

Texas State Plan for Temporary Assistance for Needy Families

Renewal



TEXAS
Health and Human
Services

Access and Eligibility Services

October 1, 2022

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1. 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, § 402. Information detailing the provisions of Texas'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.

Section 402(a)(1) Outline of Family Assistance Program

(A) General provisions. A written document that outlines how the State intends to do the following:

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

General Information

Texas operates a TANF block grant assistance program on a statewide basis in accordance with state law and state policy. The State intends to modify this State Plan whenever such modification is deemed to be in the best interest of the State.

Notwithstanding the description of current eligibility determination processes in this plan and subject to necessary federal approvals, Texas plans to ensure coordination with other programs for recipients using an integrated enrollment and eligibility system to link recipients with the services necessary to achieve the performance requirements of TANF, to comply with TANF reporting requirements, and to ensure that the necessary interface with the Title IV-D agency for child support services takes place.

Texas reserves the right to operate a diversion program that focuses on work. The program will include the ability to make TANF payments for any reasonable diversion activities. The TANF payments will allow a family to address specific needs without making them dependent on welfare. By providing an alternative to cash

assistance, the State can divert those Texans who can remain self-reliant with immediate assistance.

Texas reserves the right to use TANF funds to provide services consistent with the four purposes of the TANF program stated in 45 Code of Federal Regulations (C.F.R.) § 260.20 and as allowed under this State Plan or any amendments that are certified as complete by federal authorities.

Application, Determination of Eligibility and Furnishing TANF Cash Assistance

- Except in unusual circumstances, action on applications is taken within 45 days.
- Assistance to eligible applicants begins on the date of authorization of payment or 30 days from the date of the receipt of a signed and completed application, whichever is earlier.
- Assistance is not provided prior to a complete determination of eligibility when facts support a presumption of eligibility.
- The State re-determines eligibility at least every 12 months.
- Upon notification by the IV-D agency of the amount of a support collection, the IV-A agency will use such amount to review eligibility of the assistance unit. The determination will be done during the month in which notice is received from the IV-D agency.
- Assistance is furnished in the form of cash issued by Electronic Benefit Transfer (EBT) or warrant. Warrants are issued only on an exception basis when benefits are requested through a manual process, including One-Time TANF and One-Time TANF for Relatives benefits.

Coverage and Conditions of Eligibility

Domicile/Relationship: Living with a specified relative in a place of residence maintained by one or more such relatives as their own home.

The following is a list of the relatives with whom a child may be living:

- Father or mother, including "step" relationship
- Grandfather or grandmother, including "step" relationship, extended to degree of "great-great-great"
- Brother or sister, including "step" relationship
- Uncle or aunt, extended to degree of "great-great"
- Niece or nephew, extended to degree of "great-great"
- First-cousin extended to degree of once removed

The State's criteria for establishing "day-to-day care" and "care and control" are:

- Day-to-day care of a child occurs when there is actual day-to-day care for the child at home, such as feeding, dressing, transporting, and other similar activities necessary for the growth and well-being of the child.
- Care and control of the child include financial support, planning and supervision of the child, and the ability to make decisions on the child's medical treatment, duration and type.

The definition of "temporarily absent" is when a person is out of the home:

- Attending school or training,
- Employed or seeking employment away from home,
- Hospitalized or receiving outpatient services,
- In a privately funded, non-profit home for children,
- Separated from other family members and the family has no regular place of residence, or
- On vacation.

As specified in § 408(a)(10), Texas may allow eligibility in situations of a child's absence that does not exceed 180 consecutive days. Texas denies a parent or caretaker relative who fails to timely report a child's absence.

Deprivation of parental support or care includes:

- Continued absence: Continued absence of a parent usually occurs in divorce, desertion, abandonment, incarceration, deportation, hospitalization or unwed parent situations.

However, the parent may be absent for any reason if the nature of the absence interrupts or terminates the parent's function as a provider of maintenance, physical care or guidance, and the duration of the absence precludes relying on the parent for the present support or care of the child. Deprivation based upon continued absence also may occur when these three factors are present simultaneously:

- ▶ A parent has been convicted of an offense and is under sentence of a court;
- ▶ The sentence requires (and the parent is performing) unpaid public work or unpaid community service during working hours; and
- ▶ The parent is permitted by the court to live at home while serving the sentence because of crowded jail conditions or for other reasons in the public interest.

The parent may be absent for military service, employment or any other reason so long as an evaluation of all the facts results in a reasonable conclusion that the absence is not of a temporary nature. Absence of fewer than 30 days is considered temporary unless facts indicate that the absence will continue past 30 days. Parental absence based solely on active duty in the

uniformed services is not a basis for establishing deprivation because of continued absence.

- Incapacity: A child is deprived due to incapacity if the parent has a physical or mental disability supported by competent medical testimony, which is of such a debilitating nature that it precludes the parent from substantial gainful employment for a continuous period of at least 30 days. A certification of Retirement, Survivors and Disability Insurance (RSDI) for a disability or Supplemental Security Insurance (SSI) is sufficient proof of incapacity to establish TANF deprivation.
- Unemployment: A child is deprived if both parents are in the home and one or both parents are unemployed or under-employed and a financial need exists.
- Death: A child is deprived if one or both parents are deceased.

The determination that a child has been deprived of parental support or care is made in relation to the child's legal parent.

The State agency's definition of an unemployed parent who is the principal earner includes a principal earner unemployed because of conduct or circumstances that result or would result in disqualification for unemployment compensation under the State's unemployment compensation law.

Assistance is provided to a needy and otherwise eligible 18-year-old child who is a full-time student in a secondary school or in the equivalent level of vocational or technical training, and who may reasonably be expected to complete the program before reaching age 19.

To be eligible for TANF cash assistance in Texas, an unmarried minor parent must reside with a parent, legal guardian or other adult relative as specified in § 408(a)(5). A minor parent may reside elsewhere and be eligible for cash assistance if good cause is established for one of the following reasons:

- The parent(s), legal guardian or other adult relative(s) are deceased or their whereabouts are unknown; or
- The parent(s), legal guardian or other adult relative will not allow the minor to live in the home; or
- The State determines that the minor parent or the child is or has been subjected to serious physical or emotional harm, sexual abuse or exploitation in the adult's home; or
- The State otherwise determines that it is in the child's best interest to waive the requirement that the minor parent and the child live with a parent, legal guardian or adult relative (example: moving in with a parent or other adult would result in the minor parent having to quit a job).

A child is not denied aid either initially or subsequently because of the conditions of the home in which the child resides or because the home is considered unsuitable.

Eligibility is limited by additional State conditions or requirements, as described below:

- A TANF recipient may be required to participate in a work subsidy component in which the employee's TANF and Supplemental Nutrition Assistance Program (SNAP) benefits are used to pay a subsidy to an employer who agrees to hire the recipient.
- A household is ineligible to qualify for assistance if, within three months before application or any time after certification, the household transfers a countable resource for less than its fair market value.
- Texas requires by rule that adult TANF applicants must attend a workforce orientation prior to TANF certification. The orientation is provided by the Texas Workforce Commission (TWC) through Local Workforce Development Boards (Boards) or by service providers under contract with a Board. Failure to attend the workforce orientation will result in the denial of the household's application.
- Texas requires that adult TANF applicants (including payees) sign a Personal Responsibility Agreement (PRA). The PRA lists the TANF applicant's responsibilities. These are cooperation requirements such as with the Title IV-D agency's child support program requirements, work participation, school attendance for minor parents and children, voluntary quit, compliance with Texas Health Steps immunization schedules, attending parenting skills classes, and having no criminal alcohol or drug convictions. The Texas Health and Human Services Commission (HHSC) denies families whose adult members refuse to sign the PRA as well as TANF recipient families who subsequently fail to comply with PRA requirements.

Assistance payments are made in the situations and under the conditions below:

- Payments are made for the entire month to or for a family which, for any portion of the month, met all the eligibility conditions, provided the family was eligible on the date payment was made (except if a caretaker relative participates in a strike or if other income or resources cause ineligibility).
- Initial payments are made on behalf of a child who goes to live with a relative within a period of 30 days from the receipt of the initial payment, if payments are not made for a concurrent period for the same child in the home of another relative or as TANF-Foster Care.
- Payments are made for the entire month during which a child lives in the home of a specified relative, provided payments are not made for a

concurrent period for the same child in the home of another relative or as TANF-Foster Care.

- Payments are made to persons acting for relatives specified in 45 C.F.R. § 260.20 in emergency situations that deprive a child of the care of the relative, through whom the child has been receiving aid, for a temporary period necessary to make and carry out plans for the child's continuing care and support.

Definition of Strikers:

- The State defines the term "strike" in accordance with the federal definition at 29 U.S.C. § 142(2).
- The State defines the term "participating in a strike" as an actual refusal in combination with others to provide services to one's employer.

Texas denies eligibility to individuals who are fugitives from law enforcement (including probation and parole violators) as required by § 408(a)(9).

In addition to the ongoing TANF cash assistance program, Texas authorizes the following policies:

- Texas provides a One Time Temporary Assistance for Needy Families (OTTANF) \$1,000 benefit. To qualify, families must meet all requirements for regular TANF cash assistance, as well as state rule criteria for demonstrating the need for emergency assistance and likely self-sufficiency within a short period of time. The one-time cash payment is issued in lieu of ongoing monthly TANF payments, and the family is prohibited from again receiving TANF cash assistance for 12 months.
- Texas provides a supplemental One-Time TANF for Relatives \$1,000 payment to qualifying relatives who are the primary caretakers for one or more TANF-certified child(ren). Qualifying relatives include grandparents, aunts, uncles, brothers and sisters. Grandparents, aunt and uncles may be to the degree of greats or great-greats. The relative must be 25 or older, have resources not to exceed TANF resource limits, and have income not to exceed 200 percent of the Federal Poverty Level (FPL).
- Texas provides an annual \$30 supplement for each TANF-certified child prior to the start of the school year to assist the household with purchasing items needed for school.
- Texas allows the initiation of policies that fulfill the purposes of the TANF Program as outlined in 45 C.F.R. § 260.20, which are: (a) Provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; (b) End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; (c) 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 (d) Encourage the formation and maintenance of two-parent families.

- Among the services provided for TANF cash assistance recipients and those at risk of requiring TANF cash assistance, Texas aids in connecting those individuals with employment and community resources that will lead to self-sufficiency through employment. The specific services provided may include referrals to domestic violence shelters, job leads, WorkInTexas.com, computer access for preparing resumes, job fairs, referral to clothes closets, providing information about local employment opportunities, educational assistance, adult education, referral to other community and faith-based resources, parenting skills training, and similar services.
- Texas includes all two-parent families in a state-funded cash assistance program. Eligibility criteria are substantively identical to the TANF program. In accordance with the Texas Human Resources Code §§ 31.012 and 34.003(b), all individuals must register with the Texas Workforce Commission's employment services program or participate in TWC's "Choices" program. The state expenditures of the two-parent state funded cash assistance program are not claimed as TANF Maintenance of Effort (MOE), and the recipients are not counted in the state's assistance caseload effective October 1, 2007.

Eligibility Criteria

Standard of Assistance, Need Standard and Grant Amount

- Extent to which Standard of Assistance has been consolidated - The State agency has developed a fully consolidated standard of assistance. All needs are included in a flat amount per family size. In the process of developing the consolidated standard, grants were averaged for each family size.
- Special Needs - The State standard of assistance does not contain other recognized needs or special circumstance items.
- Area differentials - In the standard of assistance, area differentials do not exist. The same standard of assistance is applicable throughout the State.
- The amounts for the standard of assistance were increased most recently on March 1, 1994.
- Texas adopted a single figure needs standard on March 1, 1973. In establishing need, the presence in the home of other needy individuals who are not eligible but who are considered essential to the well-being of the child recipient is not recognized.
- The grant amount for the ongoing TANF cash assistance program is approximately 17 percent of the FPL. Texas reviews grant amounts annually to ensure that they are at least at 17 percent FPL and adjusts these amounts every October 1.

Table 1. TANF Budgetary Allowances¹ (October 1, 2022)

Family Size	Non-Caretaker Cases			Caretaker Cases Without Second Parent			Caretaker Cases With Second Parent		
	Bud Needs (100%)	Rec Needs (25%)	Max Grant	Bud Needs (100%)	Rec Needs (25%)	Max Grant	Bud Needs (100%)	Rec Needs (25%)	Max Grant
1	256	64	112	313	78	136	---	---	---
2	369	92	161	650	163	283	498	125	216
3	518	130	226	751	188	327	824	206	358
4	617	154	269	903	226	393	925	231	402
5	793	198	345	1003	251	436	1073	268	466
6	856	214	372	1153	288	501	1176	294	511
7	1068	267	464	1252	313	544	1319	330	573
8	1173	293	510	1425	356	620	1422	356	618
9	1346	337	585	1528	382	664	1595	399	693
10	1450	363	630	1701	425	739	1698	425	738
11	1623	406	706	1804	451	784	1871	468	813
12	1726	432	750	1977	494	859	1975	494	858
13	1899	475	825	2080	520	904	2147	537	933
14	2003	501	871	2253	563	979	2251	563	978
15	2174	544	945	2356	589	1024	2423	606	1053
Per each additional member	173	43	75	173	43	75	173	43	75

¹ Although Texas adjusts the maximum grant amounts annually, the budgetary and recognizable needs amounts have not changed since March 1, 1994.

Income and Resources

The amount of real and personal property that can be reserved for each assistance unit is no more than \$1,000. The State excludes the following resources and income:

- HHSC exempts any income or resources excluded under federal law.
- Automobiles with fair market values not exceeding \$4,650.
- Income-producing vehicles.
- The cash value of one bona fide pre-paid burial insurance policy, funeral plan or funeral agreement for each member of the assistance unit. Burial plots are also exempt and defined as the designated space in the ground, vault or mausoleum reserved for burial of the TANF family. A bona fide pre-paid burial insurance policy, funeral plan or funeral agreement is defined as a prepaid funeral plan or burial insurance policy to pay for services, facilities, and items needed for burial.
- Real property that the family is making a good faith effort to sell. "Good faith effort to sell" is defined as using classified ads in newspapers, listing the property with a realtor, or accepting an offer that equals or exceeds the fair market value of the property.
- Basic maintenance items.
- Necessary non-liquid income-producing property as determined under the following criteria: Real property, stock, inventory, tools, equipment and other non-liquid income-producing property that are usual and customary for a given trade, profession, or business.
- Individual Development Accounts (IDAs) established for a home purchase, starting a business or paying for a college education.
- Funds in a School-Based Savings Account described by § 28.0024 of the Texas Education Code.
- Income earned by an individual who marries an individual receiving TANF cash assistance at the time of the marriage. The earnings are excluded during the first 6 months following the date of the marriage only if the combined income of the TANF recipient and new spouse does not exceed 200 percent of FPL for their family size.
- Policies provide for allocating an individual's income for his or her own support if the individual is not applying for or receiving assistance, for the support of other individuals living in the same household but not receiving assistance and for the support of other individuals living in another household. Such other individuals are those who are or could be claimed by the individual as dependents for determining federal personal income tax liability or those he or she is legally obligated to support.
- Those included for allocation are all individuals living in the home who are not applying for or receiving TANF and who are not sanctioned for failing to comply with a program requirement.

- Assistance from other agencies and organizations is disregarded in determining need and amount of the assistance payment if it is for a different purpose than TANF.

The State excludes the following types and amounts of support and maintenance assistance (including home energy assistance) that has been certified by the appropriate State agency as based on need:

- Energy assistance
 - ▶ The State excludes an unlimited amount of such assistance when it is provided in-kind by a private non-profit organization.
 - ▶ The State excludes such assistance when it is provided by a rate-of-return entity. An unlimited amount is excluded if the assistance is furnished in-kind.
 - ▶ The State excludes such assistance when a supplier of home heating gas or oil provides it. An unlimited amount is excluded if the assistance is furnished in-kind.
 - ▶ The State excludes such assistance when it is provided by a municipal utility providing home energy. An unlimited amount is excluded if the assistance is furnished in-kind.
- The State does not prorate allowances in the need and payment standards for shelter, utilities, and similar needs.
- A dependent care deduction in an amount of \$175 (\$200 for a child under age two) is determined and applied in the case of an individual engaged in full-time employment throughout the month.
- The State disregards all income that is received from participation in a program under the Workforce Innovation and Opportunity Act (WIOA).
- The state disregards from available income gifts or contributions if they are made by private, nonprofit organizations based on need and total \$300 or less per household in a federal fiscal quarter.

Support payments sent directly to the client and retained in violation of state policy will be subject to IV-A recovery.

Good Cause

The State's definition of "good cause" for an individual who terminates employment or reduces earned income, refuses employment, or fails to make a timely report of earned income is described below:

- Good cause for terminating employment is the existence of circumstances beyond the control of the individual.
- Good cause for reducing earned income is the existence of circumstances beyond the control of the individual.
- Good cause for refusal to accept employment is the existence of circumstances beyond the control of the individual.

Budgeting

- The State's time period covered by the payment month is a calendar month.
- Proration of the amount payable for the month of application is based on a 30-day standard.
- Cost of child care and incapacitated person care are provided as a combination of cost of care expended by a worker up to \$175 (\$200 for a child under age two) per child or incapacitated person and service provided or purchased by an agency.
- The TWC case manager attempts to arrange purchased child care for the clients. If unable to provide purchased care for a client with earned income, HHSC allows a dependent care deduction.
- HHSC deducts the first \$120 of earned income for work related expenses.
- In addition to the \$120 work related expense deduction, the agency disregards 90 percent of remaining earnings up to a maximum of \$1,400 per person for the first four months of employment. After the fourth month, the agency allows only the \$120 disregard.
- The agency computes the assistance payment using its best estimate of income that will exist in the payment month as described below.
- For prospective budgeting, the agency computes the assistance payment using its best estimate of income that will exist in the payment month. This estimate is based on the agency's knowledge of past and current circumstances and (1) accurately reflects all facts that occurred (whether known or unknown to the State); (2) establishes a specific time frame that the State uses to determine the estimate; (3) is calculated correctly; and (4) remains an accurate reflection of the likely situation in the payment month because no change in circumstances has occurred since the time frame used for the estimate. If the actual case circumstances differ from those used to calculate the estimate, the agency must reconcile the differences by recovering any overpayment or resolving any underpayment.

The following methodology is used by the agency to calculate a best estimate of income:

- Evaluate the household's income and circumstances with the client.
- Budget the actual income received as of the interview date. Budget only the income that can be reasonably anticipated for pay periods after that date. If income is ongoing, but the amounts fluctuate, average income from past pay periods.
- Verification of at least two pay periods is required. Methods of verification must be documented.
- Evaluate other factors with the client to determine if amounts verified are representative of future amounts.
- Average the representative amounts to determine the amount of income to project.

- Best estimates are recalculated at each complete review and at any income change that requires re-budgeting.
- The following is a description of the prospective budgeting provisions in effect that the State adopted to achieve compatibility with SNAP:
 - ▶ HHSC uses 4.33 and 2.17 as factors for converting weekly and biweekly income into monthly income to determine eligibility for current and future months as well as determining benefit amounts.
 - ▶ Income is converted to a monthly figure using a conversion factor unless income is received once a month or less than a full month's income is received. If an additional payment is received outside the regular payment cycle, HHSC converts the regular payments and adds the additional payment to the converted amount.
 - ▶ For new income that is paid semi-monthly, HHSC determines the estimated number of hours worked per week; estimates the weekly gross income by multiplying the weekly estimated hours by the hourly wage; and multiplies the weekly gross income by 4.33.
 - ▶ For ongoing semi-monthly income, HHSC multiplies the regular semi-monthly payment by 2.

Spouse-to-Spouse Deeming

When one spouse is included in an assistance unit (AU) while the other spouse is not, even though they are living together, the income of the spouse not in the AU is considered available to the other spouse. The State counts as income to the AU the income of the spouse who is in the home but who is not included in the AU after applying the income allocations and stepparent disregards in 45 C.F.R. § 233.20(a)(3)(xiv).

Overpayment Recovery and Underpayments

- Recovery of overpayments from current recipients is accomplished by either recoupment from or repayment by the participating household.
- The State will not attempt to recover overpayments from participating households where the combined overpayment amount for all programs is below the defined threshold amount by allegation type (generally \$525 for income cases or \$1,000 for household composition cases) with certain limited exceptions.
- In cases that have both an underpayment and an overpayment observed during the identified timeframe, the State elects to offset one against the other only when calculating an agency error.
- Overpayment claims are established and collected from assistance payments based on three categories:
 - ▶ Fraud or intentional program violation
 - ▶ Client error (or inadvertent household error)
 - ▶ Agency error

- Work Related Expenses (WRE) and the Earned Income Disregard (EID) are not deducted in determining overpayment claim amounts for Intentional Program Violation (IPV) and Inadvertent Household Error claims. Dependent care is included as an EID and the deduction is not allowed when determining IPV or household error claims.
- The income that causes the overpayment is not converted and is budgeted as actual income in the month received. If ongoing income is re-verified while conducting the investigation, it will also be budgeted as actual income in the month received to calculate the overpayment amount.

Overpayments to Aliens When the Sponsor(s) Fails to Provide Correct Information

- The agency's uniform statewide policy is that aliens and sponsors admitted under non-binding affidavits of support will be jointly and severally liable for overpayments caused when the sponsor fails to provide correct information. If the sponsor has good cause (defined as the alien's provision of incorrect information without the sponsor's knowledge) or receives benefits in the same program in which the alien's overpayment occurred, then the alien alone is liable.
- Reimbursement will be requested from the sponsor for aliens admitted under § 213A of the Immigration and Nationality Act.

Protective Payee Payments for Dependent Children

Protective payments are made:

- For mismanagement cases. The agency does not presume mismanagement based on a recipient's nonpayment of rent alone. The following criteria are used by the State in determining mismanagement of the TANF grant:
 - ▶ Nonpayment of rent or utilities,
 - ▶ Failure to provide necessary food and clothing for children,
 - ▶ Availability of private or public assistance to supplement assistance from HHSC,
 - ▶ Use of the grant on items that are not essential or necessary to meet the family's needs, or
 - ▶ At the voluntary request of the recipient.

Income and Eligibility Verification System (IEVS)

State Wage Information Collection Agency

The source of State wage information (used in determining eligibility and the correct benefit amount for applicants and recipients) that is designated as

the State Wage Information Collection Agency (SWICA) is the agency administering the State unemployment compensation laws. This agency is TWC.

Requesting and Furnishing Eligibility and Income Information

HHSC has not obtained approval to use an alternate source of information instead of the ones specified.

Use of Income and Eligibility Information

HHSC will independently verify information received from the Internal Revenue Service (IRS) by obtaining verification from the applicant or recipient, the source of payment as identified by the IRS or another collateral source before taking any case action. TWC wage information and certain Income and Eligibility Verification System (IEVS) resource information can be used as verification to establish the claim amount when all other efforts to verify wage income or unreported financial institution accounts have been exhausted.

HHSC also interfaces with the U.S. Citizenship and Immigration Services (USCIS) Systematic Alien Verification for Entitlements (SAVE) Verification Information System (VIS) to verify the validity of documentation showing alien status. HHSC uses the SAVE VIS:

- at application;
- when adding a new household member identified as an alien; or
- when the client's USCIS document has expired.

IEVS Information Items

The state emphasizes an upfront fraud and overpayment prevention system that includes: Employee New Hire Report, online inquiry into the TWC system for unemployment compensation benefits and wage information, and Data Broker inquiry. Therefore, the IEVS match system acts only as a supplemental detection measure. The State excludes certain IEVS information items from follow-up based on an approved State follow-up plan.

The categories of IEVS information items excluded from review are defined as follows:

- Interest income matches from IRS that are less than \$50.00 for the tax year.
- Wage discrepancies from TWC that are less than \$900.00 per quarter.
- Unemployment benefit discrepancies from TWC that are less than \$440.00 per month.
- Wage matches from the Beneficiary Earnings Exchange Record System (BEERS) files that are \$3,600 or less per year.

- Unemployment information items from IRS.

Analysis in Texas has shown that the State's administrative cost for reviewing all matches is not cost effective. When conducting retrospective match reviews, HHSC's Office of Inspector General (OIG) reviews only certain matches with high dollar discrepancies or unreported income in accordance with its statutory requirement to focus on cases that have the highest potential for recovery.

Availability of Agency Program Manuals

The State agency makes available its program manuals and other policy issuances to groups, individuals and the public through the Texas Works Handbook, which is published online at:

<https://www.hhs.texas.gov/handbooks/texas-works-handbook>.

Upon request, HHSC makes available without charge the specific policy materials necessary for an applicant or recipient, or his or her representative, to determine whether a hearing should be requested or to prepare for a hearing.

Report of Lost or Stolen TANF Payments

Texas generally issues benefits by EBT. For the small percentage of benefits issued by warrant, the IV-A agency does not require that as a condition for issuance of a replacement check a recipient must report a lost or stolen TANF check to the police or other appropriate authorities.

(ii) Require a parent or caretaker receiving assistance under the program to engage in work (as defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier, consistent with section 407(e)(2).

In accordance with federal requirements, Texas requires parents and caretakers to engage in work as defined in the Texas Administrative Code (T.A.C.) under 1 T.A.C. §372.1154(g) which states that all TANF recipients who are not otherwise exempt will enroll and participate in the Choices work program administered by TWC. The program rules and participation requirements for the Choices program are contained in 40 T.A.C. Chapter 811, including participant responsibilities, acceptable work activities, minimum weekly hours and consequences for non-cooperation.

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

Texas requires parents or caretakers to engage in work activities in accordance with federal requirements. Detailed information about work activities is described in the Texas Work Verification Plan. The public can access the TANF Work Verification Plan on the TWC website at [TANF Work Verification Plan](http://www.twc.state.tx.us/files/partners/temporary-assistance-needy-families-work-verification-plan-twc.pdf) (<http://www.twc.state.tx.us/files/partners/temporary-assistance-needy-families-work-verification-plan-twc.pdf>).

Accurate entry of participation hours and adherence to guidance on the definitions of work activities are required parts of each Board's monitoring plan and are monitored by TWC.

Participants provide valid documentation of participation in employment and training activities to Workforce Solutions staff. Workforce Solutions Office staff enter data on participant characteristics, hours of participation, types of activities participated in, support services provided, documentation of hours, good cause, and sanctions into The Workforce Information System of Texas (TWIST). Workforce Solutions Office staff, Board staff, and TWC state office staff validate participation documentation (in the case of job search, samples are validated) prior to submitting data to HHSC for reporting to the Administration for Children and Families (ACF). TWIST transmits data to HHSC, which then generates required TANF reports and transmits them to ACF.

HHSC provides direction, training, and support to staff on the proper procedures for entering client data into HHSC's automated systems. HHSC management staff conduct case readings to ensure policies and procedures are followed.

TWC provides rules, guidance and training to state and local staff to ensure that staff understand all policy, including policy related to the Work Verification Plan. TWC requires each Board to monitor itself and its workforce service providers to ensure compliance with all applicable rules and legislation. TWC monitors Boards to ensure that their monitoring is effective and complete and to ensure their compliance with all applicable rules and legislation.

TWC's Subrecipient Monitoring (SRM) is responsible for providing an effective system for the oversight and monitoring of the 28 Boards and their workforce service providers. This system ensures accountability and appropriate workforce service provider use for workforce development purposes and subsidized child care services.

SRM reviews Choices cases to make the following determinations:

- Is the activity the customer is participating in an allowable activity? (Ensure the customer is enrolled in one of the 12 work activities and that there is supporting documentation in the case file for the activity.)
- Are the participation hours in TWIST supported by the documentation in the case file? (Ensure there is supporting documentation such as time sheets and job search logs for the hours entered into TWIST.)
- If the customer is not meeting participation requirements, did the Board follow its reasonable and timely notification policy? (Ensure the Board is initiating sanctions or applying good cause to customers not meeting participation requirements.)

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

Texas restricts the disclosure of information about individuals and families receiving assistance under the program. HHSC is subject to and follows the federal Health Insurance Portability and Accountability Act (HIPAA) concerning a client's privacy rights. TANF applicants are provided with a HIPAA privacy notice that explains to the applicant the agency's duty to protect the privacy of the applicant's personal information. The State statute that provides the legal basis for safeguarding the confidentiality of certain information is the Texas Human Resources Code § 12.003.

The State agency criteria for the types of information to be safeguarded and the conditions under which such information may be released or used are as follows:

- Any information relating to a client may be released upon written consent of the client. All case record information concerning client's personal relationships and circumstances, including medical information is considered confidential. Such information is available to the IRS only upon issuance of a summons. Requests by courts are released only by receipt of a subpoena.
- The State also releases the current address of any recipient to a federal, state or local law enforcement officer in accordance with § 408(a)(9)(B).
- The State also releases information for other law enforcement purposes, such as complying with a subpoena or if the information is relevant to an investigation that relates to the administration of one of HHSC's programs, or for judicial or administrative proceedings, such as a response to an order from a regular or administrative court.

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

Texas continues to operate programs using State and federal funds to prevent or reduce the incidence of risk-taking behaviors, including those leading to out-of-wedlock teen pregnancy. Additional details about these specific programs can be found in Section 2 within this plan.

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

Texas conducts programs addressing the problem of statutory rape for law enforcement officers, the education system, and relevant counseling organizations, primarily through programs administered by the Texas Office of the Attorney General (OAG). The Sexual Assault Prevention and Crisis Services Program within the Crime Victim Services Division of the OAG provides training for registered nurses to become OAG Certified Sexual Assault Nurse Examiners (SANEs). All victims of sexual assault (adult, adolescent and child) in Texas have the right to a sexual assault medical forensic exam, including medical assessment, medical treatment and forensic evidence collection. Additional training and technical assistance are provided to community partners who collaborate on behalf of sexual assault victims through a Sexual Assault Response Team (SART). Prevention of sexual violence in Texas is guided by a State Plan, which is a collaborative product of the Primary Prevention Planning Committee (PPPC) and includes members from the OAG and the statewide sexual assault coalition. Local sexual assault centers are implementing prevention activities and strategies, including educational sessions, identified in the State Plan.

Additionally, state statute requires local school districts to implement a violence prevention program within their district improvement plans. Community organizations such as Communities In Schools (CIS) assist the local school districts by coordinating programs in schools that address healthy relationships and the reduction of risk-taking behaviors. CIS also provides counseling and guidance services related to healthy decision making and self-regulation and may supply or facilitate instructional materials as needed or requested by local school districts.

The programs listed above are available to all individuals, including men.

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

Texas prevents access to cash assistance at places described in § 408(a)(12) by disallowing access from all ATMs, through requirements for retailer participation, and by barring retailers determined by HHSC to be ineligible to participate in EBT.

Requirements for retailer participation in the EBT program are established by rule published in 1 T.A.C. § 372 (Subchapter G). To participate, retailers must be authorized by the U.S. Department of Agriculture (USDA) to participate in SNAP or receive no more than 10 percent of gross revenue from the sale of alcoholic beverages, legalized games of chance, sexually oriented material, coin-operated amusement machines or amusement services as defined by the Comptroller of Public Accounts. The rules and rights and responsibilities of retailers are included in the Lone Star Operating Rules (Operating Rules), to which retailers are bound by compliance through agreements with the EBT vendor or the retailer's Third-Party Processor (TPP), as applicable. Through these agreements, retailers not authorized by the USDA Food and Nutrition Service (FNS) to participate in SNAP must also certify in writing that no more than 10 percent of their gross revenue is derived from the sale of ineligible items as described above.

The EBT vendor monitors electronic transactions to identify retailers potentially ineligible to participate in the EBT program. Upon approval by HHSC, ineligible retailers are barred from the EBT system.

To ensure adequate access to cash assistance benefits for recipients, Texas leverages the network of retailers participating in the EBT program. With a total of over 21,000 retailer locations across the state in this network, Texas has a sufficient number of locations in all geographic areas of the state. On average, HHSC has determined that the distance for a TANF recipient to access the nearest TANF-only retailer is just over 1.5 miles, and to access the nearest SNAP retailer is approximately ½ mile.

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

the assistance, and that such information is made publicly available.

When benefits are first issued, HHSC provides clients information about the fees and surcharges that stores may charge clients when using the EBT card to withdraw cash from their TANF benefit accounts. Clients receive a welcome packet with the initial EBT card disbursement, which includes an Important Information About Your Lone Star Card brochure and card carrier. The brochure explains what TANF can and cannot be used to buy and that there may be fees associated with using the EBT card. The card carrier provides more detail about store fees and transaction charges.

The card carrier explains that clients pay no fees for cash withdrawals under \$50. Clients receive two free TANF transactions per calendar month to make withdrawals of \$50 or more. For the third and subsequent TANF cash withdrawal of \$50 or more in a calendar month, a retailer has the option to charge recipients a fee of \$0.50 per transaction. Retailers are not permitted to charge a TANF recipient any other fees or surcharges in connection with the client's use of their TANF benefit account.

This fee information is also publicly available in the T.A.C. The TANF fee information is included in 1 T.A.C. § 372.1515, Transaction Charges on a TANF Account, as follows:

- (a) Participating retailers in Texas may charge \$.50 per transaction for the third and subsequent cash-only or cash-back transactions over \$50 in a month from a TANF account.
- (b) Participating out-of-state businesses determine the amount they charge for cash-back transactions.
- (c) A household must verify and accept the amount of a charge before initiating a transaction to withdraw cash at an out-of-state retailer or business.

(B) Special Provisions:

(i) The document shall indicate whether the State intends to treat families moving into the State differently than other families under the program, and if so, how the State intends to treat such families under the program.

Texas does not treat families moving into the State differently than other families under the program, except as noted below for aliens who are qualified aliens and who entered the U.S. on or after August 22, 1996.

(ii) The document shall include 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.

Texas provides assistance under the TANF program to individuals who are not citizens of the United States in the same manner and based on the same eligibility criteria as U.S. citizens, if the non-citizen meets the definition of a qualified alien in § 431(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and is not subject to the five-year bar in § 412(b) of PRWORA. Texas reserves the right to provide TANF assistance to nonexempt individuals who entered the country on or after August 22, 1996, and whose federal five-year bar on assistance expires. In determining assistance under the TANF program, Texas deems the income and resources of alien sponsors as required by § 421 of PRWORA.

(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.

Texas determines eligibility and delivers benefits under the TANF program in accordance with federal requirements.

Hearings

The hearing authority for TANF benefits is HHSC, the single agency administering the Title IV-A Eligibility Program. HHSC is the only hearing authority for TANF benefits in Texas. When changes in federal or state law require automatic payment adjustments for classes of recipients, there is no right to appeal with respect to the adjustment except when the reason for the individual appeal is to challenge the correctness of the TANF payment computation. Requests for hearings may be made in writing, by phone, or in person. Time allowed for claimants to file for a hearing is 90 days from the date of the action on appeal or the effective date of that action. Hearings are conducted by telephone unless the hearings officer finds good cause for the hearing to be in person.

HHSC provides reasonable accommodations for individuals needing additional assistance due to disability or language needs at the request of the client. Reasonable accommodations for individuals with disabilities are determined by the hearings officer on a case-by-case basis, depending on the individual's specific needs, and may include ensuring wheelchair access or providing an

interpreter for the hearing impaired. HHSC provides interpreters at no cost to those applicants/clients and witnesses who have language barriers to ensure they will be able to participate in the hearing. People with language barriers may include people who are unable to understand or communicate in English or whose ability to understand or communicate in English is limited.

Contact information for HHSC's Civil Rights Office and the U.S. Department of Health and Human Services' Office for Civil Rights is provided to applicants and clients in the event they feel they have been discriminated against. HHSC also provides information about its privacy policy on the application for assistance.

Non-Discrimination - Methods of Administration

The agreement that provides a description of the methods of administration to ensure that provisions of 45 C.F.R. Parts 80, 84, 86, 87 and 91 are adhered to was signed by HHSC's Executive Commissioner in January 2010. It is on file in the U.S. Department of Health and Human Services' Regional Civil Rights office in Dallas, Texas, and the HHSC Civil Rights Office. In accordance with federal law, HHSC does not discriminate based on race, color, national origin, sex, age, religion or disability. Moreover, HHSC provides public notice of nondiscrimination and civil rights in client materials and websites.

(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 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.

Texas does not opt to mandate participation in a community service program for parents or caretakers after two months of receipt of assistance. Parents and caretakers are mandated to participate in work activities throughout the receipt of assistance, with early participation focusing on opportunities to obtain unsubsidized employment.

(v) The document shall indicate whether the State intends to assist individuals to train for, seek, and maintain employment

(I) providing direct care in a long-term care facility (as such terms are defined under section 2011); 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.

TWC, through the Boards, will train low-income customers in medical occupations to address the workforce demand, if the occupation is in high demand, as appropriate for the local workforce area and the customer. Attracting and training individuals in elder care will ensure a pool of employees with the skill set necessary to provide quality care.

The State has not identified an unmet need for service personnel related to specific occupations in elder care. However, Boards identify occupations that are in demand in their local workforce development areas, and health care is a high-demand industry sector in most areas in Texas. Demand for health care workers in Texas is expected to continue to increase as the state's populations of elderly and young people are growing. These populations are the primary customers of the Health Care and Social Assistance industry. This industry sector is faced with training challenges; because of market demands and industry expectations, employers are demanding better-educated workers. Additionally, this industry is challenged with high turnover in key occupations, which increases the demand for workers. Furthermore, home health care services and nursing care facilities have consistently been in the top 10 industries of employment for Choices customers dating back to federal fiscal year 2006.

Boards may assist individuals in training, seeking and maintaining employment in occupations related to elder care in a variety of ways, including job skills training, on-the-job training and other training activities. Customers are provided with support services for participating in employment services and for obtaining and retaining employment. Support services may include child care, transportation and work-related expenses. The Texas workforce system is one of the most integrated workforce systems in the nation, allowing for a full suite of wraparound services designed to ensure that customers achieve and maintain positive employment outcomes.

Section 402(a)(2) Certification that the state will operate a child support enforcement program

A certification by the chief executive officer of the State that, during the fiscal year, the State will operate a child support enforcement program under the State Plan approved by Part D.

The Governor of Texas, through his signature delegee, the Executive Commissioner of Texas Health and Human Services Commission, certifies the State operates a child support enforcement program in accordance with federal requirements.

Assignment of Rights to Support and Cooperation in Establishing Paternity and Securing Support

- **Assignment - Child Support:** To the extent authorized by federal law, the approval of an application for or the receipt of financial assistance as provided by Chapter 31, Texas Human Resources Code, constitutes an assignment to the Title IV-D agency of any rights to support from any other person that the applicant or recipient may have personally or for a child for whom the applicant or recipient is claiming assistance (Texas Family Code § 231.104). During the application process, HHSC informs applicants of the assignment and refers only appropriate cases to the Title IV-D agency for child support services.
- **Claiming good cause -** Every applicant or recipient is given written notice of the right to claim good cause for refusal to cooperate with the Title IV-D child support program requirements and of all the requirements applicable to a good cause determination.
- **Determination -** The State or local agency's determination of good cause is made within the time standard of 45 days to complete the application for assistance. Good cause may be claimed at any point after certification.
- **The Title IV-D agency will not undertake to establish paternity or secure support in any case for which it has received notice that there has been a finding of good cause unless there has been a determination that support enforcement may proceed without the participation of the caretaker or other relative. If there has been such a determination, the Title IV-D agency will undertake to establish paternity or secure support but may not involve the caretaker or other relative in such undertaking.**

Notice to Child Support Agency

- The Title IV-A agency provides written notice to the Title IV-D agency within two working days of furnishing the aid or the determination that an individual is a TANF recipient.
- Prompt notice is a written or electronic notice containing all relevant information from the case record as prescribed by the child support agency.

Section 402(a)(3) Certification that the state will operate a foster care and adoption assistance program

A certification by the chief executive officer of the State that, during the fiscal year, the State will operate a foster care and adoption assistance program under Part E, and that the State will take such actions as are necessary to ensure that children receiving assistance under such part are eligible for medical assistance under the State Plan under Title XIX.

The Governor of Texas, through his signature delegee, the Executive Commissioner of Texas Health and Human Services Commission, certifies the State operates foster care and adoption assistance programs approved under Part E of Title IV and ensures that children receiving assistance under Part E qualify for Title XIX medical assistance as required by § 472(h)(1). The Texas Department of Family and Protective Services (DFPS) uses the Title IV-A rules and regulations in effect as of July 16, 1996, to determine eligibility for foster care assistance under Title IV-E.

Section 402(a)(4) Certification of the administration of the program

A certification by the chief executive officer of the State specifying which State agency or agencies will administer and supervise the program referred to in paragraph (1) for the fiscal year, which shall include assurances 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 45 days to submit comments on the plan and design of such services.*

The Governor of Texas, through his signature delegee, the Executive Commissioner of Texas Health and Human Services Commission, certifies that HHSC, TWC, the Texas Education Agency (TEA), DFPS and other appropriate agencies will jointly administer the TANF program. The State continues to consult with local governments, private sector organizations, and individuals via formal advisory councils and informal methods regarding

the plan and design of welfare services in the State. The State will allow all local governments, private sector organizations and individuals at least 45 days to submit comments on the plan and its service design. Prior to finalization, the draft plan was posted to the HHSC website on July 1, 2022 for a 45-day comment period, and notification of the opportunity to comment on the draft plan was also published in the Texas Register. No comments from the public were received, with the exception of a comment from someone that was specific to her case and not about the state plan.

HHSC provides both eligibility determination services for TANF applicants and TANF cash assistance payments. Under its “Texas Works” program, HHSC offers initial, up-front assistance and resources to TANF applicants to help identify employment barriers and find a job.

TWC and Boards constitute Texas Workforce Solutions. Texas Workforce Solutions provides extensive welfare-to-work services under the Choices program, which is designed to help TANF applicants, recipients, non-recipient parents and former recipients find and maintain employment to assist an individual’s progression toward self-sufficiency. Texas Workforce Solutions also provides child care assistance to Choices participants and those leaving welfare for work. Texas Workforce Solutions delivers services through approximately 180 local Workforce Solutions Offices across the state.

Additionally, Texas reserves the right to use TANF funds as follows:

- To transfer or redistribute block grant funds to other agencies and programs currently funded through Title IV-A, Social Services Block Grant and the Child Care and Development Block Grant, according to the provisions in PRWORA; and
- To operate a subsidized public or private employment program that may use SNAP and TANF benefits as a wage supplement. The State reserves the option to use private placement agencies or nonprofit organizations, including faith-based organizations, for placement services.

Section 402(a)(5) Certification that the state will provide Indians with equitable access to assistance

A certification by the chief executive officer of the State that, during the fiscal year, the State 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 412, with equitable assistance under the State program funded under this part attributable to funds provided by the Federal Government.

The Governor of Texas, through his signature delegee, the Executive Commissioner of Texas Health and Human Services Commission, certifies the State 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 § 412, with equitable access to assistance under the State program funded under this part attributable to funds provided by the federal government.

Section 402(a)(6) Certification of standards and procedures to ensure against program fraud and abuse

A certification by the chief executive officer of the State that the State 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 administration and supervision of the State program, kickbacks, and the use of political patronage.

The Governor of Texas, through his signature delegee, the Executive Commissioner of Texas Health and Human Services Commission, certifies the State 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.

Fraud Control

Fraud is defined as a falsified document, falsified statement, falsified interview or a continuing scheme wherein a recipient commits two or more acts, such as a falsified document, falsified interview or a falsified statement with the intent to commit fraud. Failure to report a change in household circumstances as required by HHSC in conjunction with one or more of the aforementioned acts may be considered a basis to determine an individual committed fraud.

- The State operates a TANF fraud control program pursuant to requirements under § 402(a)(6).
- The State disqualifies individuals found to have committed an intentional program violation (IPV) based on findings of administrative disqualification hearings and findings of prosecution or court actions.

- For situations in which a State has imposed a disqualification penalty when there is another program sanction in effect, the State opts to run the disqualification penalty concurrently with the other program sanction.

Administrative Disqualification Hearings

HHSC's OIG will refer cases of suspected IPV with associated overpayment amounts below the prosecutorial minimum dollar amount or not meeting the prosecutorial burden of proof to HHSC hearings officers, with a recommendation of disqualification. If a suspect accused of an IPV does not wish to attend a hearing, the suspect will be allowed to waive that process, with or without an admission of guilt. If the suspect declines the waiver or accepts the waiver and changes his or her mind within seven workdays, a disqualification hearing will be scheduled. The suspect will then be notified in writing that a hearing has been scheduled and the date, time and place for the suspect's appearance. If the hearing is waived or the hearings officer decides an IPV occurred, disqualification will occur, and the suspect will be required to repay any over-issuance. Other certified adult household members at the time the overpayment occurred are also liable for the overpayment amount. Certified children are not considered liable for the overpayment amount. The client may appeal the over-issuance amount through the fair hearings process. The agency will continue to refer investigations meeting the prosecutorial minimum dollar amount and burden of proof to local prosecutors as determined appropriate at the conclusion of an investigation and in consideration of statewide standards as well as individual prosecuting authorities' discretion.

TANF and associated cases will be coordinated for administrative disqualification hearings and prosecution when the factual issues arise from the same or related circumstances. TANF fraud penalties for IPV's committed are as follows:

- Individuals found to have committed an IPV in a TANF program either through an administrative disqualification hearing or by signing a waiver of right to an administrative disqualification hearing will be disqualified for 12 months for the first IPV determination and permanently for the second IPV determination.
- Individuals convicted of a state or federal offense for conduct that constitutes an IPV or individuals granted deferred adjudication or placed on community supervision for conduct that constitutes an IPV will be permanently disqualified from receiving financial assistance unless otherwise ordered by the court.
- A person found guilty of an IPV in federal court, state court or in an administrative disqualification hearing for making a fraudulent statement or representation with respect to the identity or residence of the person to receive multiple benefits simultaneously will be disqualified for 10 years.

The OIG pays county district attorneys for adjudications of guilt or other similar prosecutorial actions (for example, mediation, pre-trial diversion, deferred adjudications of guilty). HHSC OIG maintains contracts with district attorneys across the state for payment of prosecutorial services. HHSC Fiscal Management Services maintains contracts with probation departments for collection of fraud claims as allowed under 2 C.F.R. 225 (Appendix B), 45 C.F.R. 263.0(b)(2), 45 C.F.R. 263.2(a)(5)(i), and 45 C.F.R. 263.13.

Verification Measures

Verification measures utilized by the State to detect fraudulent applications for TANF prior to the establishment of eligibility for such assistance include the following:

- Once an application is filed, the household members listed on the application are checked through HHSC's main files using an automated match process to ensure they are not already on an active case or have already received benefits on a denied case. The matches are done by checking the Social Security number, name and date of birth for each member listed on the application.
- HHSC eligibility staff have access to HHSC's Data Broker system when determining eligibility. Data Broker contains various online data sources such as employment, income information, child support, unemployment benefits, residence and vehicle information. Eligibility staff also use the following automated match systems to establish eligibility:
 - ▶ Social Security's SDX files if the applicant indicates on the application that he or she is receiving Supplemental Security Income (SSI) to determine the amount being received and if the applicant is receiving Retirement, Survivors and Disability Insurance (RSDI).
 - ▶ U.S. Citizenship and Immigration Service's Systematic Alien Verification for Entitlements (SAVE) Program to determine if the alien status of required family members listed as non-U.S. citizens is acceptable.
 - ▶ Social Security Administration (SSA) Deceased Individual Match to identify individuals who are reported by U.S. Department of Commerce's National Technical Information Service as deceased.
 - ▶ Bureau of Vital Statistics (BVS) Deceased Individual Match data to identify individuals who are reported deceased by BVS.
 - ▶ Texas Department of Criminal Justice (TDCJ) State Prison Match identifies individuals currently incarcerated in a TDCJ facility.
- Verification of all eligibility information provided on the application form or obtained during the face-to-face interview is completed through documentary evidence or collateral statements prior to determination of eligibility. Verification includes age, relationship and

domicile for all certified children. Other required verification includes resources, nonexempt income (including lump sums), third-party resources and alien status.

- Included in the eligibility staff handbook is a section entitled "Questionable Information." This list identifies additional situations that require verification when circumstances are questionable. Home visits may also be used to verify information, if necessary, before the certification process is completed.

After an individual is certified for TANF benefits, the State compares files with other state and federal databases. The comparisons are utilized to help identify individuals who may no longer be eligible for benefits because they are deceased, incarcerated, receiving benefits in another state, or when there is discrepant information related to earnings and resources:

- Public Assistance Reporting Information System (PARIS) matches identify individuals to determine if an individual is receiving overlapping benefits in both Texas and another state. Matches are run quarterly and an annual review based on the match obtained in October is also conducted.
- Texas Department of Criminal Justice (TDCJ) State Prison matches identify individuals monthly who have received benefits and may have been incarcerated in a TDCJ facility during the eligibility period.
- Social Security Administration Prisoner Verification System (SSA PVS) matches identify individuals monthly who are receiving benefits and may have been incarcerated in a Federal, State or local facility during the eligibility period.

Section 402(a)(7) Optional certification of standards and procedures to ensure that the state will screen for and identify domestic violence.

(A) In general. At the option of the State, a certification by the chief executive officer of the State that the State has established and is enforcing standards and procedures to:

- (i) screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals;*
- (ii) refer such individuals to counseling and supportive services; and*
- (iii) waive, pursuant to a determination of good cause, other program requirements such as time limits (for so long as necessary) for individuals receiving assistance, residency requirements, child support cooperation requirements, and*

family cap provisions, 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 Governor of Texas, through his signature delegee, the Executive Commissioner of Texas Health and Human Services Commission, certifies the State is exercising the family violence option in § 402(a)(7). The State has established procedures to ensure that Texas is enforcing standards and procedures to screen, identify and make appropriate referrals for survivors of domestic violence. In addition, the State has procedures to waive other program requirements that would make it more difficult for survivors to receive assistance under this part, pursuant to a determination of good cause. Texas has protocols in place to prevent unfair penalization of individuals who are or have been victimized by such violence, and individuals who are at risk of further domestic violence.

Section 402(a)(8) Certification that the state will provide information to victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking.

(A) In general. A certification by the chief executive officer of the State that the State has established and is enforcing standards and procedures to:

(i) ensure that applicants and potential applicants for assistance under the State program funded under this part are notified of assistance made available by the State to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking;

(ii) ensure that case workers and other agency personnel responsible for administering the State program funded under this part are trained in:

(I) the nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking;

(II) State standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking; and

(III) methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have

provided notice about their experiences of sexual harassment, domestic violence, sexual assault, or stalking; and

(iii) ensure that, if a State has elected to establish and enforce standards and procedures regarding the screening for, and identification of, domestic violence, sexual assault, or stalking pursuant to paragraph (7):

(I) the State program funded under this part provides information about the options under this part to current and potential beneficiaries; and

(II) case workers and other agency personnel responsible for administering the State program funded under this part are provided with training regarding State standards and procedures pursuant to paragraph (7).

HHSC's current application for assistance informs all applicants and recipients that services for family violence are available and how to receive those services. Likewise, all TANF applicants and recipients are informed about the family violence option and are given written materials that include how to get help and that HHSC will keep information confidential. The application for assistance also includes information about HHSC's privacy policy.

Eligibility staff who have direct contact with applicants and recipients must take the Texas Health and Human Services (HHS) Civil Rights Training every year. The training covers the "nature and dynamics" of sexual harassment.

Family Violence training content is included in initial TANF eligibility staff training as well as through a continuing education training. Content includes the policy and rules that govern family violence requirements, an explanation of family violence and its associated risks, an understanding of the prevalence of family violence, an explanation of how certain Medicaid and TANF program requirements can affect victims of family violence and the importance of good cause options for child and medical support requirements, and instructions on how to serve and support survivors of family violence.

Section 402(c) Public Availability of State Plan Summary

The State shall make available to the public a summary of any plan or plan amendment section.

The Governor of Texas, through his signature delegee, the Executive Commissioner of Texas Health and Human Services Commission, certifies the State will make available to the public a copy of the State Plan.

2. Additional Programs

This section details additional programs that meet one or more of the four purposes of TANF and are funded with federal TANF funds or qualify as state MOE expenditures.

Early Childhood Intervention (Federal TANF)

Early Childhood Intervention Services (ECI) are administered by HHSC. ECI is responsible for implementing a statewide early identification system that ensures infants and toddlers eligible for ECI services are identified, located and evaluated. ECI provides an array of family support and developmental services to ameliorate developmental delays and to support and educate families to help their children reach their full potential.

ECI services are available to families of children from birth to three years of age with disabilities or developmental delays. Federal TANF funds some of the non-medical expenses for ECI children and their families with an annual family income of less than \$63,000.

Emergency Assistance (Federal TANF)

DFPS provides any service for which the State previously was authorized to use IV-A or IV-F funds under prior law, as in effect on September 30, 1995, as clarified by the State's 1997 plan amendment.

These services include information and referral, case planning and case management, counseling, support activities to normalize family functioning, health care and health maintenance activities, and benefit payments to providers of services to children in substitute care, adoption or family support stage of service. Services also include time limited reunification services, in-home services, substance abuse prevention and treatment services and foster care payments.

Family-Based Safety Services (Federal TANF)

DFPS provides services to families at risk of having a child removed from the home and families with whom a child can be reunited. Annual family income cannot exceed \$63,000.

Services include but are not limited to:

- Family crisis intervention
- Case management services
- Family counseling, and

- Community-based treatment services.

Relative and Other Designated Caregiver Program (Federal TANF)

The Relative and Other Designated Caregiver Program is an array of services dedicated to promoting continuity and stability for children in the conservatorship of DFPS. The program includes support services and limited financial assistance for eligible caregivers who assume caregiving responsibility for children in DFPS conservatorship.

Services

Kinship Reimbursement Payment

The monthly reimbursement payment provides continuity and stability for children who are in Child Protective Services conservatorship by helping eligible kinship caregivers afford the costs of caring for a child in the home. The monthly reimbursement payments are time limited and may be paid up to four months with TANF funding. The monthly payment is paid in an amount of up to 50 percent of the daily basic foster care reimbursement rate paid to a foster family home.

Post-Permanent Managing Conservatorship Annual Reimbursement Payment (PMC)

If the kinship caregiver obtains permanent managing conservatorship of the child, and all other eligibility requirements are met, the kinship caregiver may request the \$500 annual reimbursement for the three years following the award of PMC, or until the child reaches age 18, whichever comes first, if the expenses meet eligibility requirements and the kinship caregiver is eligible.

The caregiver is reimbursed for child-related expenses on the anniversary of the date the relative was awarded PMC. The annual reimbursement is based on time of PMC and not calendar year.

Eligibility

- Youth who are in the conservatorship of DFPS and the caregivers of the children who meet the eligibility requirements set by DFPS are eligible.
- The caregiver must be an unverified caregiver whose placement has been approved, per DFPS rules. An unverified caregiver is a kinship caregiver who has not been verified as a licensed foster parent and does not receive a foster care payment. The caregiver must be related to the child by blood, marriage, or adoption within the fifth degree.

- The caregiver or the caregiver who is subsequently appointed as permanent managing conservator must be a resident of Texas.
- The caregiver's family income cannot exceed 300 percent FPL for the household size.

Service Limits

Kinship Reimbursement Payment

The kinship reimbursement payments are time-limited.

Post-Permanent Managing Conservatorship Annual Reimbursement Payment

The kinship caregiver may request the \$500 annual reimbursement for the three years following the award of PMC, or until the child reaches 18, whichever comes first, if the expenses meet eligibility requirements and the kinship caregiver is eligible.

Prekindergarten Education Program (MOE)

TEA provides prekindergarten services for eligible children who are at least three years old and meet one of the eligibility criteria. Eligibility-based prekindergarten programs are offered to help at-risk students become school ready upon entrance into kindergarten. Texas Education Code § 29.153(a) requires school districts to offer a prekindergarten program if the district identifies 15 or more eligible children who are at least four years of age. A student meets the eligibility criteria if he or she:

- Is unable to speak and comprehend the English language.
- Is educationally disadvantaged. "Educationally disadvantaged" prekindergarten students are defined by HHSC as students eligible to participate in the national free or reduced-price lunch program.
- Is homeless, as defined by 42 U.S.C. § 11302.
- Is the child of an active duty member of the armed forces of the U.S., including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority.
- Is the child of a member of the armed forces of the U.S., including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty.
- Is or has ever been in the conservatorship of DFPS (foster care) following an adversary hearing held as provided by Family Code §262.201 or has been in foster care in another state or territory, but currently lives in Texas.
- Is the child of a person eligible for the Star of Texas Award as a peace officer under Government Code § 3106.002, a firefighter under § 3106.003 or an emergency medical first responder under Government Code § 3106.004.

If a child's qualifying status changes during the school year, the child continues to remain eligible throughout the remainder of the school year.

Funding for prekindergarten program services may be used to employ teachers and other personnel and to acquire scientific research-based curriculum materials and equipment, including computers and other expenditures to develop plans and models related to prekindergarten instructional services.

MOE funds claimed for prekindergarten programs are calculated from the number of children identified as being a part of a needy family. Texas has analyzed the applicable data to determine if free public prekindergarten programs are considered "generally available" to all prekindergarten aged children in the state. Information used for this estimate was extracted from the U.S. Census Bureau and Public Education Information Management System (PEIMS).

Data from PEIMS shows that during the 2021-2022 school year, 222,942 children age 3 and 4 were enrolled in prekindergarten. Of those children, 186,484 were economically disadvantaged. Additionally, U.S. Census Bureau data from 2020 estimated that 21.8 percent of Texas children under 5 are living in poverty. Therefore, the State has concluded that prekindergarten programs funded with TANF MOE are not "generally available" to all eligible children age 3 and 4 in Texas.

School Dropout Prevention and Intervention Services (Federal TANF)

CIS is an exemplary youth dropout prevention program administered by TEA. The mission of CIS in Texas is to surround students with a community of support, empowering students to stay in school and achieve in life. CIS works in collaboration with school personnel to develop and provide a comprehensive Integrated Student Support program uniquely tailored to address unmet academic and non-academic barriers to student success. CIS staff complete a thorough campus needs assessment to identify campus needs, gaps in service, available resources, and the goals and priorities of the campus administration. CIS staff members use this information to develop a plan of service to address identified needs. In partnership with community providers, professional CIS staff provide and coordinate a range of intentionally targeted services that are provided to all students on campus and to a smaller cohort of "case-managed" students to ensure all students consistently come to school ready to learn and remain on the path to graduation. CIS in Texas provides services in six component areas:

- Health and human services, including mental health and basic needs;
- Supportive guidance and counseling (both individual and group) and crisis response;

- Parental and family engagement including home visits and consultations;
- Academic enhancement and support including tutoring and extended learning time;
- College and career awareness including preparation and transition; and
- Enrichment activities including mentoring and school engagement activities.

Students eligible for CIS case management services include: a student who is at risk as defined by Texas Education Code § 29.081(d) and (g), a student who is eligible for the national free or reduced-price lunch program, a student who is experiencing a family conflict or crisis, or a student who engages in delinquent conduct as defined by Texas Family Code §51.03.

Texas Nurse-Family Partnership (Federal TANF)

DFPS provides nurse home visitation services to low-income, first-time parents and their children through the Texas Nurse-Family Partnership (TNFP) program. To be eligible for TNFP programming, mothers must meet income eligibility criteria based on Women, Infants and Children (WIC) and Medicaid eligibility. In the TNFP program, registered nurses with bachelor's degrees visit first-time pregnant women, beginning no later than the 28th week of their pregnancies. The nurse home visitor visits each client on a regular basis until the child's second birthday. Participation in the program is voluntary and visits typically occur in the client's home.

TNFP meets the first purpose of TANF, assisting needy families so children can be cared for in their own homes or the homes of relatives, by focusing on increasing a family's economic self-sufficiency. This is accomplished by helping the parents develop a plan for their future and meeting parenting goals, including helping the mother plan future pregnancies, assisting her to continue education, and helping her meet her employment goals.

Through nurse home visitation, TNFP also strives to:

- Provide information, education and support to improve pregnancy and maternal health outcomes;
- Improve child health and development outcomes; and
- Reduce the behaviors that lead to child abuse and neglect.

Family Violence Program (Federal TANF)

HHSC administers the Family Violence Program, which promotes self-sufficiency, safety, and long-term independence of adult and child survivors of family violence and victims of teen dating violence. Through a network of service providers, the program provides emergency shelter and supportive

services to survivors and their children, educates the public, and provides training and prevention support to various organizations across Texas.

Shelters provide temporary housing and services for male and female adults who have experienced family violence, and their dependents. Non-residential support centers provide the same services, but do not have emergency shelter. Services are free and there are no income eligibility requirements.

Supportive services include:

- Shelters, which provide short-term emergency residence for survivors of family violence 24 hours a day, every day of the year;
- 24-hour hotlines answered 24 hours a day, every day of the year, by trained volunteers and employees;
- Legal assistance;
- Assistance in obtaining medical care;
- Emergency transportation;
- Training for and help seeking employment; and
- Other services.

Healthy Marriage Program (Federal TANF)

HHSC administers the Healthy Marriage Program (HMP) to support the development of healthy marriages and the strengthening of families. To the extent authorized by federal law, HHSC may spend a minimum of one percent of the money received under the TANF block grant funds during each fiscal year to fund the HMP, as described in §31.018, Texas Human Resources Code.

HHSC has established and maintains a website, TwogetherinTexas.com, which offers premarital instructors the ability to apply to become a Twogether in Texas service provider. Approved instructors provide a minimum of eight hours of marriage education that must include skills in communication, effective listening, problem solving, conflict resolution, and other key components of a successful marriage, as outlined in §2.013, Texas Family Code.

Since its inception on September 1, 2008, the program has achieved the following outcomes.

- Served 424,133 participants
- Provided 52,828 classes
- Approved 2,930 service providers

Participating couples who have completed premarital training receive a Twogether in Texas completion certificate. The certificate can be presented to

a Texas county clerk to receive a \$60 reduction in the marriage license fee and a waiver of the 72-hour waiting period.

Adult Education and Literacy (Federal TANF)

TWC provides adult education and literacy (AEL) services for eligible current TANF recipients, needy parents, and noncustodial parents. These services meet the goals of TANF purpose 2 (reducing the dependency of needy parents by promoting job preparation, work and marriage).

The overall purpose of the TANF-funded components of the program is to move needy parents, including TANF recipients and noncustodial parents, into education and workforce training that assists these individuals with obtaining employment and maintaining financial support of their children.

Needy parents deemed eligible for TANF-funded adult education services are those that include a child living at home if a family member receives any of the following forms of assistance:

- TANF
- SNAP
- Medicaid
- Children's Health Insurance Program (CHIP)
- Public housing assistance
- Child Care and Development Fund (CCDF) services
- WIC

Additionally, non-custodial parents are also eligible to receive TANF-funded Adult Education and Literacy (AEL) services, if they are required to support a child as outlined in Family Code, Chapter 154, Subchapter A and referred to the NCP Choices programs by a judge. Beginning in February 2013, these referrals could include non-public assistance cases, but to be eligible for the program, the individual must be unemployed or underemployed. AEL services provided through the program may include workforce preparation skills, transition to postsecondary education, English as a Second Language classes, High School Equivalency (HSE) preparation, workplace literacy, and other educational services, including workforce training, that will expedite the process of moving Texas individuals further and faster along career pathways and enable individuals at risk of needing TANF benefits in the future to remain financially independent. TANF eligibility will be determined and verified in order for TANF funds to be used to provide AEL services.

In-School and After-School Youth Development Initiatives (Federal TANF)

TWC implements in-school and after-school youth development initiatives that meet TANF purpose 3 by serving youth and providing services that focus

on improving multiple outcomes, including pregnancy prevention, school completion, and the attainment of skills that will assist in preventing future dependency on public assistance. These skills may include in-school activities or supervised after-school activities. These activities incorporate workforce strategies that engage youth in furthering their education in the fields of science, technology, engineering, and math (STEM) and in other workforce strategies that support the attainment of skills and credentials in targeted, high-skills occupations.

One such initiative, the Texas Youth Robotics Initiative, provides after-school robotics programs for youth. The initiative helps youth gain math and science skills, self-confidence, problem-solving abilities, and team-building experience, while developing other life skills. The Robotics Initiative comprises two parts:

- **Tech Challenge:** With a mentor and volunteers, a team of up to ten students participates in after-school activities in which the team designs, builds, and programs a robot. The mentors and volunteers develop a strategy based on engineering principles, allowing the students to get real-world engineering experience.
- **Robotics Competition:** With volunteer professional mentors, a team of up to 25 students participate in a competition. The students will be responsible for designing and building a robot to compete against other teams, giving them an opportunity to apply math and science concepts in a competitive setting.

With the goal of increasing the number of underrepresented and disadvantaged students served in STEM skills-related summer camp programs, the Governor's Summer Merit Program, a supervised after-school youth initiative, provides scholarships to Texas middle school and high school students ages 14–21. Students who attend day or residential camps get information on and experience with postsecondary opportunities that lead to STEM careers. Examples of activities include a day camp where students design, program, and build robots; a two-week academic enrichment residential math camp for talented but underserved 10th and 11th graders; and a one-week residential engineering camp for 9th graders to attend industrial tours and engage in hands-on laboratory activities.

Camp Code focuses on increasing the interest of middle school students in coding and computer science by providing summer camps. Camp Code offers hands-on experiences with challenging and innovative concepts. Students learn problem-solving and analytical skills while fostering an interest in STEM related careers, with a focus on computer science. Camp Code provides over 1,000 students with activities and lessons that encourage their interest in high technology, such as working in teams to use programming languages to build games, web pages and robots.

The Texas Internship Initiative (TII) is an internship program created to plan, develop and execute internship models that demonstrate effective work-based learning experiences that prepare Texas students for employment in targeted, critical-skill STEM occupations. The goal of the program is to expand access to work experience through new internship opportunities. Participating high school and college students will receive education credit and on-the-job experience and may potentially make progress toward an industry-based certification in a field related to their education, training course, program or all three. Grant recipients will partner with educational entities and employers to develop and implement work-based internships.

In-school services focus on high-risk students, including those attending federally designated Title I schools. These students often face greater barriers to success. TANF-funded services aimed at increasing their skills and educational attainment support their school completion and their participation in career pathways, while reducing risk factors such as delinquent behavior, truancy, and teen pregnancy, among others.

TWC has implemented the Workforce Career and Education Outreach Specialist program, which places local workforce career specialists in independent school districts to provide career guidance and workforce information to students, including underrepresented populations, regarding: high-growth, high-demand occupations; opportunities and training in middle-skill jobs; pre-apprenticeship and Registered Apprenticeship programs; internships; and technical and community colleges.

Program goals include ensuring that students are exposed to and aware of career resources that empower them to attain degree certifications and helping students graduate with marketable skills and minimum student debt.

The program offers the following services:

- Provides on-site career guidance and workforce information for students, including underrepresented populations at area middle schools and high schools;
- Ensures that foster care youth receive priority of service;
- Coordinates system planning and Pre-Employment Transition Services (Pre-ETS) for students with disabilities who are 14 to 22 and enrolled in secondary or postsecondary education;
- Coordinates with school counselors and administrators;
- Maintains a published schedule to maximize availability to students;
- Facilitates access to TWC resources, employment tools, and training on the use of TWC resources;
- Introduces students to a variety of career pathways including apprenticeships, technical and community colleges, and employment through presentations, TWC tools, job fairs, and site visits;
- Coordinates with local and state workforce services, employers and educational institutions to build pathways into apprenticeships and

encourages local employers to offer apprenticeship programs and serve as mentors;

- Offers career support for students, parents and guardians; and
- Connects at-risk students with remediation services and available workforce support services to help them achieve education and career goals.

TWC also conducts education and career exploration outreach to students through its Labor Market and Career Information (LMCI) department. Outreach specialists work with students, parents, teachers, counselors and school administrators through classroom presentations, in-service trainings, conferences, career and college fairs, and other events.

Child Care (MOE)

Child care services are administered by TWC. These services:

- Allow parents, when placing their child in care, to choose from a variety of child care providers including licensed centers, regulated family homes, and care by a relative in the child's own home or in the relative's home.
- Assist applicants, recipients, and non-recipient parents who are work-eligible individuals and former recipients of TANF cash assistance to maintain or transition toward self-sufficiency through the provision of child care subsidies that enable them to work or participate in education or training
- Prevent future dependency through early physical, emotional, social and intellectual development of children who are applicants and current or former TANF recipients and who are an integral part of the State's future workforce.

Texas counts eligible child care expenditures used as MOE for the Child Care and Development Fund (CCDF) as MOE for TANF up to the statutory limit. Parents are eligible to receive child care services if they are participating in the Choices program. This includes recipients and non-recipient parents who are work-eligible individuals. TWC rules require that Boards establish income eligibility limits as long as the limits do not exceed 85 percent of the state median income for all other families receiving child care services. This includes TANF applicants and former recipients of TANF cash assistance. Section 3.1.3 of the Texas CCDF State Plan for 2022–2024 provides the income eligibility criteria. Additionally, Attachment 3.1.3g of the CCDF State Plan provides each Board's income limits.

According to Texas' CCDF State Plan section 3.1.11, the TANF lead agency, HHSC, is required to inform parents who receive TANF benefits about the exception to the individual penalties associated with the work requirement

for any single custodial parent who has a demonstrated inability to obtain needed child care for a child younger than age 6.

HHSC must coordinate to ensure that TANF families with young children are informed of their right not to be sanctioned if they meet the criteria set forth by HHSC in accordance with Section 407(e)(2) of the Social Security Act.

In fulfilling this requirement, the following criteria or definitions are applied by HHSC to determine whether the parent has a demonstrated inability to obtain needed child care in accordance with 45 CFR § 261.56(b)(2).

Appropriate child care is defined as child care provided by relatives who meet the requirements stipulated in 45 CFR §98.2 and who are eligible under TWC Child Care Services Rule §809.91(e), child care facilities licensed by or registered with Child Care Licensing (CCL) and those operated and monitored by US military services, or family homes listed with CCL. Before authorizing child care in a CCL "listed" home, a Board must ensure that such facilities are subject, under local law, to requirements designated to protect the health and safety of the children, as stipulated in 45 CFR § 98.41.

Reasonable distance: TWC grants Boards the authority to define "reasonable distance" for each workforce area based on the workforce area's specific geography and transportation systems.

Unsuitability of informal child care: Any informal child care that does not meet the definition of appropriate child care, or is deemed inappropriate by the parent, is considered unsuitable.

"Affordable child care arrangements": Child care arrangements that fall within the maximum rates established by each Board. Parents participating in Choices are exempt from co-pays.

Foster Youth Transition Centers (Federal TANF)

Since 2004, TWC has funded foster youth transition centers serving both current and former foster youth age 16–25. Currently, TWC funds 18 transition centers statewide. The goal of these transition centers is to address critical life barriers facing youth who have aged out or are close to aging out of the foster care system. The centers are designed to provide foster youth access to education, employment and training services, life skills classes, mentoring opportunities, and appropriate support services through a comprehensive one-stop service delivery system approach. Youth in these centers also receive comprehensive case management services and financial support through DFPS's Preparation for Adult Living program.

Transition centers provide a safe environment where youth receive services to help them become self-sufficient.

This initiative focuses providing them with skills and training geared toward sufficiency, thus resulting in increased self-esteem and fostering success in transitioning into adulthood.

Many of the youth receiving services are either pregnant or parenting youth, and a substantial number of youth have been diagnosed with mental illness or are experiencing substance use disorder issues.

The training provided enables foster youth to develop strong character traits and leadership skills; furthers their education, training, and employment; and provides foster youth with structure and supervision. All of these elements help to reduce out of wedlock pregnancies (meeting purpose 3) and encourage the formation and maintenance of two-parent families (meeting purpose 4).

Additionally, transition centers may offer counseling as well as after-school programs that provide supervision. The centers also may offer parenting skills training, responsible fatherhood programs, and job placement and training services for noncustodial parents (NCPs).

Noncustodial Parent Choices Employment Services Program (Federal TANF)

A significant number of TANF families consist of low-skilled, single mothers who live with their children apart from low-skilled, underemployed fathers. Many of these fathers are involved in the lives of their children and provide some financial support but would like to do much more. Historically, however, the fathers have found limited employment opportunities, and public assistance rules have worked to discourage family formation and fuller involvement of these fathers in the lives of their children. To address this issue, Texas is providing various employment, education and training services to NCPs associated with TANF recipients under the provisions of TANF purpose 4.

One such initiative is the NCP Choices program. Initiated in August 2005, the NCP Choices program is a collaborative effort of TWC, OAG, Boards, Workforce Solutions Office staff and family court judges. NCP Choices, currently operating in 21 local workforce development areas, targets low-income, unemployed or underemployed NCPs who are behind on their child support payments and whose children are current or former recipients of public assistance.

NCPs either participate in the program or are subject to jail time as directed by a local court. The program's goal is to help NCPs with substantial barriers to finding employment, thereby enabling them to become economically self-sufficient while also making consistent child support payments. As of January 2022, more than \$756 million in child support has been collected through this program since its inception in 2005.

Subsidized Employment (Federal TANF and MOE)

TWC supports subsidized employment activities for TANF recipients, other low-income parents (defined as a parent with annual wages that do not exceed \$37,000 with a minor child, noncustodial parents, and SNAP recipients), and low-income youth. Subsidized employment is designed to help participants enter the labor market through the acquisition of work experience and enhanced connections to employers. It gives participants the opportunity to gain valuable work experience while earning a paycheck to help meet basic needs.

Funds can be used to offset wages paid by the employer, which support employment opportunities to help these individuals gain valuable skills and can significantly increase the likelihood of them securing an unsubsidized job. This activity accomplishes the goals of TANF purpose 2.

Low-income youth are defined as youth whose families are receiving any of the following means-tested benefits:

- Household receives TANF benefits.
- Household receives SNAP benefits.
- Youth receives CHIP benefits.
- Youth receives Medicaid benefits.
- Household receives subsidized child care through the CCDF.
- Household is eligible for or receives subsidized public housing assistance.
- Household participates in the WIC program.
- Youth receives free or reduced-cost school lunch.
- Youth is eligible for, or enrolled in, WIOA youth services.
- Youth whose family income is 200 percent of or below HHS's Poverty Guidelines or US Department of Labor's Lower Living Standard Income Level.

When youth receive subsidized employment, they gain valuable work experience and enhanced connections to employers, all while earning a paycheck to help meet basic needs. This reduces the burden on the youth's needy parents and reduces the parents' need for government benefits. Additionally, youth gain valuable skills and significantly increase the likelihood of securing an unsubsidized job, making it less likely that they will need government benefits when they are adults.

Texas Disability Navigator Initiative (Federal TANF)

The Texas Disability Navigator Initiative aims to foster sustainable business practices that improve access to workforce services and work incentives, enhance customer services, and increase employment opportunities for people with disabilities. Although no longer funded as a statewide initiative, some Boards continue the delivery of disability navigator services in their workforce development areas.

TANF customers with disabilities or those caring for a family member with disabilities will be able to use the connections and resources developed by the disability navigators, thus meeting TANF purposes 1 and 2.

Training and Employment Assistance for Low-Income Families (Federal TANF)

TWC provides workforce services to individuals to help them with their training and employment needs. Eligible individuals are TANF recipients, other low-income parents with a minor child, SNAP recipients and youth up to age 24 who are part of a low-income family, as allowed under TANF purposes 2 and 3. Eligible individuals also include noncustodial parents under TANF purpose 4. Services include:

- Employment activities that help low-income participants obtain and sustain employment, such as those offered through subsidized employment or work experience programs; and
- Other activities to assist low-income parents with addressing their educational and literacy needs, which are foundational requirements for obtaining and sustaining employment.

Services include those provided by Self-Sufficiency Fund (SSF) programs, as well as other on-the-job training services such as those provided by apprenticeship programs. SSF provides training grants for industry-recognized certifications and credentials that lead to permanent, full-time employment. SSF targets low-income families as well as those at risk of becoming dependent on public assistance. TWC administers SSF in partnership with local public community and technical colleges, higher education extension services, and community-based organizations.

Grant recipients will determine and verify eligibility to use TANF funds for the provision of SSF services.

Entrepreneurship Bootcamp (Federal TANF)

The Entrepreneurship Bootcamp program provides in-person and virtual bootcamps for parents and guardians of minors to create, sustain or expand businesses in Texas. The COVID-19 pandemic has put considerable pressure on families, including an increase in the number of parents divorcing or exploring divorce. The Entrepreneurship Bootcamp program serves TANF purpose 4 by promoting more flexible work options for parents, an opportunity which, in turn, will allow for more flexible responses and, hopefully, decreased stress and divorce among parents.

Lack of financial stability is a contributor to both divorce and postponement of marriage. By helping parents obtain income from more flexible sources, this program aims to decrease financial instability, promote marriage and decrease divorce. It provides one in-person bootcamp and one virtual bootcamp, each not less than seven hours, to assist participants in their entrepreneurship efforts. Bootcamps are offered in both English and Spanish.

3. Funding

Title IV-A of the Social Security Act, §403(a)(1)(A), provides that each eligible state shall be entitled to receive for each fiscal year a grant in an amount equal to the State family assistance grant as defined in §403(a)(1)(B).

Payments to Agency Administering the TANF Program

Payments for the TANF program will be made to the organization managing the TANF program as of August 22, 1996, unless the State indicates that the TANF administering agency has changed.

State Payments for TANF Program

Section 405(a) requires that grants be paid to States in quarterly installments, based on State estimates. The State's estimate for each quarter of the fiscal year by percentage is:

For FY 2000 and Future Years--			
1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
25%	25%	25%	25%