



Department of Health  
and Human Services

Maine People Living  
Safe, Healthy and Productive

Paul R. LePage, Governor

Ricker Hamilton, Commissioner

Department of Health and Human Services  
Commissioner's Office  
221 State Street  
11 State House Station  
Augusta, Maine 04333-0011  
Tel.: (207) 287-3707; Fax: (207) 287-3005  
TTY Users: Dial 711 (Maine Relay)

October 31, 2017

**MEMORANDUM**

**TO:** Paul R. LePage, Governor

**FROM:** Ricker Hamilton, Commissioner 

**SUBJECT:** **Renewal of the TANF State Plan**

The State of Maine must submit its TANF State Plan for renewing its eligibility status for continued receipt of Part A-Block Grant under Title IV of the Social Security Act. This state plan was developed in accordance with section 402 of the Social Security Act, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) and reflects the changes in work requirements outlined in the Deficit Reduction Act of 2005. The information submitted in the Plan restates the pertinent requirements of section 402, the regulations at 45 CFR Parts 261, 262, 263 and 265, and provides information that outlines the provisions of the State of Maine's program.

Maine must submit this State Plan to renew its status as an eligible state. Enclosed is Maine's current TANF State Plan for your review and approval. This is a routine plan renewal which is required every 36 months. Future updates to this plan may be forthcoming as new policy initiatives are implemented. Your signature is needed on the certification page (see yellow tab).

In order to avoid interruption of federal funding from the TANF Block Grant, the Maine State Plan must be submitted by **November 15, 2017**.

RH/klv

Enclosure



*Department of Health  
and Human Services*  
*Maine People Living  
Safe, Healthy and Productive Lives*

*Paul R. LePage, Governor*

*Ricker Hamilton, Commissioner*

## **STATE OF MAINE**

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

**Effective January 1, 2018**

PREPARED BY:  
MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE FOR FAMILY INDEPENDENCE

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

IV-A

STATE OF MAINE

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**General Information**

Lead Agency Responsible for Administering TANF:

Department of Health and Human Services  
Ricker Hamilton, Commissioner  
Office for Family Independence  
Bethany Hamm, Director

Contact Persons:

Dawn M. Mulcahey, TANF Program Manager  
Liz Ray, Senior TANF-ASPIRE Program Manager  
Department of Health and Human Services  
11 SHS – 19 Union St.  
Augusta, ME 04333-0011

(207)624-4109  
(207)287-3455 FAX

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

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**SECTION I: TANF State Plan Renewal****For the Period January 1, 2018 through December 31, 2020.**

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

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

## **Section II: TANF State Plan Requirements –**

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

### **General Provisions (42 U.S.C. 602(a)(1)(A))**

#### ***Program Assistance and Services (42 U.S.C.602(a)(1)(A)(i))***

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

#### **TANF Program**

The Department calls its financial assistance program Temporary Assistance for Needy Families (TANF). The jobs preparation program is called ASPIRE-TANF. The programs work together to help families move from welfare to work. The eligibility criteria for TANF are set in Maine statute at M.R.S.A., Title 22, Ch. 1053. The Department's current regulations are available at Ch. 331 Maine Public Assistance Manual.

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

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

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

- Prevent and reduce the incidence of out of wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and
- Encourage the formation and maintenance of two-parent families.

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

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

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

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

*TANF Program Application*

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

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

When circumstances beyond the control of an applicant or mandatory ASPIRE-TANF participant prevents them from attending an orientation meeting within 30 days, the Department may grant good cause in accordance with the TANF-ASPIRE Rules located at 10-144 Ch. 607.

#### Non-Financial Eligibility Requirements

##### *Age*

The child must be an individual who has not attained 18 years of age; or has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training. Sec. 419(2).

##### *Residence*

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

##### *Citizenship*

All TANF recipients must be U.S. citizens, or a “qualified alien” as defined in the provisions of §431 of the PRWORA, as amended (8 U.S.C. § 1641). All others are considered “non-qualified.”

##### *Social Security Number Compliance*

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

##### *Relationship*

In order to be eligible for TANF, a child must be living with a specified relative, in a home maintained by that relative; and both elements must be expected to continue at least 30 days beyond the date of application. A specified relative is a relative by blood (to the 5<sup>th</sup> degree), marriage, or adoption

Unmarried parents under the age of 18 and their children living with them will be assisted only if residing with their parent, legal guardian or other adult relative, or in an adult supervised arrangement as identified in Section 408(a)(5) of the Social Security Act.

##### *Temporary Absence*

Temporary absence from the home of the child or caretaker relative for more than 45 days is allowed under certain circumstances, provided that the caretaker relative has full responsibility for the supervision and guidance of the child and provided that any delegation of authority is temporary, voluntary and revocable. The child or caretaker relative must return home at the

completion of the reason for separation, unless there is good cause for the person to be out of the home.

#### *Child Support*

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

#### *Non-Payment Situations*

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

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

#### *Lifetime Time Limits on TANF Cash Assistance*

TANF cash assistance is intended to be a temporary means of support while families work towards self-sufficiency. Federal TANF cash assistance beyond 60 months will be provided to no more than 20% of the total caseload, as permitted by TANF regulations. States may continue benefits to families using State only funding.

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

#### *The Time Limit Does Not Apply to:*

- An adult living in Indian Territory or Trust lands;
- Pregnant or minor parents who are not the head of household;
- Receipt of non-cash assistance.

#### *Temporary Hardship Extensions to the Time Limit:*

- Domestic Violence;
- Disability;
- Caring for a Significantly Disabled Family Member;
- Participation in a Training or Education Program;
- Working Families;
- Pregnancy;

- Loss of Job;
- Occurrence of an Emergency Situation.

### Financial Eligibility

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

#### *Income*

Income includes earned and unearned income as well as potential income available to members of the filing unit. Gross and net income limits are set by rule.

#### *Assets*

Eligibility is limited to families whose available resources total less than \$2,000. The values of the home and a primary vehicle are excluded.

#### *Earned Income Disregards*

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

#### *Prospective Budgeting*

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

### Benefit Determination & Delivery

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

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

TANF benefits are delivered by means of an electronic benefit transfer system. Recipients may also choose to have their cash benefits directly deposited into their financial institution accounts or paid to a third-party vendor, such as a landlord.

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

***Work Requirements (42 U.S.C. 602(a)(1)(ii))***

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

All parents and caretaker relatives who request and receive assistance are required to sign a Family Contract Amendment and participate, unless temporarily exempt, in approved work-related activities. The number of hours a parent or caretaker relative must participate weekly varies depending on the family circumstances.

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

In families consisting of two parents, who are not exempt from TANF work requirements, and child care is paid for, the parents must participate for a combined minimum of thirty-five (35) hours per week during the month, not fewer than thirty (30) hours per week of which are attributable to one or more of the following listed work activities. When child care is paid for the two parents must participate for a combined minimum of fifty (55) hours per week during the month, not fewer than fifty (50) hours per week of which are attributable to one or more of the following listed work activities.

Single parents whose children are five (5) years of age or older and two parent family members who are job ready must participate in individual or group job search, depending on their needs and resources of the local ASPIRE-TANF offices.

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

**Work-Related Activities:**

The following work-related activities are countable towards meeting participation requirements and are considered “core” activities. To fully meet participation requirements, one parent families must participate in core activities for a minimum of twenty (20) hours per week. Two

parent families must participate in core activities for a minimum of thirty (30) or fifty (50) hours per week.

- Paid employment, including subsidized options such as apprenticeship or OJT (On the Job Training), with private and public employers, student work study, and self-employment
- Education, which includes hours spent in class time required to achieve a credential required for sustainable work. This includes high school diploma or equivalency completion (for those under 20 who have not yet achieved this credential), college courses, short term training, adult education certificate courses, or technical training that is employer sponsored. One hour of study time is included toward participation for every hour of classroom participation.
- Work Experience Placements, which includes working in a non-profit agency work site (community service) and in some cases in a private business in order to develop work skills and preparedness
- Job Search, which may include structured group classes or individual job search activities
- Job Readiness, which includes activities and services that help an individual prepare for work. This may include treatment or individualized job development and work experience placement assistance
- Providing Child Care Services to an individual who is participating in a community service program.

Individuals may either meet their full participation requirement with all core activities listed above or they may participate in the following activities for their additional required hours. These activities are “non-core” activities.

- Additional education activities, which include adult education work for those over 20 who have not achieved a high diploma or equivalency,
- English language courses, and any other training or coursework that is meant to improve an individual’s employability or employment advancement.

Individuals who participate in a work experience placement or community service program may not be required to participate for more than the maximum number of hours per week allowable by the Fair Labor Standards Act (FLSA). This hourly requirement is calculated by dividing the individual’s total TANF and SNAP benefit by minimum wage. If the resulting number is less than the minimum number of hours required by federal and/or state law, the individual may participate in non-core activities to meet their full participation requirement.

#### Temporary Exemptions from Participation for All Families

An individual may choose to be exempt from participation with the ASPIRE-TANF Program. The exemptions include:

- Caring for a child under one (1): A recipient who is the single custodial parent or caretaker relative of a child under one year of age and is personally providing care for that child may choose an exemption that is limited to no more than 12 months per single custodial parent or caretaker relative. If the custodial parent is under twenty (20) years old and has not completed high school or its equivalent they may not choose this exemption.
- Caring for a disabled family member: A parent or caretaker relative needed in the home to provide full time care for a disabled family member also living in the home may choose this exemption.
- Individuals who are either receiving Social Security Disability Insurance (SSDI) or who are a Vista volunteer under the Federal Domestic Volunteer Service Act of 1973 are also not required to work with the ASPIRE Program. They may choose to voluntarily participate with the program and receive ASPIRE services.

#### ***Work Requirements (42 U.S.C.602(a)(1)(A)(iii))***

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

#### **Non-Compliance with Work Requirements**

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

During the first ninety (90) days of noncompliance with work requirements, the amount of cash assistance to which an otherwise eligible family is entitled is reduced by the portion of the family's benefit attributable to the noncompliant parent.

After ninety (90) days of noncompliance or a subsequent instance of noncompliance, the Department terminates cash assistance to the entire family. The penalty becomes effective on the next benefit month after the adverse action period.

#### ***Confidentiality (42 U.S.C. 602(a)(1)(A)(iv))***

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

Federal and State rules provide for the basic rights and dignity of all applicants or recipients of financial services regarding their confidentiality.

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

***Prevention and Reduction of Out-of-wedlock and Adolescent Pregnancies (42 U.S.C. 602(a)(1)(A)(v))***

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

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

Maine uses TANF funding for a variety of programs that aim to prevent out of wedlock pregnancies. For example, Maine uses TANF to support programs that provide training and technical assistance to schools and community-based organizations who are delivering evidence based programming to teenagers that includes topics such as pregnancy prevention, abstinence, and healthy relationships. Maine also uses TANF funds to support domestic violence and sexual assault providers who provide educational programming to children from pre-kindergarten through college. Topics include healthy relationships, and others that assist children to make positive relationship decisions and thus reduce the incidence of out-of-wedlock pregnancy. Maine directs TANF funds to support vulnerable youth who are more susceptible to out-of-wedlock and adolescent pregnancies, such as homeless youth. These programs provide for the youth's basic needs and provide the resources and support they need to improve their lives, and thus lower the incidence teenage pregnancies.

The Department's Division of Support Enforcement and Recovery has worked with Maine centers for Disease Control and Prevention produce pamphlets placing emphasis on rights and responsibilities of both male and female parents.

***Prevention of Statutory Rape and (42 U.S.C. 602(a)(1)(A)(vi))***

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

The State of Maine contracts with the Maine Coalition against Sexual Assault with the initiative of prevention and intervention of sexual violence and child sexual abuse. This includes statutory

rape. The contract includes programs that offer prevention, intervention, and systems advocacy as well as a wide range of resources and training programs to inform sexual violence victims/survivors and their supporters, social service providers, educators, law enforcement, students and members of the public. Specific services that may prevent statutory rape include:

- The Sexual Assault Response Team (SART) – Specially trained staff who assist sexual assault survivors as they decide whether to report an incident to the authorities. If they do, the advocate will help them to navigate the criminal justice system. The advocate works alongside with law enforcement, prosecutors and medical professionals to offer a coordinated response.
- Community Education and Outreach – Staff offer trainings on sexual violence awareness and identify the signs of sexual assault to local community organizations, businesses, and service providers.
- Child Advocacy Centers (CAC) – CACs provide a coordinated response to children that have survived sexual assault. CACs allow law enforcement, advocates, medical professionals, and other providers to work together more efficiently, and ensures the child only has to tell their story once.
- School-Based Education – Sexual assault providers offer educational curriculum to children from pre-K through college. Age appropriate curriculum teach children about personal space, healthy relationships, the meaning of consent, among other topics.

***Prevent Access to Assistance in a Restricted location (42 U.S.C. 602 (a)(1)(A)(vii))***

***How the state intends to implement policies and procedures to prevent access to assistance through electronic benefit transfer transactions in an automated teller machine 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.***

Under penalty of an intentional program violation, state law restricts using the cash benefits on an EBT cards in:

- a retail establishment where 50% or more of the gross revenue of the establishment is derived from the sale of liquor;
- a gambling facility, except that use of the EBT system is permitted in any portion of the premises of a gambling facility that is set aside separately for the sale primarily of staple foods; or
- a retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

To further ensure the integrity of EBT card use, Maine also blocks TANF cash transactions at restricted locations, encourages clients to have their picture on EBT cards, monitors EBT cash transactions to track misuse on a database, provides recipients with an acknowledgement form

with information on appropriate use of TANF, discusses cash and EBT cards and the penalties for misuse at application and redetermination.

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

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

***Ensure Access to Benefits (42 U.S.C. 602 (a)(1)(A)(viii))***

***Explanation of how the state plans to ensure that recipients of assistance have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and surcharges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.***

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

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

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

**SECTION III: Special Provisions (42 U.S.C. 602(a)(1)(B))*****Residence (42 U.S.C. 602(a)(1)(B)(i))***

***The document shall indicate whether the State intends to treat families moving into the State from another State differently than other families under the program, and if so, how the state intends to treat such families under the program.***

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

***Citizens and Non-citizens (42 U.S.C. 602(a)(1)(B)(ii))***

***The document shall indicate whether the State intends to provide assistance under the program to individuals who are not citizens of the United States, and if so, shall include an overview of such assistance.***

As described above, TANF recipients in Maine must be U.S. citizens or qualified aliens under PRWORA. Additionally, Maine uses separate State funds to provide assistance to “non-qualified aliens.” In order to be eligible, families must meet one of the following conditions:

- Was receiving such assistance on December 1, 2012 or had an application pending for such assistance on that date.
- Is elderly or disabled;
- Is a victim of domestic violence;
- Experiencing other hardship, such as time necessary to obtain proper work documentation.

See 22 M.R.S. § 3762.

***Administrative Reviews (42 U.S.C. 602(a)(1)(B)(iii))***

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

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

***Work Requirements (42 U.S.C. 602(a)(1)(B)(iv))***

***Not later than 1 year after the date of enactment of this section, 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 607(e)(2), require a parent or caretaker receiving assistance under the program, who, after receiving such assistance for 2 months is not exempt from work requirements and is not engaged in work, as determined under section 607(c), to participate in community service employment, with minimum hours per week, and tasks to be determined by the State.***

Maine requires mandatory ASPIRE recipients to engage in work activities beginning A.(i) and A(ii), above addresses Maine's requirements for a parent or caretaker receiving assistance under the program to engage in work.

***Elder Care (42 U.S.C. 602(a)(1)(B)(v))***

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

***The document shall indicate whether the State intends to assist individuals to train for, seek, and maintain employment.***

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

***ii. In other occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel, and if so, shall include an overview of such assistance.***

Maine has opted out of this provision.

## **SECTION IV: TANF Funded Programs**

Maine supports the following programs with federal TANF block grant funds, to provide benefits and services to families in Maine.

### **Programs for TANF Cash Assistance Recipients**

The following programs provide ongoing assistance to families receiving TANF cash aid. The services are designed to support the family in meeting basic needs and gaining the skills necessary to succeed in the workforce and increase self-reliance. Program benefits include financial assistance, employment and training, and employment supports.

#### **Temporary Assistance to Needy Families (TANF)**

The TANF program provides cash benefit assistance for needy families designed to strengthen families and promote job preparation and work.

#### **Parents as Scholars Program**

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

#### **ASPIRE-TANF Program**

ASPIRE-TANF is the State's TANF employment and training program. As a condition of eligibility for TANF each applicant/recipient who is not exempt must participate in the ASPIRE-TANF Program. ASPIRE-TANF provides TANF recipients with employment-related activities and support services such as child care, transportation, and other expenses necessary for education, training or employment.

### **Other TANF Programs and Services for Needy Families**

The following programs provide financial assistance and/or services to low income families.

#### **Emergency Assistance (EA)**

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

#### **Alternative Aid (AA) – Non-recurrent short-term benefits**

Alternative Aid is a diversion program to assist applicants who seek short-term help to obtain or retain employment. The intent of the program is to help families remain self-supporting by providing voucher payments worth up to three months of the TANF benefits for which they are

eligible. AA may be used once in a 12-month period. All payments are made directly to the vendor. Eligibility for the program is the same as for TANF cash assistance except AA is based on 133% of FPL.

#### Transitional Services

Transitional services are available to support the post-TANF client in retaining employment. These services include transportation for up to 18 months and child care until the youngest child in the family turns 13. The income limit is 250% of FPL.

#### State Refundable Earned Income Tax Credit

Earned Income Tax Credit or EITC is a federal income tax credit for low-wage workers who meet certain eligibility requirements. Maine's EITC, which is refundable, is calculated as a percentage of the federal EITC. Expenditures are only claimed for individuals who have children under 18 and are below 200% of FPL.

#### Family Development Accounts

This program provides asset-building services for TANF eligible families. Participants save money in a Family Development Account towards a pre-approved financial goal and purpose. Money can be withdrawn from the account only to meet one of the program asset goals, such as homeownership or career development, except in the case of an emergency.

#### HEAP Supplement

The federal Home Energy Assistance Program (HEAP) provides energy assistance to low income families to assist with their heating and cooling energy costs. The HEAP supplement provides additional funding to households with children under 18 who are at or below 170% FPL.

#### **TANF Initiative Programs**

The following programs meet one of the four purposes of TANF. These programs provide benefits in the form of services to Maine families. These services involve a wide variety of community partners such as other governmental agencies, non-profit organizations and others.

#### Head Start

Head Start operates throughout the state of Maine to provide school readiness services to children from four to five. Early Head Start provides services for families with children from birth to three to promote child development, self-sufficiency, and support parental roles. Head Start prepares children to be successful as they move into elementary school and beyond.

#### Child Welfare – Supported Visitation

The Supportive Visitation program is offered by DHHS to maintain the parent-child relationship between birth parents and their children. The purpose of supportive visitation is to provide non-custodial parents access to their children in a safe, conflict-free environment. The supportive visitation programs develop a child visit plan, and supports parents in maintaining a close relationship with their child. This program is available to parents whose children have been removed from their custody, and are trying to reunify.

### Child Welfare – Home Visiting

The Home Visiting program is offered on a voluntary basis to parents, families with children from birth to three (3) years old and pregnant women. Services include prevention-focused parental education and support. The program uses an evidence based model. Services include child care tips, sharing best practices, and connecting parents to resources.

### Child Welfare – Direct Benefits

Maine provides funding to help children remain safely in their homes, and to reunify children who have been removed into state custody with their families. Funding can be used for a variety of needs related to maintain and promote the child's wellbeing.

### Child Welfare – Transportation

The Child Welfare Transportation program provides transportation services to those involved with the child welfare system who have no other reasonable means of transportation to access necessary services. In order to be eligible, a participant must be referred by DHHS or a federally recognized tribe. Only transportation to and from TANF eligible services is claimed.

### Alternative Response Program (ARP)

ARP provides services to child abuse and neglect cases that DHHS has determined to be of low to moderate risk. ARP connects families to formal and informal supports, identifies family strengths and assesses needs. Services are tailored to the needs of the family to ensure that children live safely in their homes. This program is available to all Maine residents with children, however, expenditures are only claimed for families who are under 250% of FPL.

### Family Planning

TANF funds support training and technical assistance to schools and community-based organizations who are working to deliver evidence-based programming that addresses topics such as puberty and adolescent development, sexuality, HIV/STI and pregnancy prevention, abstinence, and healthy relationships. The funding supports both youth programming and classes and training delivered to schools and community-based organizations using a "train the trainer" model.

### Scholarships

TANF funds are provided to a non-profit which uses the funds to assist economically disadvantaged youth successfully transition to postsecondary education. Scholarships can be used for a variety of postsecondary opportunities including two- and four-year colleges, career and technical schools, trade based and vocational training, and other career related certification and licensing pathways. The scholarship must be used for tuition.

### Pathways to Opportunities (PTO)

PTO assists homeless young adults with housing and support services to stabilize their basic needs and explore educational and/or employment opportunities necessary to increase their self-sufficiency and allow them to take control of their future. In order to participate, youth must

be under 25 years old and below 200% of FPL. TANF is only used to fund career navigators, who provide educational and career support and case management to increase stability.

#### Youth Homelessness Programs

Youth Homelessness Programs assist youth up to age 21 with a variety of services including supplies, meals, shelter, and case management. The programs aim to help the youth meet their immediate material needs, and receive the services they need to move out of homelessness and move towards self-sufficiency. TANF funds are used for three services: Outreach, Drop-In, and Shelter. Outreach caseworkers meet youth in the community and provide case management and material supports if there is an immediate need. This service aims to locate homeless youth and help them access the services they need. Drop-In programs give the youth a safe place to go during the day, and provide case management as well as material supports. Shelters provide youth facing an immediate lack of housing a safe place to sleep for up to 30 days at a time, at which point the participant must leave the shelter for one day before re-entering. Shelter service is only claimed for the first 120 days.

#### Improving Outcomes for Youth

Improving Outcomes for Youth encompasses several programs providing children up to 24 years of age with services to support their education and growth and improve their prospects for future success. TANF funded programs and services include: afterschool programs, career exploration and mentorship, suspension diversion for at risk youth, work readiness and academic achievement, financial literacy, social-emotional skill building, high risk behavior prevention, mentorship, and funding and support of post-secondary education.

#### Family Unification Program (FUP)

The Family Unification Program is a Department of Housing and Community Development (HUD) demonstration pilot. It provides housing vouchers and support to two groups of participants: families who are in danger of losing the custody of their children or not being reunified with their children and youth who have aged out of foster care and become homeless. TANF funds are only used to support the youth who have aged out of foster care. Youth must be between 18 and 24 when they apply, and can receive the housing voucher, which is funded by HUD, for up to 36 months. TANF funds are used to support an 18-month independent living training program, which prepares youth to successfully live on their own.

#### Domestic Violence Services

TANF funds are used to support four domestic violence services: Helpline, DV-CPS Liaison, School-Based Education, and Support Groups. The Domestic Violence Helpline provides survivors with services, support, and referrals to community resources. In addition, it is used to screen survivors for additional services, such as domestic violence shelter and support groups. The DV-CPS Liaison works alongside child protective services to provide support to families who have experienced domestic violence. School-Based Education provides classroom education in schools from elementary through college. The curriculum includes themes such as safe and healthy relationships, recognizing domestic violence, and teen dating abuse. Support Groups provide

peer support to domestic violence survivors. All support groups are led by a trained facilitator, and include safety planning assistance and encouragement from fellow survivors.

#### Sexual Assault Services

TANF funds are used to support three sexual assault services: Helpline, School-Based Education, and Children's Advocacy Center (CAC). The Sexual Assault Helpline provides survivors with services, support, and referrals to community resources. In addition, it is used to screen survivors for additional services, such as the Children's Advocacy Center. School-Based Education provides classroom education in schools from elementary through college. The curriculum includes themes such as safe and healthy relationships, recognizing sexual assault, and personal space. The CAC includes a multi-disciplinary team which provides a coordinated response to assist child survivors of sexual assault. The CAC ensures the child does not need to repeat his or her story to several responders.

#### Substance Abuse Residential Treatment

TANF is used to fund room and board expenditures for women with children up to the age of 5 and pregnant women who are receiving residential substance abuse treatment. Facilities provide treatment beds for mothers, in addition to housing for their children, contingent on availability. The maximum length of stay is 45 days. Programs provide specialized behavioral health care and targeted educational services, in addition to traditional substance abuse treatment. The programs also provide for the basic material needs of recovering mothers and children. Room and board expenditures funded with TANF include, but are not limited to, housing, food, utilities, and other allowable expenditures. This program is claimed as a non-recurrent short-term benefit.

**SECTION V: State Maintenance of Effort (MOE) Funded Programs**

Separate State Programs provide support to Maine's needy families. Funds expended on programs in this section are counted as state maintenance of effort (MOE) funds.

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

**Programs for TANF Cash Assistance Recipients**

The following programs provide ongoing assistance to families receiving TANF cash aid. The services are designed to support the family in meeting basic needs and gaining the skills necessary to succeed in the workforce and increase self-reliance. Program benefits include financial assistance, employment and training, and employment supports.

**Temporary Assistance to Needy Families (TANF)**

See TANF Funded Programs.

**Parents as Scholars (PaS)**

See TANF Funded Programs. This program is state funded only after the first 12 months of participation.

**ASPIRE Support Services**

See TANF Funded Programs. This program is state funded only for participants in State funded programs.

**Child Support Pass Through/Supplemental TANF**

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

**Other TANF Programs for Needy Families**

The following programs provide financial assistance and/or services to low income families.

**Cash Assistance for Non-Citizen Families**

The state funded Non-Citizen Families Program provides benefits equivalent to the TANF program to legal aliens who would be eligible for TANF but for § 431 of PRWORA as amended (8 U.S.C. § 1641). See Section II, above, for alienage-specific eligibility criteria.

The eligibility requirements are the same as for the TANF Program. The non-citizen family receives monthly benefits equal to a TANF family's benefits. A family that becomes ineligible for

this program because of increased child support, increased hours of, or increased income from employment is eligible for transitional support services.

#### Students

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

#### TANF Worker Supplement

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

#### Transitional Services

See TANF funded programs.

#### State Funded SNAP

Maine's Supplemental Nutrition Assistance Program (SNAP) provides monthly food assistance to non-citizen families that would be eligible for assistance under the federal Food Stamp Act of 1977 but for §401, §402 and §403 of PRWORA. In order to be eligible, families must meet one of the following conditions:

- Have been receiving food assistance from the State of Maine as of July 1, 2011
- Is elderly or disabled;
- Is a victim of domestic violence;
- Experiencing other hardship, such as time necessary to obtain proper work documentation;

The program is meant to be short term and temporary. Expenditures are only claimed for the first four months of benefit receipt.

#### Dependent Care Tax Credit

This credit is available to those who are TANF eligible and eligible for the federal child and dependent care credit. Generally, an individual who pays someone to care for a dependent or a child who is under age 13 is allowed a credit. Maine only claims expenditures for households with a child under 18. The Maine credit is equal to 25% of the federal credit. The Maine credit is doubled (50% of the federal credit) if a quality child care facility is used. Quality child care facilities are certified through the Maine Department of Health and Human Services.

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

General Assistance provides immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves and their families. The GA Program is funded with

State general fund dollars. This program deals with specific crisis situations such as to prevent imminent homelessness and is not intended to meet recurrent or ongoing needs. Eligibility for benefits is authorized one month at a time. Expenditures are only claimed if the participant is in the first four months of benefits or if the participant is receiving TANF in the same month as GA. Expenditures within the first four months are claimed as TANF non-assistance, and expenditures after four months are claimed as TANF assistance.

#### Child Care Development Fund (CCDF)

The state may count toward TANF MOE its expenditures for childcare that also satisfy the MOE or matching requirements of CCCBG, up to the CCDBG MOE level. These payments are related to childcare services provided to families who are at risk of becoming dependent on TANF. Childcare costs are reimbursed up to established maximums, based on the family's gross income, the age of the child, and type of child care provider. The income limit is 250% of the FPL.

#### **TANF Initiative Programs**

The following programs meet one of the four purposes of TANF. These programs provide benefits in the form of services to Maine families. These services involve a wide variety of community partners such as other governmental agencies, non-profit organizations and others.

#### Head Start

See TANF funded programs.

#### Child Welfare – Direct Benefits

See TANF funded programs.

#### Child Protective Services – Investigations

Maine Office of Child and Family Services (OCFS) receives reports of suspected child abuse or neglect and investigates to determine if the report meets the statutory definition of child abuse or neglect. For reports where abuse or neglect is affirmatively identified, the case is assigned to a child protective service caseworker who identifies whether the children are safe in the home, and if not, what actions must be taken to ensure the child's safety.

## **Section VI: TANF State Plan Certifications**

Maine will operate a program to provide TANF so: that children may be cared for in their own homes or in the homes of relatives; to end dependence of needy parents on government benefits by promoting job preparation, work, and marriage; to prevent and reduce the incidence of out-of-wedlock pregnancies; and to encourage the formation and maintenance of two-parent families.

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

The Executive Officer of the State of Maine is Governor Paul R. LePage.

In administering and operating a program which provides TANF under the Title IV-A of the Social Security Act, the State:

- 1) *Maine's TANF Program 42 U.S.C. 602(a)(1)***  
***Certifies that the Maine Department of Health and Human Services, Office for Family Independence, is the State agency that will supervise the administration of the program.***
  
- 2) *Child Support (42 U.S.C. 602(a)(2))***  
***Will operate a child support enforcement program under the State plan approved under part D;***
  
- 3) *Foster Care and Adoption Assistance (42 U.S.C. 602(a)(3))***  
***Will operate a foster care and adoption assistance program under the State plan approved under part E, and certify that the State will take all necessary actions to ensure that children receiving assistance under such part are eligible for medical assistance under the State plan under title XIX;***
  
- 4) *Administration (42 U.S.C. 602(a)(4))***  
***Assures that local governments and private sector organizations:***
  - A. Have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and***
  - B. Have had at least forty-five (45) days to submit comments on the plan and the design of such services;***
  
- 5) *Equitable Access (42 U.S.C. 602(a)(5))***  
***Will provide each member of an Indian tribe, who is domiciled in the State and is not eligible for assistance under a tribal family assistance plan approved under Section 612, with equitable access to assistance under the State program funded under this part attributable to funds provided by the Federal Government;***

**6) Program Fraud and Abuse (42 U.S.C. 602(a)(6))**

*Has established and is enforcing standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State program, kickbacks, and the use of political patronage;*

**7) Domestic Violence (42. U.S.C. 602(a)(7))**

***Optional Certification***

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

**8) Plan Amendments (42 U.S.C. 602(b))**

**Within thirty (30) days after the State amends a plan submitted pursuant to subsection (a), the State shall notify the Secretary of the amendment; and**

**9) Public Availability of Plan Summary (42 U.S.C. 602(c))**

***Shall make available to the public a summary of any plan or plan amendment section.***

**Certified by the Chief Executive Officer of the State of Maine:**

November 1, 2017  
Date

Paul R. LePage  
Governor Paul R. LePage

**Attachment A: Eligibility Guidelines**

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

**ADULT INCLUDED**

BASIC					SPECIAL NEED							
Number in filing unit	Gross Income Test	Second Income Test	SON	Maximum Grant	Gross Income Test	Second Income Test	SON	Maximum Grant +	Special Need	= Total	Max. Gap	
1	485	283	340	276	578	333	640	276	300	576	64	
2	762	445	535	435	855	495	835	435	300	735	100	
3	1,023	596	716	581	1,116	646	1016	581	300	881	135	
4	1,286	750	902	733	1,379	800	1202	733	300	1033	169	
5	1,548	903	1084	879	1,641	953	1384	879	300	1179	205	
6	1,811	1,055	1266	1026	1,904	1,105	1566	1026	300	1362	240	
7	2,072	1,208	1451	1231	2,165	1,258	1751	1231	300	1531	274	
8	2,335	1,361	1634	1325	2,427	1,411	1934	1325	300	1825	309	
Additional Member	+262	+153	+189	+148	+262	+153	+184	+189	+300	+448		

**ADULT NOT INCLUDED**

BASIC					SPECIAL NEED							
Number in filing unit	Gross Income Test	Second Income Test	SON	Maximum Grant	Gross Income Test	Second Income Test	SON	Maximum Grant +	Special Need	= Total	Max. Gap	
1	285	167	200	164	332	217	500	164	300	464	36	
2	546	319	384	314	639	369	684	314	300	614	70	
3	808	472	567	462	901	522	867	462	300	762	105	

4	1,071	624	749	608	1,164	674	1049	608	300	908	141
5	1,334	778	935	760	1,427	828	1235	760	300	1060	175
6	1,597	931	1117	906	1,690	981	1417	906	300	1206	211
7	1,859	1,083	1301	1056	1,952	1,133	1601	1056	300	1356	245
8	2,120	1,236	1484	1204	2,213	1,286	1784	1204	300	1504	280
<b>Additional Member</b>	+262	+153	+189	+148	+262	+153	+189	+148	+300	+448	