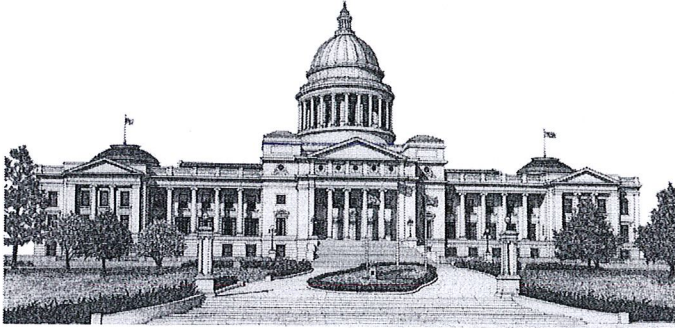


ARKANSAS REGISTER

Transmittal Sheet

* Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State
Mark Martin
State Capitol, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-3527
www.sos.arkansas.gov



For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Department of Workforce Services

Department Temporary Assistance for Needy Families

Contact Derwin Taylor E-mail derwin.taylor@arkansas.gov Phone 501-683-1353

Statutory Authority for Promulgating Rules Arkansas Act 514 of 2007

Rule Title: Amendment to Arkansas Temporary Assistance for Needy Families (TANF) State Plan

Intended Effective Date
(Check One)

☐ Emergency (ACA 25-15-204)

☐ 30 Days After Filing (ACA 25-15-204)

☒ Other December 31, 2012
(Must be more than 30 days after filing date.)

Legal Notice Published

Date

August 11, 2012

Final Date for Public Comment

October 1, 2012

Reviewed by Legislative Council

Adopted by State Agency

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Derwin Taylor

derwin.taylor@arkansas.gov

8/31/12

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)



Signature

(501) 682-3101

artee.williams@arkansas.gov

Phone Number

E-mail Address

Director

Title

8/31/12

Date

Arkansas Department of Workforce Services
Public Notice and Request for Public Comment

In accordance with the Temporary Assistance for Needy Families (TANF) Program Final Rule (45 CFR Part 260, et al), the Arkansas Department of Workforce Services (ADWS) has developed its draft amended State Plan for Title IV-A of the Social Security Act: TANF Program.

ADWS is requesting public comment on the plan. The plan is available for review at the ADWS website. In addition, hard copies are available at TANF – 4th Floor, #2 Capitol Mall, Little Rock, Arkansas 72203.

All comments must be submitted in writing no later than COB, Monday, October 1, 2012. Please submit written comments to Department of Workforce Service (TANF), Attn: Derwin Taylor, PO Box 2981, Little Rock, Arkansas 72203 or Derwin.Taylor@arkansas.gov.

Attachment to Questionnaire

Summary of Change

The revisions are being made for federal renewal requirements. The revisions that are being made add new section regarding Eldercare Workforce. It deletes sections 14 through 17 regarding ARRA funding but reserves the sections for future utilization.

Certifications

Section 1 ORGANIZATION

- 1.1 Organizational Structure
- 1.2 Statewide Operation
- 1.3 Implementation Date
- 1.4 Public/Private Agency Relationships
- 1.5 Arkansas Temporary Assistance for Needy Families Oversight Board

Section 2 PURPOSE/GOALS

- 2.1 Public Involvement
- 2.2 Program Goals
- 2.3 Measurement of Goals

Section 3 POPULATION TO BE SERVED

- 3.1 Definition of Needy Family
- 3.2 Definition of Other Adult Relative Caretaker
- 3.3 Income Limit
- 3.4 Resource Limit
- 3.5 Citizenship Requirement
- 3.6 Time Limit Requirement
- 3.7 Personal Responsibility Agreement
- 3.8 Assignment of Child Support
- 3.9 Drug-Related Convictions
- 3.10 Minor Parent Living Arrangements
- 3.11 Family Violence Option (FVO)
- 3.12 Eldercare Workforce

Section 4 WORK AND SELF-SUFFICIENCY

- 4.1 Applicant Intake
- 4.2 Employability Assessment
- 4.3 Employment Plan
- 4.4 Work Activities
 - 4.4.1 Employment
 - 4.4.2 Education
 - 4.4.3 Career and Technical Education

Section 4 (continued)

- 4.4.4 Job Skills Training

8.3 Plan to Reduce Unwed Births and Teenage Pregnancy

Section 9 GENERAL PROGRAM ADMINISTRATION

- 9.1 Non-Discrimination
- 9.2 Safeguarding Information
- 9.3 Appeals & Hearings
- 9.4 Program Manuals

Section 10 FRAUD CONTROL

- 10.1 Intentional Program Violation (IPV) Disqualifications
- 10.2 Fraudulent Misrepresentation of Residence

Section 11 WORK PAYS

- 11.1 Eligibility Criteria
- 11.2 Payment
- 11.3 Work Pays Bonus
- 11.4 Noncompliance
- 11.5 Supportive Services

Section 12 Additional Uses of TANF Funds

Section 13 ARKANSAS CAREER PATHWAYS INITIATIVE

- 13.1 Program Design
- 13.2 Eligibility
- 13.3 Participant Requirements
- 13.4 Available Services

Section 14 Reserved

Section 15 Reserved

Section 16 – Reserved

Section 17 – Reserved

Section 18 – Kinship Caregiver Services Project

- 18.1 Eligibility
- 18.2 Program Design

Attachment 1 – Arkansas Department of Workforce Services Organization Chart

following situations:

- a. It has been determined that the unmarried minor parent's current living arrangement is appropriate. In this situation, the minor parent and child will be required to continue to reside in such living arrangement as a condition of eligibility unless it is determined that such living arrangement is no longer appropriate due to changed circumstances.
- b. The minor parent has no parent, legal guardian, or other adult relative of his or her own who is living or whose whereabouts are known.
- c. The minor parent's parent or legal guardian will not allow the minor parent and child to live in his/her home and there is no other adult relative who will allow the minor parent and child to live in their home.
- d. The minor parent or child is being or has been subjected to serious physical or emotional harm, sexual abuse, or exploitation in the home of the minor parent's parent or legal guardian.
- e. Substantial evidence exists of an act or failure to act that places the minor parent or child at risk of imminent or serious harm in the home of the minor parent's parent or legal guardian.
- f. The agency determines that it is in the best interest of the minor parent's child to waive the living arrangement requirement for the minor parent and child.

3.11 Family Violence Option (FVO)

Arkansas continues to utilize the Family Violence Option (FVO) for victims of domestic violence. This will allow us to modify program requirements and extend time limits to help victims of domestic violence.

3.12 Eldercare Workforce

The Arkansas TANF program does not intend to target training for individuals seeking and maintaining employment specifically in the eldercare workforce. However, training may be available in various job classifications such as Certified Nurse Assistant (CNA) that are consistent with employment in the eldercare workforce.

Section 4 WORK AND SELF-SUFFICIENCY

As a condition of eligibility, parents, and other adult caretakers who are included as eligible family members, will be required to seek and accept employment unless they are unable to do so due to one or more of the criteria outlined in Section 5 (Exemptions/Deferrals). Minor parents are excluded from the employment requirement, however must be engaged in

are not considered “assistance”, as defined in federal TANF Guidelines.

All participants are required to apply for Pell Grants for which they are eligible. These funds must be exhausted prior to the use of TANF funds.

Section 14 - Reserved

Section 15 -Reserved

Section 16 –Reserved

Section 17 – Reserved

Section 18 – Kinship Caregivers Services Project

Arkansas Act 1705 of 2005 required the use of TANF funds, effective January 1, 2006, for the purpose of providing services to the TANF Program’s “child-only” cases. These services are designed to assist low-income families through services and support provided to relative caregivers and children associated with TANF “child-only” cases.

In February 1, 2006, the initial “Kinship Caregivers Service Project began. Since implementation, federal TANF funds, in varying amounts, have been used for this project annually.

These services meet TANF Purpose 1 to provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives.

18.1 Eligibility

Services under this project are restricted to child-only cases in the Arkansas TEA program. For purposes of this project, a kinship caregiver is considered to be a relative to the 5th degree of a minor child whether the caregiver is married, unmarried or never-married.