

















































































For Students

- Must be a child of a current or former TANF recipient
- Maintain a minimum 2.0 grade point average
- Remain drug and crime-free
- Adhere to school attendance requirements
- Abide by the school's code of conduct
- Meet regularly with the assigned mentor and participate in mentoring program activities
- Make progress on college preparatory plan

**c. Restriction on Amount, Frequency, or Duration of Services or Payments:** None

**d. Major Activities:** The LWDBs administering the WT program contract with a community-based group to provide mentoring to each student awarded a prepaid scholarship. The mentoring group monitors the progress of the child(ren) and reports to the LWDBs. Throughout the program, the scholarship award remains contingent on the parent and the child(ren) remaining compliant with all program requirements.

**e. Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** LWDB staff or service provider refer families to a broad array of community services as appropriate to fit their on-going needs.

## 5.2 PROTECTIVE INVESTIGATIONS

**a. Purpose:** DCF investigates child maltreatment reports to ensure the safety and well-being of children alleged to be or who have been abused, neglected, or abandoned. DCF and other agencies conduct the investigations in accordance with Florida Statutes.

**b. Eligibility:** This program receives TANF and MOE funds. These needy children must be under age 18 and live with a custodial parent or specified caretaker relative and the family must have a family income at or below 200% of the federal poverty level to receive TANF funded services, be U.S. citizens or qualified noncitizens, and be Florida residents.

**c. Restriction on Amount, Frequency, or Duration of Services or Payments:** Funds help defray the administrative costs associated with operating the Florida Abuse Hotline and supporting protective investigations staff.

**d. Major Activities:** DCF completes TANF/MOE eligibility determinations on all children who are subjects of an abuse report to the Florida Abuse Hotline.

**e. Referral to Other Programs to Assist Transition from Welfare to Work:** The families receive complete case management and referrals to other appropriate services as needed.

### 5.3 ADOPTION SUBSIDIES AND SERVICES

- a. **Purpose:** The program provides a Maintenance Adoption Subsidy to “special needs children” who are ineligible for Title IV-E adoption assistance. The subsidy helps to minimize adoption disruption for families who have adopted a special needs child. The family may use these TANF funds for on-going counseling, educational, and other needs so that the child may thrive in his or her new home and remain part of a permanent family.
- b. **Eligibility Criteria:** The program receives TANF and MOE funds. The needy child must be under age 18 and ineligible for Title IV-E adoption assistance, must have a family (child only) income at or below 200% of the federal poverty level, be a U.S. citizen or a qualified noncitizen, living with a caretaker relative during the adoption process, and be a Florida resident.
- c. **Restriction on Amount, Frequency, or Duration of Payments:** DCF determines the child’s continued eligibility for the subsidy every 12 months and reviews eligibility when any of the eligibility conditions change.
- d. **Referral to Other Programs to Assist Transition from Welfare to Work:** The families receive complete case management and appropriate referrals to other services, as needed.

### 5.4 SCHOOL READINESS PROGRAMS OR EARLY LEARNING COALITIONS (s. 1002, PART VI, F.S.)

The Office of Early Learning’s School Readiness (SR) Program is housed within the Florida Department of Education. SR provides financial assistance for quality child care for eligible families so parents can work or prepare for work, or to children who are at risk of abuse, neglect or abandonment, homeless, or victims of domestic violence. Services vary based on individual need and range from extended day to extended year and school age care. These services help families become financially self-sufficient and prepare children for success in life by providing developmentally appropriate educational experiences.

- a. **Purpose:** The Florida Legislature created the SR program to increase children's chances of achieving future educational success and becoming productive members of society. Programs must be developmentally appropriate, research-based, involve parents as their child's first teacher, serve as preventive measures for children at risk of future school failure, enhance the educational readiness of eligible children, and support family education. Each SR program must provide the elements necessary to prepare at-risk children for school, including health screening and referral, and an appropriate educational program.

- a. Eligibility Criteria:** The SR program offers qualified parents financial assistance for child care through a variety of services. Child care services may include extended-day, extended-year, and school age care to support parents in becoming financially self-sufficient. Children are eligible for the SR program from birth to thirteen (13) years of age, according to eligibility priority criteria. Parents are required to pay a copayment for services based on a percentage of their family income. Each early learning coalition shall give priority for participation in the SR program as follows:
1. First to a child younger than 13 years of age from a family that includes a parent who is receiving Temporary Cash Assistance under Chapter 414, F.S., and subject to the federal work requirements
  2. Next to an at-risk child younger than nine years of age
  3. Next to a child from birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school under s.1003.21(1)(a)2, who is from an economically disadvantaged working family, and may include the child's eligible siblings, beginning with the school year the sibling is eligible for admission to kindergarten in a public school under s.1003.21(1)(a)2, until the beginning of the school year the sibling is eligible to begin 6<sup>th</sup> grade, provided the first priority for funding an eligible sibling is local revenues available to the coalition for funding direct services. TANF only funds are only used to support expenditures for a child in families with income under 200% of the federal poverty level
  4. Next to a child of a parent who transitions from the work program into employment as described in s. 445.032 from birth to the beginning of the school year the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2
  5. Next to an at-risk child who is at least nine years old but younger than 13 years old. An at-risk child with a sibling enrolled in the school readiness program within an eligibility priority category listed in paragraphs (1)-(3) must be given priority over other children eligible under this paragraph
  6. Next to a child who is younger than 13 years old from an economically disadvantaged working family. A child who is eligible under this paragraph whose sibling is enrolled in the school readiness program under paragraph (3) must be given priority over other children eligible under this paragraph. TANF only funds are only used to support expenditures for a child in families with income under 200% of the federal poverty level
  7. Next to a child of a parent who transitions from the work program into employment as described in s. 445.032 who is younger than 13 years old
  8. Next to a child who has special needs, has been determined eligible as a student with a disability, has a current individual education plan with a Florida school district, and is not younger than three years old. A special needs child eligible under this paragraph remains eligible until the child is eligible for admission to kindergarten in a public school under s. 1003.21(1)(a)2

9. Notwithstanding paragraphs (1)-(4), last priority must go to a child who meets one of the eligibility criteria in paragraphs (1)-(4) but is also enrolled concurrently in the federal Head Start Program and the Voluntary Prekindergarten Education Program.

## 5.5 THE HOME INSTRUCTION PROGRAM FOR PARENTS OF PRESCHOOL YOUNGSTERS (HIPPY)

- a. **Purpose:** HIPPY provides home instruction services to at-risk children ages three through five who are TANF-eligible. HIPPY works with families in the home to support parents as their child's first teacher and to actively prepare their children for success in school. Parents are provided with a set of carefully developed curriculum, books, and materials designed to strengthen their children's cognitive skills, early literacy skills, social/emotional, and physical development.
- b. **Eligibility Criteria:** The program restricts the segregated Federal TANF funds for serving needy families who have a minor child who is a U.S. citizen or qualified noncitizens, ages three through five years of age, living with a custodial parent or caretaker relative. Eligible participants must be TANF eligible children whose parents meet the following criteria:
1. Legal residents of the state
  2. A family with a minor child living with a custodial parent or relative caretaker
  3. A family with gross income
    - At or below 185 percent of the federal poverty level and eligible to receive Temporary Cash Assistance
    - At or below 200 percent of the federal poverty level and eligible for TANF non-assistance services.
- c. **Restrictions on Amount, Frequency, or Duration of Services or Payments:** Restricted to the level of the legislative appropriation in the state budget per fiscal year.
- d. **Major Activities:** HIPPY provides parents opportunities to help their children with enriching experiences needed for school readiness. The program uses three developmentally-appropriate home-based curricula of pre-academic activities that parents use with their three, four, and five-year-old children, role playing as an instructional technique for parents, professional coordinator, and a staff of paraprofessional home visitors to provide services, home visits, and parent group meetings. The home visitors go into the home and role-play the activities outlined in the curriculum with the parents and support each family throughout their participation in the program.

- e. **Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** NA

## 5.6 RELATIVE CAREGIVER PROGRAM

- a. **Purpose:** This is a program that provides financial assistance to relatives who are caring full-time for an eligible child who is adjudicated dependent and ordered by the court into the custody of the relative, decreasing the likelihood of the child's placement in foster care, and avoiding the trauma to the child that could result from such a placement.
- b. **Eligibility Criteria:** The relative caregiver must be within the fifth degree of relationship by blood, marriage, or adoption to the parent or stepparent of the child for whom the relative caregiver is providing full-time care. The household must meet the technical and financial requirements of the TANF "child-only" program, including the requirement that neither parent reside in the home, with the following exceptions.
1. The monthly amount of the payment before any deductions from income of the child are:
    - Age zero through five years-\$242
    - Age six through 12 years-\$249
    - Age 13 to 18 years-\$298
  2. DCF bases financial eligibility on a comparison of the income of the child to the benefit payment standard for the child's age. The difference between the Relative Caregiver Program payment standard for the child's age and the income of the child is the amount of the payment.
  3. Each child applying for or receiving a Relative Caregiver Program payment is a filing unit of one, and the program uses only the child's income and assets to establish and maintain eligibility.

In addition to the TANF eligibility requirements, the placement of the child must be due to a finding of abuse or neglect by the dependency court, and the DCF Office of Child Welfare must complete an approved home study of the relative caregiver.

The 2014 Legislature passed Senate Bill 1666, which established provisions for non-relatives to be eligible for the Relative Caregiver Program. Funding for the non-relative caregivers does NOT come from TANF funds, so this section does not apply to non-relative caregivers.

- c. **Restriction on the Amount, Duration, or Frequency of Services or Payments:** The program pays a special monthly relative caregiver benefit based on the child's age within a payment schedule set by DCF. Children placed in Florida from another state or placed by Florida in another state are not eligible for the program. Use of federal TANF and state MOE is limited to relative caregivers only. The state uses

separate state non-MOE funds for non-relative caregivers.

- d. Major Activities:** The program assures children otherwise at risk of foster care placement, achieve a sense of permanence and stability in a supportive home that provides for their well-being and support services, including, but not limited to, access to immunizations, education, any necessary mental health services, and other services as needed.
- e. Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** None

## 5.7 DEFINITION OF UNWED BIRTHS AND FLORIDA'S GOALS FOR REDUCING OUT-OF-WEDLOCK BIRTHS

Florida defines "out-of-wedlock" as: "The mother is not married at the time of delivery." If the parents were married at time of conception, but are not married at time of delivery, this is termed an "unwed birth." If the father dies prior to delivery, this is termed an "unwed birth."

The birth rate among teens 19 and under in Florida and the nation is steadily declining. In Florida, the birth rate for female teenagers between the ages of 15 and 19 was 60.4 per 1,000 females in 1995. In 2015, this rate had declined to 20.3 per 1,000 females.

The state has a broad array of programming directed toward reducing out-of-wedlock births and teenage pregnancy. They are not in this plan because they are offered through public agencies and private or community based groups that make them available to individuals and families without regard to specialized eligibility criteria and they are not receiving TANF or MOE funding.

The Department of Education offers programs and initiatives extensively throughout Florida through its school districts, the Department of Health through its local health agencies, the Department of Juvenile Justice, the Department of Legal Affairs, the Urban League, and a variety of community and church groups. All provide for outreach and education and seek non-restricted participation in their activities.

Examples: Education Now and Babies Later (ENABL)  
Teen Pregnancy Programs in school districts  
Abstinence Programs  
Family Planning Clinics and Programs  
Juvenile Redirections Programs  
Practical Academic Cultural Education (PACE) for Girls  
Children In Need of Services/Families In Need of Services (CINS/FINS)

## CAREERSOURCE FLORIDA AND DEPARTMENT OF ECONOMIC OPPORTUNITY SPECIAL INITIATIVES AND PROJECTS

The Florida Legislature periodically makes provisions for CSF to initiate special projects that serve one of the four purposes of TANF and can vary by region, funding, or other resources because most of the programs are competitively bid.

### 5.8 POST-EMPLOYMENT CAREER ADVANCEMENT AND RETENTION CHALLENGE

- a. **Purpose:** LWDB staff or service providers that receive funding for this project provide TANF non-assistance support and employment services to the working poor in an effort to reduce the dependence of needy parents on government benefits by promoting job preparation, work, and marriage.
- b. **Eligibility Criteria:** The participant must be from a family that has income at or below 200% of the federal poverty level. Program staff must document all eligibility and must indicate the TANF purpose served on the eligibility form.
- c. **Restriction on the Amount, Frequency, or Duration of Services or Payments**  
There are no payments and no restrictions on services and duration.
- d. **Major Activities:** Programs focus on service delivery to meet one of the four purposes of TANF. LWDBs may implement programs in creative and innovative ways while enhancing partnerships with community social service agencies, employers, and other businesses. The funding agencies continually evaluate programs for performance. Activities relate to the TANF purpose served. Examples of these activities include, but are not limited to the following:
  1. Job search assistance
  2. Job coaching
  3. Resume development
  4. Employment mentoring
  5. Retention services
  6. Pregnancy prevention workshops and materials
  7. Family counseling referrals and services
  8. Child support contract development/monitoring
  9. Individual mentoring

10. Soft skills development
11. Industry specific training
12. Basic skills education
13. Post-secondary training
14. English for Speakers of Other Languages (ESOL) education

- e. **Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** Participants enter programs based on their eligibility and are engaged in program components. The program evaluates participants and program staff refer them to other programs based on their needs, barriers, and goals. The LWDBs refer participants to other programs offered in the career centers or to outside service sources.

## 5.9 SUBSIDIZED EMPLOYMENT FOR YOUTH

- a. **Purpose:** The purpose of the program is to extend the use of TANF funding to support subsidized summer employment opportunities for youth up to the age of 18, or 19 if the youth is in school full time in a secondary school or its equivalent (as defined by Florida's definition of "minor child") with public sector organizations, private sector companies, and nonprofit organizations.
- b. **Eligibility Criteria:** Youths eligible to participate are from families that are currently receiving TCA, or youth in families that have an annual income at or below 200% of the federal poverty level.
- c. **Restriction on the Amount, Frequency, or Duration of Services or Payments:** The LWDBs determine any restrictions in negotiation with the potential employer.
- d. **Major Activities:** Major activities include recruitment of and contract negotiation with perspective employers in the community, recruitment of youth participants, determination of their eligibility and referral to potential employers, and monitoring of the performance of each subsidized employer.
- e. **Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work:** Staff at the career centers make referrals to appropriate community services as needed by the youth or family.

## **SECTION 6: STATUTORY RAPE PREVENTION AND MALE INVOLVEMENT**

These are state/federal funded initiatives complementary to and coordinated with the TANF program at the local level. They are not TANF or TANF/MOE funded.

Florida programs that provide educational information and training to state and local law enforcement officials, educational institutions, and relevant counseling services on the problem of statutory rape, teenage pregnancy prevention programs, and the role of fathers have been expanded in scope to include improved strategies to reach more males.

### **6.1 VIOLENCE INTERVENTION AND PREVENTION PROGRAM**

The Violence Intervention and Prevention Program's Rape Prevention Education initiative is funded by the Centers for Disease Control and Prevention to educate the public, professionals, and underserved populations on sexual violence interventions and prevention through creation of safe, healthy environments, and behaviors.

Green Dot is an evidenced-based strategy that empowers potential bystanders to actively engage peers in both reactive responses (i.e., intervening in a potential sexual violence or dating violence incident) and proactive approaches (preventing future incidents through modeling behavior aligned with social norms that do not tolerate violence) to reduce sexual violence and related forms of interpersonal violence. The strategy is theory-based and supported by research drawn from bystander psychology, diffusion of innovation theory, and sexual violence perpetration characteristics. Male and female students are trained to recognize situations and behaviors that can contribute to violence and determine actions they could safely take to reduce the likelihood or effect of violence. These bystander behaviors are called "green dots" to distinguish them from "red dots," or behaviors that contribute to violence. Thirteen agencies and organizations throughout Florida are funded to implement Green Dot. The strategy is conducted in high schools, universities, and specific community locations, and includes personal communications, overview speeches, bystander trainings, action events, and social marketing campaigns.

The Violence and Injury Prevention Program may also offer training on the evidence informed "Coaching Boys Into Men" program. Recognizing the influence sports have in our culture and the lives of young men, Coaching Boys Into Men (CBIM) is a comprehensive violence prevention curriculum for coaches and their athletes. The program engages athletic coaches through the Coaches Leadership Program to help shape the attitudes and behaviors of young male athletes. Athletic coaches play an extremely influential and unique role in the lives of young men, often serving as a parent or mentor to the boys they coach. Because of this, coaches are poised to positively influence how young men think and behave, both on and off the field. Coaches impart education through speeches to the team, practice sessions, and casual conversation. CBIM encourages men to become involved in preventing sexual violence by mentoring young boys, starting a men's club to

educate other men about oppression issues, or volunteering at their local rape crisis center.

## **6.2 RAPE CRISIS PROGRAM TRUST FUND**

In 2003, the Florida Legislature created the Sexual Battery Victims' Access to Services Act (F.S. 794.055) and the Rape Crisis Program Trust Fund (F.S.794.056). The Sexual Battery Victims' Access to Services Act acknowledges that victims of sexual assault in the state of Florida should have access to basic services including:

- Hotline
- Crisis intervention
- Advocacy
- Support services
- Therapy
- Medical intervention
- Service coordination
- Community Awareness

The Act created a funding system for distribution of monies generated by a \$151 surcharge assessed on each offender who pleads guilty or nolo contendere or found guilty of sexual battery and other offenses that included many of the aggravated battery and other battery offenses. While the clerk of the court retained \$1 of the surcharge, the Department deposits \$150 in the Rape Crisis Program Trust Fund. This Act requires the Department of Health to contract with a statewide, nonprofit association to distribute these funds to provide sexual battery recovery services.

Per Florida Statutes, the Department must use funds received under s. 938.085 to provide sexual battery recovery services to victims and their families. Department of Health retains 5% for administrative costs, and gives the remaining 95% to the Florida Council Against Sexual Violence (FCASV). The FCASV retains no more than 15 percent of the funds for statewide initiatives, and distributes the remainder of the funds to rape crisis centers, based on an allocation formula that takes into account the population and rural characteristics of each county.

## **6.3 FLORIDA LAW RELATED TO STATUTORY RAPE (ss. 382.356, 409.2355, & 827.04, F.S.)**

- a. Section 827.04, F.S., mandates that a person age 21 or older who impregnates a child less than 16 years old commits an act of child abuse which is a third degree felony punishable under ss. 775.082-775.084, F.S. Neither the victim's lack of chastity nor the victim's consent is a defense to the crime proscribed under this subsection.

ESS Program Policy requires all eligibility staff to report suspicion of abuse through

statutory rape to the Florida Abuse Hotline.

Excerpt from ESS Program Policy Manual

0420.0300 Report of Abuse (TCA)

Florida Statutes require the reporting of suspected abuse, neglect or exploitation of any child, aged person or disabled adult.

Also make a report when there is reasonable cause to suspect that:

1. A newborn is physically drug dependent;
2. A child, from birth to five years of age, is a drug-exposed child;
3. The parent/caregiver is unable to provide safe care for the child(ren);
4. A male age 21 or older impregnates a female under the age of 16 (applicable to children conceived after 10/01/96); or
5. The participant has used the cash benefits for purposes other than the support of a child(ren).

- b. Section 409.2355, F.S., directs DCF to establish a program (if the legislature appropriates funds) so local communities may apply for grants through the state attorney's office of each judicial circuit to fund innovative programs for the prosecution of males over age 21 who victimize girls younger than 16 years old in violation of ss. 794.05, 794.011, 800.04, 827.04(4), or 847.0315 (5), F.S.
- c. Section 382.356, F.S., directs the Office of Vital Statistics of the Department of Health, the Department of Revenue, and the Florida Prosecuting Attorneys Association to develop a protocol for sharing birth certificate information to facilitate the prosecution of offenses in which a male over the age of 21 impregnates a child less than 17 years old.

#### **6.4 SERVICES FOR NON-CUSTODIAL PARENTS (S. 414.065(5), F.S.)**

The local plan for these designated areas must contain provisions to focus on initiatives that increase support for children from non-custodial parents. Florida made provisions for non-custodial parents to participate in job training programs in order to improve their employability and income potential.

**Non-custodial parents receiving TANF non-assistance services must have a family income at or below 200% of the federal poverty level.**

The court may order a non-custodial parent to participate, the child support enforcement agency may refer the non-custodial parent to participate, or the non-custodial parent may volunteer to participate in work activities under the WT or other workforce programs

because of the following circumstances:

- a. To enable the individual to obtain employment necessary to provide support payments. A non-custodial parent who fails to meet the court-ordered work requirement may be in contempt.
- b. When the individual is delinquent in child support payments, and the child of the non-custodial parent has been placed with a relative, in an emergency shelter, in foster care or in other substitute care, or if the individual would be eligible for TCA if the child lived with the non-custodial parent.

Failure to meet the work requirements may result in removal from program participation.

## 6.5 NON-CUSTODIAL PARENT (NCP) PROGRAMS

The following are examples of TANF special projects that serve non-custodial parents through LWDBs:

- a. **Purpose:** The LWDB refers the NCP to the appropriate program through coordination of an integrated workforce system and court systems. TANF programs for NCP include:
  - 1. Programs that provide eligible non-custodial non-assistance services to end or prevent dependence of needy parents on governmental benefits and
  - 2. Programs that encourage the formation and maintenance of two parent families.
- b. **Eligibility Criteria:** Non-custodial parents receiving non-assistance services must have a family income at or below 200% of the federal poverty level. Depending on the referral agency, there may be additional eligibility criteria, such as:
  - 1. The contracted provider serves non-custodial parents of children who receive public assistance or are qualified as TANF eligible.
  - 2. For NCP programs serving TANF purpose number two: the NCP must be either employed, under-employed with difficulty or inability to pay child support, or be unemployed with a need to secure work to pay child support.
  - 3. The court may have ordered the NCP to seek employment, participate in work activities, or the NCP was unable to enroll in the program voluntarily.
- c. **Restriction on Amount, Frequency, or Duration of Services or Payments:** None
- d. **Major Activities:** Activities may include, but are not limited to the following:
  - 1. Informing participants of program opportunities and responsibilities

2. Case management
3. Various types of assessment
4. Parenting education
5. Employment and accountability plan development
6. Industry related training, credential achievement, and certification (if needed)
7. Employability skills and work readiness skills training (if needed)
8. Employment placement and retention services
9. Visitation services
10. Mentoring
11. Child support accountability

**e. Referral Mechanisms to Other Programs to Assist Transition from Welfare to Work: NA**

There are two other opportunities for non-custodial parents in Florida:

1. The Florida Legislature makes an annual direct appropriation of TANF funds to a specialized Non-Custodial Parent Employment Program affiliated with the court system that operates in a few major counties in Florida.
2. LWDBs also operate locally designed NCP programs or programs that include NCP enrollees based on competitively funded demonstration projects and special project guidelines.

## SECTION 7: FAIR AND EQUITABLE TREATMENT

### 7.1 DUE PROCESS (ss. 409.285 & 445.024(6), F.S.)

The Workforce Innovation Act provides for applicant/participant protections against erroneous and arbitrary decision-making through opportunities for hearings and appeals in accordance with s. 409.285, F.S. Participants are subject to the same health, safety, and nondiscrimination standards established under federal, state, or local laws that otherwise apply to other individuals engaged in similar activities who are not participants in the WT. The act also provides DCF with administrative rulemaking authority and directs DCF to adopt such administrative rules to ensure participant protection and due process in accordance with s. 414.45, F.S. The Florida Department of Children and Families does not discriminate against any person on the basis of race, color, national origin, disability, sex, or age in admission, treatment, or participation in its programs, services and activities, or in employment.

### 7.2 FAIR HEARING/APPEAL/GRIEVANCE PROCESS

Welfare Transition Program participants have the right to request a fair hearing to resolve disputes about actions that affect their receipt of TANF-funded Temporary Cash Assistance benefits or services.

DCF and contracted providers will provide appropriate auxiliary aids and reasonable accommodations to persons with disabilities and interpreters to persons with limited-English proficiency where necessary to afford each individual an equal opportunity to participate in and benefit from the Fair Hearings/Appeal process.

For more complete description of services available to ensure equal opportunities for persons with disabilities and/or Limited English Proficiency (LEP) see:

<http://www.myflfamilies.com/service-programs/deaf-and-hard-hearing>

<http://www.myflfamilies.com/about-us/dcf-training/lep-training>

<http://www.myflfamilies.com/service-programs/deaf-and-hard-hearing/auxiliary-aids-plan>

- a. **Cash Assistance (s. 409.285, F.S.):** Under s. 409.285, F.S., DCF is responsible for providing individuals an opportunity for a fair hearing or appeal before DCF's Office of Appeal Hearings for any action that results in the disapproval of eligibility for, the modification, or cancellation of TCA payments. Participants receive information about this right at the time of application and with each notice of adverse action.

The participant must file the request within 90 days of the date of a Notice of Adverse Action. If the participant files the request by the end of the last day of the month prior to the effective date of the adverse action, DCF continues assistance through the month the hearing officer hands down a decision. If the fair hearing decision is not in

the participant's favor, the individual may have to repay benefits. If the individual is under sanction for noncompliance with TANF work requirements and requests a fair hearing, the LWDB or service provider must attend the fair hearing, bring relevant documentation, and participate in the fair hearing process.

- b. Welfare Transition Service Delivery (s. 445.024(6), F.S.):** CSF or DEO is responsible for providing a grievance process for complaints, except complaints of alleged discrimination, related to WT program service delivery, such as work activities, support services, diversion programs, and other workforce functions under the Workforce Innovation Act.

The appropriate authority affords individuals who require reasonable accommodations, including language assistance or document translation, to file a grievance, attend a grievance, or review the grievance determination.

*See Program Guidance, WPDG 00-004, Grievance, Complaint & Hearing/Appeal Procedures.*

[http://www.floridajobs.org/PDG/guidancepapers/004Griev\\_Rev060807.pdf](http://www.floridajobs.org/PDG/guidancepapers/004Griev_Rev060807.pdf)

### **7.3 DISPLACEMENT (s. 445.024(7), F.S.)**

Regular employees may file a grievance about displacement by a Workforce Investment Act (WIA) participant or WT/TANF participant in accordance with the DEO grievance guideline (WPDG 00-004). The guidelines describe displacement action prohibitions and available relief specifications for WIA in 20 CFR 667.279 and TANF in 45 CFR 261.70.

*See Program Guidance, WPDG 00-004, Grievance/Complaint & Hearing/Appeal Procedures*

[http://www.floridajobs.org/PDG/guidancepapers/004Griev\\_Rev060807.pdf](http://www.floridajobs.org/PDG/guidancepapers/004Griev_Rev060807.pdf)

### **7.4 PROGRAM INTEGRITY**

Provisions related to strengthening and maintaining program integrity, from fraud prevention activities, recovery of erroneously paid benefits, and the federal provisions for audits are included in ss. 414.095(15), 414.122, 414.39, 414.391, 414.392, 414.41, 414.42, 414.27, 414.28, 414.17, F.S. See, *Chapter 414*.

<http://flsenate.gov/statutes/index.cfm?Mode=ViewStatutes&Submenu=1>

<http://www.leg.state.fl.us/Statutes/index.cfm?Mode=View%20Statutes&Submenu=1&Tab=statutes&CFID=165464613&CFTOKEN=7cad9f913aeac399-9A144157-A6E8-38E2-7AE9B9BC3601C1CE>

## 7.5 CIVIL RIGHTS GRIEVANCE PROCEDURES

No person shall, on the basis of race, color, religion, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be subject to unlawful discrimination under any program or activity receiving or benefiting from federal financial assistance and administered by DCF.

Individuals wishing to file a complaint, alleging violations of this policy, may contact the Office of Civil Rights, Florida Department of Children and Families, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or call 1-850-487-1901, or TDD 1-850-922-9220. The attached documents also list regional 504 coordinators.

[https://www.dcf.state.fl.us/admin/servicedelivery/docs/HHS\\_CivilRightsOfficers-ADA-504Coordinators.pdf](https://www.dcf.state.fl.us/admin/servicedelivery/docs/HHS_CivilRightsOfficers-ADA-504Coordinators.pdf)

Individuals may file civil rights complaints by writing the U.S. Department of Health and Human Services, Director, Office of Civil Rights, Room 506-F, 200 Independence Avenue, S.W., Washington, D.C. 20201 or call (202) 619-0403 (voice) or 1-800-537-7697 (TTY).

Individuals may also file complaints with the U.S. Department of Agriculture (USDA) by writing USDA, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410 or call toll free (866) 632-9992 (voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339; or (800) 845-6136 (Spanish).

See attached document for a summary of Florida's policy and procedures for handling civil rights disability complaints and a copy of the January 6, 2010 HHS settlement agreement which address procedures to ensure persons who are deaf or hard-of-hearing have an equal opportunity to receive DCF administered benefits and services.

<http://www.dcf.state.fl.us/admin/servicedelivery/docs/Summary%20of%20DCF%20Policy%20for%20Filing%20Complaints%20by%20Reason%20of%20Disability.pdf>

[http://www.dcf.state.fl.us/admin/servicedelivery/docs/HHS\\_SettlementAgreement-Signed1262010.pdf](http://www.dcf.state.fl.us/admin/servicedelivery/docs/HHS_SettlementAgreement-Signed1262010.pdf)

## **SECTION 8: DISQUALIFICATIONS**

Florida disqualifies individuals who have committed intentional program violations through administrative disqualification hearings, signed disqualification waivers, or criminal courts proceedings.

### **8.1 FRAUD (s. 414.39, F.S.)**

- a.** According to Florida law, DCF must use an error-prone profile within its public assistance information system and must screen each application for public assistance, including food assistance, Medicaid, and TCA, against the profile to identify cases with a potential for error or fraud. Each identified case must complete a pre-eligibility fraud screening.
- b.** For non-fraud (agency or recipient) error cases, a claim is limited to four years prior to the month the overpayment initially discovered by, or reported to, an ESS Specialist.
- c.** The statute of limitations restricts suspected fraud overpayment claim establishment for criminal prosecutions for fraud. DCF must refer a case to the Department of Public Assistance Fraud involving fraud before two years for a misdemeanor or three years for a felony, has elapsed from the date the fraud occurred until the case is filed with the State Attorney.
- d.** The court must define disqualification periods, when specified in a court order. In the absence of court ordered specifications, the TCA disqualification periods are:
  - 1.** 12 months for the first violation
  - 2.** 24 months for the second violation
  - 3.** Permanent disqualification for the third violation

### **8.2 OTHER PROGRAM VIOLATIONS**

- a.** Convictions for felony drug trafficking pursuant to F.S. 893.135 including agreeing, conspiring, combining, or confederating with another person to commit the act committed on or after August 22, 1996, results in the permanent disqualification for TCA benefits with the first violation, provided the conviction has not been expunged by a court.
- b.** Fraudulent statements or representations about identity or residence to receive multiple benefits results in a disqualification period of ten years for each violation.
- c.** For all other TCA program violations, the disqualification periods are:

1. 12 months for the first violation
2. 24 months for the second violation
3. Permanent disqualification for the third violation

## **SECTION 9: PROVISIONS RELATED TO COMMUNITY WORK (S. 414.55, F.S.)**

*Not later than one year after the date of enactment of this Act (PRWORA), unless the chief executive officer of the state opts out of this provision by notifying the Secretary, a State must, consistent with the exception provided in section 407(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 407(c), to participate in community service employment, with minimum hours per week and tasks to be determined by the State. (s. 402(a)(1)(B)(iv))*

The State opted out of this provision as provided for in s. 414.55, F.S., that requires the Governor to minimize the liability of the state by opting out of the special provisions of s. 402(a)(1)(B)(iv), of the SSA, as amended by PRWORA. DCF and CSF must implement the community work program in accordance with the provisions of s. 445.024, F.S.

## **SECTION 10: EMERGENCY RELIEF (s. 414.35, F.S.)**

DCF is required to adopt administrative rules for the administration of emergency assistance programs delegated to the Department either by executive order in accordance with the Disaster Relief Act of 1974 or pursuant to the Food Stamp Reauthorization Act of and the Food, Conservation, and Energy Act of 2008.

## **SECTION 11: SPECIAL PROVISION RELATED TO THE “ELDER JUSTICE ACT OF 2009”**

This Special Provision Section is added to Florida’s TANF State Plan as required by TANF-ACF-PI-2011-06 to comply with Title VI, Subtitle H, Sections 6701-6703 of the Patient Protection and Affordable Care Act of 2010 (PPACA), 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)).

Florida affirms that it is including health care needs of elders in its planning for workforce and economic development.

Florida intends to “*assist individuals to train for, seek, and maintain employment in other (health care) occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel....*” (Required language.)

The following is a brief description of some of the labor market analysis, training opportunities, and health care related initiatives in Florida. While not all demand occupations mentioned below are, for elder care exclusively, the fact that Florida is one of the primary locations for the nation’s retirement population means that most health care workers will cope with the issues of elder care during their career.

Description: Florida has been the destination of choice for decades for retirees seeking a home in a state with year-round sunshine, a relatively low cost of living and no state income tax, so that their retirement funds stretch further. The state currently ranks number one in the percentage of citizens who are elders and will likely continue. For this reason, Florida has long been aware of the need to train a labor force with the skills to care for the needs of this large segment of its population. Florida’s technical schools, community colleges, and universities all have strong records of preparing individuals for all areas of the elder health care industry—from physicians specializing in gerontology to in-home caregivers. The Florida Statewide Demand Occupations List, which sets the training agenda for all workforce training programs in Florida, has on it more than 18 health-related occupations, all listed as high skill, high wage occupations. The list does not include all the beginning-level training programs, such as Certified Nurse Assistants, where many individuals start their career path in elder health care in the state’s multitude of assisted living facilities and nursing homes.

One example of Florida’s awareness of and emphasis on meeting healthcare needs for all its populations, including the elderly, is described in this Excerpt from CSF’s legislatively mandated 2010-2015 Strategic Plan for all workforce programs: **Creating the Strategy for Today’s Needs and Tomorrow’s Talent.**

*Employ Florida Healthcare Workforce Initiative: Healthcare was the only industry sector that experienced job growth consistently during the recession. Through 2018 employment in this sector is expected to increase by nearly 20 percent, compared to 14 percent for all*

*other industries combined. Also, healthcare is an infrastructure industry that is essential to quality of life and business success in Florida. That is why CareerSource Florida, Inc. has developed the Employ Florida Healthcare Workforce Initiative in partnership with the Department of Economic Opportunity and Local Workforce Development Boards. This \$6.5 million initiative was launched as an innovative solution to help unemployed Floridians find jobs in the healthcare sector and to help individuals already in the profession move up the career ladder.*

As an integral part of the workforce system in Florida, TANF-funded Welfare Transition Program participants are encouraged to train for occupations with growth and high wage potential.

## **SECTION 12: ELECTRONIC BENEFITS TRANSFER (EBT) RESTRICTIONS AND ASSURANCE OF ADEQUATE ACCESS TO CASH ASSISTANCE**

In accordance with section 4004(c) of Public Law 112-96 this section of the TANF State Plan describes Florida's policies and procedures to prevent access to the TANF/TCA benefits through electronic fund transactions at casinos, liquor stores, and establishments providing adult-orientated entertainment. This section also explains how the state ensures that recipients have adequate access to their TCA, and can withdraw the TCA with minimal fees or charges, including the opportunity to access the TCA with no fee or charge and how information on fees are communicated to recipients.

### **EBT Restriction:**

Effective July 1, 2015, the legislature amended Florida Statutes 402.82(4)(a) to prohibit the use or acceptance of an electronic benefit transfer card for the purchase of an alcoholic beverage as defined in s. 561.01 and sold pursuant to the Beverage Law.

October 1, 2013, legislative language in Florida Statute 402.82(4) (b) through (f) prohibiting use or acceptance of an EBT card at the following locations remains unchanged:

- An adult entertainment establishment as defined in s. 847.001
- A pari-mutuel facility as defined in s. 550.002
- A slot machine facility as defined in s. 551.102
- A commercial bingo facility that operates outside the provisions of s. 849.0931 or
- A casino, gaming facility, or gambling facility, or any gaming activities authorized under part II of chapter 285

Florida will also continue to prohibit the use or acceptance of an EBT card at liquor stores as required by federal law.

Procedures to prevent access to TCA through use of EBT cards at the above locations will require the EBT vendor to block both Point of Sale (POS) machines and Automated Teller Machines (ATM) at the prohibited locations.

The vendor will block POS transactions from businesses identified by the Merchant Category Code (MCC), developed by the "Card Association," at package stores (beer, wine, and liquor), high risk adult entertainment, and betting, which includes lottery/casino/wagers. The state will identify which MCC codes the vendor should block. If the MCC code is present and on the vendor's "no process" list, the transaction will be declined.

The EBT vendor will block ATM transactions by programming a block on the specific ATM terminal ID. ATM transactions are reviewed monthly through a data analysis process to identify ATM terminal IDs in prohibited locations. The EBT vendor will then enter this terminal ID into their system to block any EBT cash transactions from the ATM machine at

the prohibited location.

Retail stores, other than liquor stores where use of the EBT card is prohibited, will be responsible for ensuring the EBT card is not used for the purchase of an alcoholic beverage as defined in s. 561.01. The Florida Retail Association has advised all retail stores of the new state law.

### **Adequate Access to Temporary Cash Assistance:**

Recipients may redeem TCA benefits at any commercial POS machine that displays the QUEST® logo and any financial institution's ATM that displays the QUEST®, STAR®, or PRESTO® logos. Merchants that accept the Florida EBT card display the QUEST® logo to let cardholders know they can use their cards at these locations.

ATMs offer TCA withdrawal services only. POS machines offer TCA purchase transactions and may offer TCA back with a TCA purchase and TCA withdrawal transactions. Transactions performed at ATMs and some POS machine merchants are subject to surcharges by the financial institution or owner. ATMs and POS machines that redeem EBT TCA benefits will have a dollar sign on their QUEST® logos.

The cardholder can use their EBT card in all fifty states plus Washington, DC and the U. S. territories of Guam and the Virgin Islands.

### **Fees and Surcharges**

#### **1. Fees:**

The first two TCA only withdrawal transactions each month are provided at no cost to the cardholder. There is a \$.85 fee for the third and subsequent TCA only withdrawal transactions. There is no fee charged by DCF or its fiscal agent (FIS eFunds) for TCA purchases, or for receiving TCA back with a purchase.

#### **2. Surcharges:**

A surcharge is an additional fee that may be charged for using a card at an ATM machine, 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. For example, some banks charge a \$1.50 surcharge to customers who do not have an account with them. Other ATMs/financial institutions may charge anywhere from \$1.00 up to \$3.50 for the same service. Some ATM networks do not surcharge EBT cash cardholders.

### **Direct Deposit**

Customers can choose to have their TCA benefits deposited into their own bank accounts through direct deposit. TCA benefits are deposited into recipient's bank account on the same schedule as those posted to EBT accounts at the financial institution designated on the Direct Deposit Authorization form.

DCF provides information on accessing TCA benefits with minimal fees or charges, including an opportunity to access TCA with no fee or charge to the EBT cardholder in a printed informational brochure included with EBT cards. EBT account access, card use,

and customer service information is available on the DCF's Website at: <http://www.myflfamilies.com/service-programs/access-florida-food-medical-assistance-cash/welcome-ebt>

## CERTIFICATIONS

The State will operate a program to provide Temporary Assistance to Needy Families (TANF) so children can be cared for in their own homes or in the homes of relatives, to end dependence of needy parents on government benefits by promoting job preparation, work and marriage, to prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies, and to encourage the formation and maintenance of two-parent families.

The program is known as the Welfare Transition Program as named in the Workforce Innovation Act of 2000.

Executive Officer of the State: **Rick Scott, Governor**

In administering and operating a program that provides Temporary Assistance for Families with minor children under Title IV-A of the Social Security Act, the state will:

1. Specify which state agency or agencies will administer and supervise the program under Part A in all political subdivisions of the State:

The Department of Children and Families (ESS Program): DCF determines eligibility for temporary cash assistance and provides ongoing assistance and services to needy families.

The Department of Health: DOH administers programs related to the prevention of teenage pregnancies and out-of-wedlock births. (No direct TANF funding appropriated at this time.)

CareerSource Florida, Inc.: The principal workforce policy organization of the State, CSF has planning and oversight responsibilities for all workforce related programs, including Welfare Transition Program activities funded with TANF funds.

Department of Economic Opportunity: DEO is responsible for work activities and support services for participants subject to the time limits and work requirements and eligibility for diversion payments.

Department of Education: Administrative home of the Office of Early Learning's School Readiness (Child Care) Program.

2. Assure that local governments and private sector organizations:

- (a) Have been consulted about the plan and design of welfare services in the state so services are provided in a manner appropriate to local populations and

- (b) Have at least 45 days to submit comments on the plan and design of such

services.

3. Operate a Child Support Enforcement program under the State plan approved under part D, Title IV-A of the Social Security Act, as amended. In accordance with s. 409.2557, F.S., the Department of Revenue is the state agency designated to administer and supervise this program.
4. Operate a Foster Care and Adoption Assistance program in accordance with Part E, Title IV-A of the Social Security Act, as amended, and certify that the state will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance.
5. 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 412, Title IV-A of the Social Security Act, as amended, with equitable access to assistance under the state program funded under this part attributable to funds provided by the Federal Government.
6. Establish and enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the state program, kickbacks, and the use of political patronage. The state administers the program through staff who meet the standards and requirements of a uniformed personnel system that includes prohibitions against such conduct.
7. Make available to the public a summary of the State plan.

#### OPTIONAL CERTIFICATION

Certification that the state will screen and identify individuals receiving assistance under the State Plan with a history of domestic violence while maintaining the confidentiality of such individuals, refer such individuals to counseling and supportive services, and, waive, pursuant to a determination of good cause, other program requirements in cases where compliance with such requirements would make it more difficult for individuals receiving assistance under this part to escape domestic violence or unfairly penalize such individuals who are or have been victimized by such violence, or individuals who are at risk of further domestic violence. The provisions of the Workforce Innovation Act related to this option are described in Section 3 of this plan.

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE

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DATE

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RICK SCOTT  
GOVERNOR OF FLORIDA