to other parents.

Financial eligibility determination is not required for the program.

c. Post-Employment Assistance Programs

To end the dependence of needy parents on government benefits by promoting job preparation and work, MDHS may provide or collaborate with partner agencies to provide post-employment assistance services to current and former TANF recipients who are employed. Where appropriate, case managers will work with employers to ensure reasonable accommodations are provided to employees with disabilities. Individuals with language barriers shall be referred to an English as a Second Language (ESL) activity prior to job placement. Case management will also work with potential employers to ensure reasonable accommodations and language assistance are available at the work site to ensure meaningful access and effective communication. The goals of the initiative are to increase job retention, job advancement, and self-sufficiency for former and current TANF recipients. Families eligible for this program are not required to be TANF eligible but must be at or below 200 percent of the Federal Poverty Level.

d. TANF Prevention/Intervention Program

To develop projects in community-based settings to prevent and reduce at-risk behaviors among youth and their families to prevent, or break the cycle of welfare dependence, MDHS may provide services/activities to:

- reduce and prevent out-of-wedlock pregnancies,
- prevent/reduce substance abuse (use of alcohol, drugs and tobacco products), and
- prevent/reduce other behaviors that prevent the attainment of a high school diploma or HSE diploma.

Financial eligibility determination is not required for the program.

e. Afterschool or Summer Recess Program

To reduce out-of-wedlock pregnancy through intensive supervision or afterschool/summer program for non-adjudicated and age appropriate youth during non-school hours when youth are unsupervised and vulnerable. By engaging in activities that create a positive future, youth are enabled to consider how the choices they make today affect their tomorrow. Program activities include but are not limited to:

- academic tutoring
- literacy
- remediation
- financial literacy

- science, technology, engineering, arts or math (STEAM)
- career exploration
- life and soft skills
- leadership and personal development
- work based learning
- teenage pregnancy prevention
- drug, alcohol and violence prevention

Additional goals include but are not limited to:

- reducing criminal activity
- reducing drug and alcohol abuse
- reducing violence
- promotion positive family outcomes
- increase in school attendance
- to improve self-esteem, motivation and performance of youth

Financial eligibility determination is not required for the program.

f. Crisis Intervention Program

To provide assistance, using Federal TANF funds, to low-income families in resolving barriers to self-sufficiency. The program may use TANF funds to:

- Meet a TANF family's ongoing basic needs (i.e. food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses.)
- Provide assistance to families experiencing an emergent need (i.e. utility payments) That cannot be met with their own income and resources. This program is designed to deal with a specific situation or an episode of need and is not intended to meet recurrent or ongoing needs. These services will not extend four (4 months).

Families are not required to be TANF eligible but must be below 185 percent of the Federal Poverty Level.

g. The Mississippi Department of Human Services may implement a TANF Up-Front Diversion Program to provide assistance, using Federal TANF funds, to families with Emergency circumstances. As an alternative to TANF cash assistance, a family with an emergency circumstance may be eligible for a one-time short-term cash assistance payment.

To receive the diversion program assistance:

- Family unit must include an adult and dependent child(ren) under 18 years of age;
- Family members must have lived in the designated disaster areas or state/federally declared emergency area at the time disaster or emergency occurred;
- Family members must currently live together in Mississippi;



- Family members must not be current recipients of regular TANF, including Transitional Transportation or Transitional Childcare; and
- Family's primary individual must sign an agreement restricting any member of their household from receiving TANF for a period of three (3) months.

Households will be required to pass the gross income limits standard (200% of Federal Poverty Level). The maximum amount of resources the family may retain to be eligible is \$3000. In addition to the above, at least one (1) adult in the household must:

- be employed an average of 25 or more hours per week at or above the federal minimum wage; or
- have documentation of the promise of a job starting within 3 months from the application date, working an average of 25 or more hours per week at or above federal minimum wage; or
- be currently participating in a short-term, work-related training program.

A payment of up to \$3000 will be issued directly to the family (parent/caretaker relative and child) or an approved vendor to assist in resolving any short-term financial issues related to basic needs (i.e., childcare, transportation, rent and relocation expenses).

- h. TANF funds may be used to provide family preservation services to families, with dependent children, earning at or below 350 percent of the Federal Poverty Level. Social workers and homemakers provide supportive services to promote the safety and well-being of children and their families, promote stability and permanency, and preserve family unity. The goal of the program is to provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives.
- i. TANF funds may be used for temporary care (not to exceed 45 days) of children in foster care. The placements are through emergency shelter facilities and normally do not exceed 45 days. TANF funds will not be used to duplicate Federal foster care payments. Families eligible for this program are not required to be TANF eligible but must be below 350 percent of the Federal Poverty Level. The goal of the program is to provide assistance to needy families so that children may be cared for in their own homes or in homes of relatives.
- j. In efforts to provide a continuum of service and prevent gaps of opportunity for youth and adults ages 16-59 and to reduce the overall incidence of poverty, TANF funds may be used for workforce, training and education to provide assistance to needy families and to end the dependence of needy parents on government benefits by promoting job preparation, work and marriage.

Program activities include but are not limited to:

- adult basic education
- high school equivalency
- work based learning
- internships

- apprenticeships
- industry recognized credentials
- life and soft skills

Families that are eligible for this program must be at or below 350% of the federal poverty guidelines.

**c. Ensure that parents and caretakers receiving assistance engage in work in accordance with section 407 (section 402(a)(1)(A)(iii) of the Social Security Act)**

Mississippi will ensure that work eligible individuals (adult heads of household, needy caretaker relatives and non-recipient parents) receiving assistance under the Program will engage in work activities in accordance with regulation described in Section 407, Title IV of the Social Security Act. Mississippi will comply with the mandatory work requirements and strive to meet the 50% participation rate required under current TANF regulations. Participation rate requirements may be adjusted based on reduction in the caseload.

Work requirements and activities are defined in the Combined State Plan, TANF section (b) above. This document will be open for public review and comment according to the Administrative Procedures Act. The work requirements and activities are tracked through the MDHS eligibility and case management systems interface throughout the period of assistance to ensure compliance is met, appropriate penalties imposed, and time limits not exceeded.

*Exemptions*

TANF mandates participation in approved work activities for all adult recipients who do not meet specific exemption criteria. All adults who are not specifically exempt will be referred for work activities. When appropriate, reasonable accommodations and language assistance will be provided to recipients to ensure meaningful access and effective communication. An adult included in the TANF grant assistance unit may be exempt from the mandatory work requirements for one of the following reasons:

- Incapacitated and not eligible for vocational rehabilitation services
- Temporary illness or injury
- Pregnancy in third trimester if there is a verified complication with the pregnancy
- Caretaker of a child under 12 months old (up to 12 months)
- Caretaker of an ill or incapacitated person
- Age (over 60 and under 18)
- Domestic violence victim (up to 12 months)
- Caretaker in two-parent family of a child who is mentally retarded or physically handicapped

The State may exempt a TANF recipient from work requirements while receiving treatment for substance abuse as long as the recipient is in compliance with the treatment plan. If certain criteria are met, the recipient’s treatment plan may be defined and countable under the TWP job readiness activity.

*Sanctions*

MDHS Policy provides for a full benefit sanction of TANF and comparable SNAP sanctions until compliance for families in which the non-exempt individual refuses, without good cause, to participate. If any adult in a household refuses, without good cause, to participate in work as required under TANF, the following full benefit sanction will apply. When appropriate, reasonable accommodations and language assistance will be provided to recipients to ensure meaningful access and effective communication to assist them in the conciliation process. If necessary and appropriate, the need for disability and language related accommodations are bases for good cause.

Violation	Penalty
1 <sup>st</sup> Violation	3 Months Minimum or Until Compliance
2 <sup>nd</sup> Violation	Permanent Disqualification

NOTE: For a two-parent family, the parent who was meeting work requirements, but lost TANF benefits due to the other parent’s non-cooperation, may open his/her own case with the dependent children after six months.

Beginning October 1, 2001, State funds were used for cash assistance payments (TANF grant and transportation stipends) for two-parent families. The State does not claim these expenditures against the Maintenance of Effort requirement. Two-parent family cases are not included in the state’s federal work participation rate calculation; however, federal work requirements apply to two-parent families.

The State will not reduce or terminate assistance to a single custodial parent caring for a child under age six (6) for refusing to engage in work, if the parent demonstrates an inability to obtain appropriate, quality childcare. The parent’s demonstrated inability must be for one of the following reasons:

- a. Appropriate childcare is unavailable and/or unaffordable. Appropriate childcare is defined as a licensed childcare center or a family day care (home or an individual) chosen by the parent/caretaker relative to care for the child. The childcare provider must be 18 years old or older.
  - o Appropriate childcare must be within a reasonable distance (within a 20-mile radius) of the parent/caretaker relative’s home or worksite.
  - o Appropriate childcare must be affordable. Affordable formal childcare is childcare that is equal to or less than the established rates for the type of care according to the Division of Early Childhood Care and Development (DECCD).
  
- b. Informal childcare by a relative or under other arrangements is unavailable or unsuitable. Unavailable or unsuitable childcare shall be defined as a situation involving child abuse, neglect or an unsafe environment. If the parent/caretaker relative refuses to take the child to a particular day care center, he/she must inform the case manager of the reason for the refusal. The case manager must investigate to verify and substantiate the parent’s claim of unsuitable childcare. Complaints involving child abuse, neglect or an unsafe environment

will be reported to the MS State Health Department, Division of Child Care Facilities Licensure. The case manager must contact the DECCD representative to discuss the problem and determine what other childcare services are available in the area. The case manager will determine good cause for non-participation based on the investigation and information gathered. Parental complaints regarding a breakdown in receiving childcare services or against a DECCD representative must be submitted in writing to the Director, Division of Early Childhood Care and Development, Mississippi Department of Human Services, Post Office Box 352, Jackson, MS 39205. The parent/caretaker relative may also contact the DECCD Resource and Referral telephone line (1-800-877-7882).

**d. 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 (Section 402(a)(1)(A)(iv) of the Social Security Act)**

Mississippi will take reasonable and necessary steps 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. MDHS restricts disclosure of recipient information pursuant to federal regulations and to laws regarding use of electronically exchanged data with a Confidential Information Agreement. MDHS also provides staff training upon entry and annually thereafter with an Awareness/Security Training form. These documents set forth policy and penalties for safeguarding information in accordance with requirements for the exchange of information received from the Social Security Administration and Internal Revenue Service.

**e. Establish goals and take action to prevent and reduce out-of-wedlock pregnancies, with special emphasis on teenage pregnancies (section 402(a)(1)(A)(v) of the Social Security Act)**

MDHS will utilize partnerships with community-based organizations and agencies to impact the whole family by taking a multi-generational approach. This approach seeks to provide the basic needs of the family and the skills that will enable the family to become self-sufficient and ensure future well-being. The Sexual Risk Avoidance Education (SRAE) Program will promote sexual risk avoidance education as defined by Section 510 of the Social Security Act (42 U.S.C. 710) for youth 10-19 years of age and their families. The SRAE Program, known as The Healthy Teens for a Better Mississippi initiative, provides educational and innovative programs on healthy choices, youth development and sexual risk avoidance to aid in the continued reduction in teen pregnancies and out-of-wedlock births. Through this initiative CHAT (Choosing Healthy Alternatives for Teens) was created to engage teens in conversation surrounding teen pregnancy, making healthy choices, sexual risk avoidance and participating in peer leadership. These programs allow teens and parents alike to engage in a variety of activities/programs designed to address the challenges many teens face each day.

**f. 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 to include men (section 402(a)(1)(A)(vi) of the Social Security Act)**

Mississippi Code, Section 97-3-65, defines that a crime of statutory rape is committed when:

- a) Any person seventeen (17) years of age or older has sexual intercourse with a child who:
  - (i) Is at least fourteen (14) but under sixteen (16) years of age;
  - (ii) Is thirty-six (36) or more months younger than the person; and
  - (iii) Is not the person's spouse; or
- b) A person of any age has sexual intercourse with a child who:
  - (i) Is under the age of fourteen (14) years/
  - (ii) Is twenty-four (24) or more months younger than the person; and
  - (iii) Is not the person's spouse.

MDHS will provide county offices with material, both printed and digital, about statutory rape for display where partner agencies, local schools, law enforcement, relevant counseling service agencies and the general public, including men who may have committed the crime, may view.

MDHS will use social media platforms to educate the general public on the problem statutory rape.

In addition and if funding is available, MDHS will continue to award TANF funding on a competitive basis to subgrantees that incorporate education and training about statutory rape within their teen pregnancy prevention programs or parenthood initiatives to include educators, law enforcement, relevant counseling services and other vital service providers to include programs expanded to include men.

MDHS staff is required to report suspected abuse or neglect to the appropriate entity.

**g. 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 (section 402(a)(1)(A)(vii) of the Social Security Act)**

Mississippi delivers TANF benefits via the Mississippi Debit MasterCard Program ePayment/EPPICard. Mississippi also delivers other benefits via the EPPICard including child support, adoption subsidy and foster board payments.

TANF assistance may be accessed worldwide at any commercial point-of-sale (POS) machine using the recipient's signature and PIN number. Cash may be accessed at any automated teller machine (ATM) that displays the MasterCard logo or teller-assisted withdrawals in a bank or credit union location that displays the MasterCard logo. Recipients may also receive cash back with a purchase at their favorite merchant locations that accept MasterCard. TANF recipients

experiencing a problem accessing their TANF benefits can contact their local county office or call customer services toll free. The State will work one-on-one with TANF recipients reporting inadequate access to their cash benefit.

Pursuant to regulations described in Section 4004 of Public Law 112-96, Mississippi's policies outline procedures to prevent access to TANF assistance through electronic fund transactions at casinos, liquor stores, and establishments providing adult-oriented entertainment. This section also explains how the state ensures that recipients have adequate access to their TANF assistance and can withdraw the TANF assistance with minimal fees or charges, including the opportunity to access the TANF assistance with no fee or charge and how information on fees are communicated to recipients.

Mississippi law follows the Federal Statutes to prohibit the use or acceptance of an electronic benefit transfer card at the following locations:

- Liquor or package stores that sell intoxicating liquor, either exclusively or primarily;
- Gambling establishments that offer, as its primary services, casino, gambling or gaming activities; and
- All retail establishments that provide adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

State law prohibits TANF benefits from being accessed from an Automated Teller Machine (ATM) or Point-of-Sale (POS) device physically located in:

- |  |   |
|--|---|
| • Liquor Stores  | • Gambling Establishments               |
| • Strip Clubs  | • Jewelry Stores                        |
| • Tattoo and Body Piercing Parlors   | • Tobacco Paraphernalia Stores          |
| • Spas   | • Nail Salons                           |
| • Lingerie Shops   | • Massage Parlors                       |
| • Vapor Cigarette Stores   | • Psychic or Fortune Telling Businesses |
| • Bail Bond Companies  | • Dog or Horse Racing Facilities        |
| • Movie Theaters   | • Cruise Ships                          |
| • Theme Parks  | • Video Arcade                          |
| • Pari-mutuel Facilities   | • Sexually Oriented Businesses          |
| • Businesses or Retail Establishments<br>Where Minors under 18 are not Permitted |   |

State law also prohibits TANF benefits from being used to purchase the following items:

- |   |   |
|---|---|
| • Alcohol   | • Cigarettes  |
| • Liquor or Imitation Liquor                      | • Sexually Oriented Adult Materials   |
| • Bail  | • Gambling Activities   |
| • Lottery tickets                                 | • Tattoos   |
| • Tobacco Products                                | • Concert Tickets   |
| • Travel Services Provided by a Travel Agent      | • Professional or Collegiate Sporting                                       |
| • Money Transmission to Locations<br>Agent Abroad | • Tickets for Other Entertainment Events<br>Intended for the General Public |

In order for Mississippi to prevent prohibited transactions and purchases as defined above, agency staff will discuss with TANF applicants/recipients the proper use of their TANF benefits at initial application and redetermination. All county offices are required to display a poster with the TANF restrictions and penalties in a prominent location.

Methods for reporting fraud include the Fraud Tip Hotline toll free number 1-800-299- 6905 and the Fraud Tip Email [fraud@mdhs.ms.gov](mailto:fraud@mdhs.ms.gov). To expand the pathway of communication regarding programmatic fraud, fraud tips can now also be submitted to the Division of Investigations through the Fraud Tip PowerForm located on the MDHS website. This form can be accessed by clicking on the “Report Fraud” button located on the MDHS homepage, or by direct link at <https://www.mdhs.ms.gov/report-fraud/>.

The assistance unit will be denied TANF benefits when the MS Debit MasterCard is used at prohibited locations or prohibited items are purchased as outlined below:

Violation	Penalty
1 <sup>st</sup> Violation	3 Months
2 <sup>nd</sup> Violation	Permanent Disqualification

**h. Ensure that recipients of assistance provided under the State program funded under this part have the ability to use or withdraw 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 (section 402(a)(1)(A)(viii) of the Social Security Act)**

The cardholder can use their EPPICard at vendor and bank locations worldwide wherever MasterCard is accepted. EPPICard transactions performed at some POS machine vendors are subject to surcharges by the financial institution or owner.

Form MDHS-EA-303A, Mississippi Debit MasterCard Program ePayment/EPPICard Customer Information Sheet, is provided to and discussed with the TANF recipient during the interview at application and redetermination. The MDHS-EA-303A also informs the recipient of merchant and bank locations where cash benefits may be redeemed. The card carrier mailed with the EPPICard also provides this information, as well as, EPPICard account access, card use and customer service information. Recipients may also access this information via the internet at <https://www.eppicard.com/>.

Fees:

Purchase - No fee

- Cash-back or Bank Teller Window - No fee

- In-Network ATM Cash Withdrawal - \$1.75 after 3 withdrawals (each withdrawal, each calendar month)
- Out-of-Network ATM Cash Withdrawal - \$1.75
- In-Network ATM Balance Inquiry - \$0.75 after 3 inquiries (each inquiry, each calendar month)
- Out-of-Network ATM Balance Inquiry - \$0.75
- Card Replacement - \$5.00
- Expedited Card Delivery - \$16.00
- In-Network ATM Denial for Insufficient Funds - \$0.50 after 3 denials (each denial, each calendar month)
- Out-of-Network ATM Denial for Insufficient Funds - \$0.50
- Monthly Account Access by Calling Customer Service - \$0.50 after 5 calls (each call, each calendar month)

#### ATM Surcharges:

A surcharge is an additional fee that may be charged for using a card at an ATM, or for withdrawing cash only at some point-of-sale machines in retail stores. The surcharge is charged by the owner of the equipment or financial institution supporting the ATM.

Banks and other retailers may have varying surcharges. Recipients may avoid the surcharge by accessing benefits at any Hancock, Trustmark or Regions Bank ATM.

TANF recipients are informed of benefit prohibitions by use of posters displayed in all MDHS county offices. In addition to the MDHS-EA-303A noted above, benefit use prohibitions are provided to all TANF households via the MDHS-EA-300, TANF Rights and Responsibilities, and the MDHS-EA-312, Personal Responsibility Contract. Benefit use prohibitions are also included in the TANF Approval Notice, the MDHS website, the EPPICard website, and through the recipient's online account "My MDHS Account". In addition, County and Regional Directors randomly observe TANF client interviews to ensure that eligibility workers are complying with requirements to explain benefit use and restrictions with TANF households.

#### **i. Indicate whether it intends to treat families moving from another State differently from other families under the program, and if so how (section 402(a)(1)(B)(i) of the Social Security Act)**

Mississippi will not treat families moving into the State differently than other families under the TANF program. To treat families differently would create an unfair advantage to person moving into the State with higher benefits.



**j. Indicate whether it intends to provide assistance to non-citizens, and if so, include an overview of the assistance (section 402(a)(1)(B)(ii) of the Social Security Act)**

Mississippi will provide assistance to individuals who are not citizens of the United States only in accordance with the provisions outlined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Mississippi Code of 1972 Annotated 43-17-5 and subsequent amendments to the Social Security Act.

The following qualified aliens are eligible:

- a. For five years after obtaining the designated alien status:
  - An alien admitted as a refugee defined under Section 207 of the Immigration and Nationality Act (INA);
  - An alien who is granted asylum defined under Section 208 of the INA;
  - An alien whose deportation is being withheld defined under Section 243 of the INA, or whose removal is being withheld under Section 241 of the INA; or
  - An alien lawfully admitted for permanent residence, if the alien entered the U.S. within the last five (5) years as a refugee, an asylee, or deportation was withheld.
- b. For an unlimited period, the following qualified aliens lawfully admitted for permanent residence:
  - Aliens who are veterans of the U.S. Armed Forces (honorably discharged for reasons other than alienage); active duty personnel of the U.S. Armed Forces (other than active duty for training), and their spouses and unmarried dependent children; and
  - Aliens who are lawfully admitted for permanent residence and have worked for 40 qualifying quarters of coverage or can be credited with such quarters, not including quarters beginning January 1, 1997 in which the alien received any Federal means-tested public benefit.

NOTE: Unlimited Period does not mean there are no time limits applicable to the TANF case; only that the qualified alien may receive benefits, if otherwise eligible, under the same time limit maximums as all other TANF assistance cases.

Mississippi may provide assistance to victims of severe forms of trafficking to the same extent as aliens.

**k. 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 it will provide opportunities for recipients who have been adversely affected to be heard in a State administrative or appeal process (section 402(a)(1)(B)(iii) of the Social Security Act)**

Mississippi has established objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including the opportunity for recipients who have been adversely affected to be heard in a State administrative or appeal process. The State will administer the due process notification of adverse action with an opportunity for a fair hearing handled independently of the county office eligibility and/or benefit level decision to resolve any recipient benefit decreases, terminations, or related issues. Basic assistance program eligibility criteria and benefit levels are the same statewide.

#### *Criteria or Basis for a Hearing*

An applicant or recipient has a right to appeal decisions regarding eligibility for assistance including the following issues:

1. Decisions regarding eligibility and/or amount of TANF benefits
2. Conditions of payment or repayment
3. Denial of opportunity to make application or reapplication of benefits
4. Undue delay in determining eligibility for TANF and in making TANF benefits available
5. Suspension or discontinuance of TANF benefits in whole or in part
6. Assignment or participation issues in the TANF Work Program, including work exemptions, supportive services, good cause, etc.
7. Decisions regarding cooperation with the Division of Child Support Enforcement and good cause claims
8. Application of penalties which results in rejection of application, case closure, or reduction of benefits

NOTE: Some issues that are established by law are not subject to the fair hearing process, such as the maximum TANF benefit level.

#### *Requesting a Hearing*

TANF applicants or recipients have the choice of either an agency conference or a state hearing to appeal any decision made on their cases. Individual may bypass the agency conference and request a state hearing, or if they choose to request an agency conference and are dissatisfied with the result, a state hearing may then be requested. The individual must make the request for a hearing in writing and sign the request. The claimant may be represented by any one designated; however, the designation must be made in writing.

The request for a hearing may be made by:

1. Checking in the space provided on any of the notification forms
2. Writing a letter indicating a request for a hearing
3. Completing form MDHS-EA-305, Request for a Hearing

The individual may make the request orally, but this must be followed by a formal written request. The worker will assist the individual by explaining how to request a hearing, sending the form MDHS-EA-305 (Request for a Hearing) to the individual who does not wish to write a letter and

lacks a notification form, or helping to fill out a request form when the individual comes to the office of the Department of Human Services and requests a hearing. The request for a hearing may be sent to the county office or to the Administrative Hearings Unit. The worker may give the individual an addressed envelope when the individual prefers to mail the request himself.

#### *State Hearing Request After Local Hearing*

When the individual has had a local hearing and is not satisfied with the outcome, he must request a state hearing within 90 days, following the expiration of the advance notice of case change or closure.

NOTE: To prevent the action or to request continued benefits, the hearing request must be made within 10 days from the date of the change/closure notice. If the 10th day falls on a weekend or holiday, the individual must always be given until the first working day following the weekend or holiday.

### **I. Indicate whether the State intends to assist individuals to train for, seek, and maintain employment (Section 402(a)(1)(B)(v) of the Social Security Act).**

**1. providing direct care in a long-term care facility (as such terms are defined under section 1397j of this title); or**

**2. in other occupations related to elder care, high-demand occupations, or occupations expected to experience labor shortages as, 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.**

If TANF funding is available, Mississippi will assist TANF Work Program participants to train for, seek, and maintain employment:

- providing direct care in a long-term care facility (as such terms are defined under section 1397j of this title); or
- in other occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel.

Mississippi's four local Workforce Development Areas have identified Healthcare in their Sector Strategy Plans to help align the state's resources with needs of business and industry, career goals of workers and the economic goals of the state. The Mississippi Department of Human Services (MDHS), Division of Workforce Development (DWD) will partner with the Mississippi Community College Board (MCCB) and/or community colleges, Mississippi Department of Employment Security (MDES) and/or other entities to provide short-term training (e.g., Certified Nurses Assistance (CNA) training for placement in a nursing home, etc.) for TANF Work Program (TWP) participants who seek employment in the eldercare workforce. Training may be established on an individual basis based on the individual's career goal(s)/objective(s) and training needs in conjunction with employer needs.

**m. Ensure that applicants and potential applicants for assistance under the State program funded under this part are notified of assistance made available by the State to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking (Section 402(a)(8) of the Social Security Act (42 U.S.C. 602(a)(8)(A)(i); Consolidated Appropriations Act, 2022, section 703)**

Agency personnel will be trained in the nature and dynamics of sexual harassment, domestic violence, sexual assault, and stalking.

**n. Ensure that case workers and other agency personnel responsible for administering the State program funded under this part are trained in (Section 402(a)(8) of the Social Security Act (42 U.S.C. 602(a)(8)(A)(ii); Consolidated Appropriations Act, 2022, section 703)**

- 1. The nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking;**
- 2. State standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking; and**
- 3. Methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment, domestic violence, sexual assault, or stalking; and**

Training will be based on state standards and procedures relating to the prevention of sexual harassment, domestic violence, sexual assault and stalking, and will provide education about the assistance available to such victims. The agency maintains the confidentiality of information related to all TANF applicants and their children.

**o. Ensure that, if a State has elected to establish and enforce standards and procedures regarding the screening for, and identification of, domestic violence, sexual assault or stalking pursuant to paragraph 7 (i.e., Optional certification of standards and procedures to ensure that the State will screen for and identify domestic violence) (Section 402 (a)(8) of the Social Security Act (42 U.S.C. 602(a)(8)(A)(iii)**

- 1. The State program funded under this part provides information about the options under this part to current and potential beneficiaries; and**
- 2. Case workers and other agency personnel responsible for**

**administering the State program funded under this part are provided with training regarding State standards and procedures pursuant to paragraph (7) –**

The State has not elected to establish and enforce standards and procedures regarding the screening for, and identification of, domestic violence, sexual assault or stalking pursuant to paragraph 7 (i.e., Optional certification of standards and procedures to ensure that the State will screen for and identify domestic violence).

**p. Provide for all MOE-funded services the following information: the name of the program benefit or service, and the financial eligibility criteria that families must meet in order to receive that benefit or service. In addition, for TANF MOE-funded services (co-mingled or segregated MOE) describe the program benefit provided to eligible families (SSP services do not have to include a description but the Department of Health and Human Services encourages it) (§263.2(b)(3) & §263.2(c) preamble pages 17826-7)**

The State shall maintain a Segregated State program for the following state-funded programs. These programs shall count towards the State's MOE:

- State funded scholarship programs for needy families with dependent children that began after 1995. [Mississippi Code of 1972 Sections 37-106-29, 37-106-31, and amended by Senate Bill 2231(1997) and House Bill 1273(1998)]

Eligible population: A needy family is defined as a family with a dependent child(ren) and an average annual income at or below 350 percent of the Federal Poverty Level. The eligible child is defined as anyone who has not yet attained their 24th birthday, continuously enrolled in a program of post-secondary education [MS AG Op., Bryant (Sept. 6, 2002)]. The eligible child is not a veteran, not a graduate or professional student, not married, not an orphan or ward of the court, and does not have legal dependents. The eligible child is living in the home; however, he/she may be absent from the home for periods while attending the post-secondary program.

The cost of a scholarship provided to the head of household and/or his/her spouse in an income eligible family shall also count toward the State's MOE requirement.

- State funded programs to increase the likelihood of school success of preschool and school age children in needy families. Eligible population: Preschool and school age children from families with an income at or below 185 percent of the Federal Poverty Level. Mississippi established new programs to assist needy families with educational opportunities. The Mississippi Department of Education developed state funded programs for 3 and 4-year olds whose families are at or below 200 percent of the federal poverty level. However, the Reading and Intervention Program was established for school age children who have scored low on state tests and this program does not have financial eligibility criteria. Pamphlets,

brochures, and posters are provided to local MDHS offices ensuring the public is aware of all available services funded by the Mississippi Department of Education. The TANF goals of these programs/activities are to:

- Provide assistance to needy families so that the children may be cared for in their homes or in the homes of relatives;
- End the dependence of needy parents on government benefits by promoting job preparation and work. These programs provide safe and stable environments which help children succeed and allow their parents to work;
- Prevent and reduce the incidence of out-of-wedlock pregnancies; and Encourage the formation and maintenance of two-parent families

State funds may be used for the following programs/expenditures. The eligibility criteria, if applicable, is 185 percent of the Federal Poverty Level:

- State funded programs to assist TANF Work Program participants with out-of-pocket expenditures for work-related items and/or services required by the employer in order to accept or maintain employment;
- State funded expenditures to provide basic assistance and transportation assistance as applicable;
- Mandatory State funded expenditures for early care and education for children whose parent(s) are employed or required to participate in TANF Work Program activities;
- State funded administrative expenditures for frontline caseworkers and state level staff which includes salaries, office supplies, and commodities as defined in MDHS' subgrantee manual; and
- State funded expenditures to maintain and enhance the eligibility and case management systems required to support the TANF Work Program.

State funded expenditures to include the cost related to providing case management services.

To ensure that procedures are established to notify TANF applicants of available assistance to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking.

Mississippi Code Section §§ 43-17-1 - 43-17-39