

OFFICE OF CHILDREN AND FAMILY SERVICES

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| LOCAL COMMISSIONERS MEMORANDUM |
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OCFS-4616EL (Rev. 11/98)

Transmittal No: 00 OCFS LCM-28

Date: November 13, 2000

Division: Strategic Planning and
Policy Development and
Administration

TO: Local District Commissioners

SUBJECT: \$30,000,000 TANF for Preventive Services: Instructions for
Determining Eligibility, Authorizing Services and Claiming

ATTACHMENTS: (A) TANF Qualified Non-Citizenship Chart (not on line)
(B) Determination of Eligibility and Certification for
Preventive Services (not on line)
(C) Allocation of \$30 Million of TANF Funding for
Preventive Services (available on line)
(D) Local District Report on TANF and TANF Maintenance of
Effort Programs (not on line)

The purpose of this memorandum is to provide guidance to social services districts regarding the State Fiscal Year (SFY) 2000-2001 appropriation of \$30,000,000 in Temporary Assistance to Needy Families (TANF) funds for child welfare preventive services pursuant to Chapters 53 and 60 of the Laws of 2000. This funding is only for services to families and children who are not eligible for such services under the State's Emergency Assistance to Families (EAF) program, but whose income is below the 200% of poverty level. The funds are available for eligible expenditures incurred on or after October 1, 2000. In anticipation of the reduction from 10 percent to 4.25 percent in transfer of funds from TANF to Title XX, this memorandum is intended to serve as the initial step in establishing a process to increase the use of direct TANF funding for a broader range of eligible child welfare services. Accordingly, the \$30 million TANF allocation addressed in this memorandum may be utilized for provision of some of the preventive services for which Title XX funding would previously have been used. The TANF rules for non-assistance apply to this allocation, and certain services are therefore excluded. This memorandum will address:

- determining and authorizing eligibility for use of the funds;
- encoding the authorization information onto the Welfare Management System (WMS);

- informing each district of the amount allocated under this funding and the manner in which the allocations were determined; and
- claiming the TANF funds up to the amount allocated to each social services district.

Determining Eligibility

Preventive Services provided with the support of TANF funds (in whole or part) are subject to both the Preventive Services standards in 18 NYCRR Part 423 and 18 NYCRR 430.9 and the TANF standards and needs requirements, including the requirement that family income is below 200% of the federal poverty level. Services provided with these funds must meet one of the following four purposes of TANF:

1. Provide assistance to needy families so that children may be cared for in their own home or in the homes of relatives;
2. End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;
3. Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; or,
4. Encourage the formation and maintenance of two parent families.

In addition to meeting one of these four purposes, TANF-funded services must meet the TANF definition of "non-assistance." In general terms, these are services or benefits that are not intended to provide ongoing basic economic support. Day Care and Housing are examples of services which may be considered "assistance" under TANF, and consequently are excluded from funding under this allocation. Medical services, transportation and independent living services are also excluded. Parenting skills training and substance abuse counselling are examples of services which would not be considered TANF assistance and which could be provided within the rules governing this allocation.

TANF-funded services may be used to support only families that include a pregnant woman or a minor child living with a parent or caretaker relative.

The applicant must be a U.S. citizen or TANF-qualified alien. If the service is to be provided to all members of the applicant's household, all members of the household must also be U.S. citizens or TANF-qualified aliens. A list of those statuses that constitute TANF-qualified aliens can be found in Appendix A.

To be eligible for preventive services funded under this allocation, the gross income level of the family must be under 200% of the federal poverty level. Households which are receiving Family Assistance or Safety Net Assistance, HEAP, SSI, Medical Assistance or Food Stamps are income eligible

as they, by definition, meet the income requirements of up to 200% of poverty. Below is a chart outlining 200% of poverty income levels for each family size.

00% of Poverty Income Standards
Program year June 1, 2000 through May 31, 2001

<u>Family Size</u>	<u>Income</u>	Monthly <u>Income</u>	Annual
1		\$1,392	\$16,700
2		\$1,875	\$22,500
3		\$2,358	\$28,300
4		\$2,842	\$34,100
5		\$3,325	\$39,900
6		\$3,808	\$45,700
7		\$4,292	\$51,500
8		\$4,775	\$57,300

For family units with more than eight members, add \$483 monthly or \$5,800 annually for each additional family member.

Households in receipt of or eligible for preventive services funded under the TANF Emergency Assistance to Needy Families (TANF-EAF) Program are not eligible for preventive services that are funded under this TANF allocation. Please refer to 94 LCM 52 for the eligibility standards for preventive services funded under EAF. The case record and authorization for TANF-funded services must document the family's ineligibility for TANF-EAF.

In order to receive services funded under this allocation, the parent or caretaker relative must sign the Common Application Form (LDSS 2921) or local equivalent that has been approved by the Office of Temporary and Disability Assistance (OTDA). The applicant must certify, among other items, the citizenship/alien status of each member of the household; the relationship of each member of the household to the applicant; the date of birth of each household member; the type and amount of income received by each household member; and the social security number (SSN) of each family member. Although not previously required for services cases, these items must be completed on the LDSS 2921, which will serve as the TANF Non-assistance certification document as well for WMS data entry. The form is being revised to indicate the requirements for completing these fields.

To comply with the federal TANF rules, social services districts must carefully and accurately determine eligibility for services funded under this allocation, as well as in the identification of expenditures for purposes of claiming. To assist social services districts in determining to which funding stream preventive services should be authorized, Attachment B, Determination of Eligibility and Certification for Preventive Services, has been developed. Social Services districts must complete this form for all preventive services authorizations, except preventive services provided under the OTDA Transitional Services and Policy TANF Services Plan.

The status of families in other public assistance programs can be used to determine eligibility for preventive services funded with this allocation. Households which are receiving Temporary Assistance or Safety Net Assistance are by definition categorically eligible as they meet all TANF eligibility

requirements. Households which are receiving HEAP, SSI, Medical Assistance or Food Stamps are income eligible, but the remaining requirements must be verified by the worker authorizing the service. In order to comply with TANF documentation requirements, a copy of the Clearance Report must be kept in the case record, together with the Common Application Form.

For households with an open services case, the Common Application Form which was completed at the time of the case opening must be updated and signed and dated by the client. All fields required for TANF Non-assistance mentioned above, i.e. citizenship/alien status of each household member, relationship of each household member to the applicant, date of birth, social security number, and type and amount of income received, must be completed for each household member.

Non-custodial parents are eligible for services funded under this allocation provided that a child support order obligating the non-custodial parent to pay child support is in place. If no child support order is in place, the non-custodial parent must supply the name, address, social security number, and date of birth of each child, and form LDSS-4728, Non-Custodial Parent Referral to Child Support Enforcement Unit, must be submitted to the social services district child support office.

These funds are available for Mandated, Non-Mandated and Community Based Preventive Services. The Community Based services must still have individually determined eligibility. The funds may not be used for services that are categorized as TANF assistance. Districts must review for TANF eligibility or other funding sources all preventive services cases open as of October 1, 2000 and later.

Under federal requirements, using these TANF funds for ongoing assistance payments equates to receipt of TANF public assistance. An example of a service considered to be assistance under TANF would be Preventive Housing Services rent subsidies. Each month that a family receives such assistance from these funds counts towards the family's 60-month lifetime limit for TANF assistance. It also results in the family's inclusion in the social services district's work participation rate calculations, and subjects the case to TANF data reporting requirements. Therefore, social services districts may not use these funds for ongoing services that are considered assistance under TANF rules. Examples of services which are allowable expenditures from this allocation are parenting skills training services and substance abuse counselling services. For a more detailed description of the types of services considered to be non-assistance and which are appropriate for funding under this allocation and for definitions of household members and gross income, please reference OTDA 00 LCM-20, "TANF Services for Individuals and Families with Incomes up to 200% of the Federal Poverty Level."

Systems Instructions

As stated above, the Common Application Form (LDSS 2921) must be used to record each household member's citizenship/alien status, relationship to the applicant, date of birth, income received, and social security number. A new suffix code, suffix code D, will be enabled and is to be used for services authorized under this allocation. Suffix code D can be used with certain values of Service Type in both the DIR and POS fields. Allowable

DIR and POS values are:

- 01- Adoption
- 06- Family Planning
- 8C- Crisis Respite Services (non-foster care)
- 10- Home Management
- 11- Homemaker
- 12- Housekeeper/Chore
- 21- Unmarried Parents Services
- 25- Preventive- Children, Mandated
- 26- Preventive- Children, Non-mandated
- 28- Drug Abuse Treatment Services*
- 29- Alcohol Abuse Treatment Services*
- 57- Parent Aide/Parent Training

* For non-medical services only.

The suffix code can not be used with Eligibility 04, EAF.

Changes to WMS to support provision of services funded under this allocation are being tested. Social services districts will be informed of the completion of these system changes, as well as finalized system instructions, via the General Information System (GIS).

TANF Requirements for Protective Services and TANF Funds Transferred to Title XX

In the near future, the Office of Children and Family Services (OCFS) will issue subsequent Local Commissioners Memoranda that provide additional guidance to local social services districts with regard to direct TANF funding for Child Protective Services and TANF funds transferred to Title XX. Due to the Federal change limiting the TANF to Title XX transfer from the previous 10 percent to the current 4.25 percent, effective October 1, 2000, Title XX child welfare services can no longer be funded at the previous levels by the TANF to Title XX transfer. The Child Welfare Financing Proposal submitted to the Legislature on June 30, 2000, as required by Chapter 405 of the Laws of 1999, relies on the increased use of direct TANF funding to support both Child Preventive and Child Protective Services for expenditures for the October 2000 to September 2001 (FFY 2001) time period.

Local social services districts should expect that OCFS will release LCMS that will:

- Continue the procedures affecting expenditures for Title XX Preventive Services beyond the \$30 million currently allocated in this LCM;
- Extend the Preventive Services procedures described in this LCM to Child Protective Services to allow for direct charging to TANF; and
- Provide local districts with the ability to claim Title XX services funded with TANF funds transferred to Title XX through the Automated Claiming System.

In order to prepare for the March 31, 2001 expiration of the Family and Children's Services Block Grant and the April 1, 2001 effective date of the new Child Welfare Financing Proposal, local districts will need to have these procedures in place as soon as possible.

Allocation of \$30 million of TANF Funding for Preventive Services

These funds have been allocated on a percentage basis based on each social services district's claiming history for preventive services in FFY 1997-98 or FFY 1998-99, whichever is higher, net of any retroactive payments and as adjusted by the Services Random Moment Survey (SRMS) cost allocation plan. District allocation amounts are included as Attachment C.

Claiming Instructions

Claims for reimbursement for Preventive Services expenditures from the \$30,000,000 TANF funds should be filed on form LDSS-3922, Financial Summary of Special Projects. The "Project Name" for the period October 1, 2000 through September 30, 2001 is "PREVTANF2001." Amounts claimed should be reported on Line C.11 of the LDSS-3922. Reimbursement will be made at 100 percent of the amount claimed up to the amount of the district's allocation as shown on the attachment. The social services district's Family and Children's Services Block Grant allocation will be reduced by 50 percent of the amount of reimbursement made available to the district from the \$30,000,000 TANF funds for Preventive Services. In the event a social services district's remaining Family and Children's Services Block Grant payments are insufficient to absorb its share of the TANF Preventive Family and Children's Services Block Grant offset, the remaining amount will be taken from revenues otherwise due the district.

Data for identifying and claiming administrative costs related to these TANF 200 percent of poverty-eligible expenditures will be provided through the Random Moment Survey (RMS). The percentage allocable to TANF 200% of poverty will be available on the Automated Claiming System for the January through March 2001 quarter. On an interim basis, the percentage will be reported in the non-reimbursable (NR) field. Districts are to claim TANF 200% of poverty administrative expenditures on the schedule D-2 in the NR line and indicate under "Comments" that the amount is eligible for the TANF 200% of poverty program.

The \$30,000,000 in TANF funds will be used to reimburse claims for Preventive Services expenditures from October 1, 2000 forward for the 2000-2001 Federal fiscal year.

Reporting Requirements

Reporting requirements for TANF Non-assistance include the total number of families served, and total expenditures, by month. Insofar as these funds are being authorized through WMS and claimed through the Benefits Issuance Control System (BICS), New York State will develop the capability to produce the necessary reporting data as soon as possible. Until the State has developed this capability, social services districts must use Attachment D, Local District Report on TANF and TANF Maintenance-of Effort Programs, to report the required information on a monthly basis.

Social services districts are required to complete Section I of this form. Please complete items 2., 3a., 4., and 5. Once the State has developed the capability to support these reporting requirements, social services districts will no longer be required to submit this form. Attachment D should be submitted together with form LDSS-3922, referenced above under Claiming Instructions.

Information/Questions Contact

To request additional information or to ask questions regarding these allocations, please contact:

Questions pertaining to the claiming instructions may be directed to Mr. Roland Levie (Regions I-IV) at 1-800-343-8859, extension 4-7549 (User ID # FMS001) or in Region V Mr. Marvin Gold at 212-383-1733 (User ID # 0FM270).

Fiscal questions may be directed to:

Eric Petersen, Assistant Director
Agency Budget Services
518-402-3324

Program questions may be directed to:

Kate Couse
Policy Analysis
518-474-9426

Melvin I. Rosenblat
Deputy Commissioner
for Administration

William F. Baccaglioni
Director
Strategic Planning
and Policy Development

ATTACHMENT C

ALLOCATION OF TANF \$30 MILLION FOR PREVENTIVE SERVICES

District	Preventive	F&CSBG Offset
ALBANY	862,784	431,392
ALLEGANY	57,166	28,583
BROOME	292,577	146,289
CATTARAUGUS	76,138	38,069
CAYUGA	57,472	28,736
CHAUTAUQUA	71,142	35,571
CHEMUNG	83,593	41,797
CHENANGO	40,909	20,455
CLINTON	59,458	29,729
COLUMBIA	66,359	33,180
CORTLAND	81,793	40,897
DELAWARE	107,597	53,799
DUTCHESS	214,620	107,310
ERIE	1,065,937	532,969
ESSEX	16,649	8,325
FRANKLIN	23,510	11,755
FULTON	27,407	13,704
GENESEE	43,064	21,532
GREENE	31,830	15,915
HAMILTON	1,054	527
HERKIMER	45,825	22,913
JEFFERSON	77,823	38,912
LEWIS	12,268	6,134
LIVINGSTON	35,954	17,977
MADISON	54,506	27,253
MONROE	1,597,294	798,634
MONTGOMERY	31,324	15,662
NASSAU	602,615	301,308
NIAGARA	163,566	81,783
ONEIDA	414,516	207,258
ONONDAGA	987,440	493,720
ONTARIO	50,844	25,422
ORANGE	521,493	260,747
ORLEANS	24,135	12,068
OSWEGO	204,747	102,374
OTSEGO	79,375	39,688
PUTNAM	28,961	14,481
RENSSELAER	128,066	64,033
ROCKLAND	263,404	131,702
ST. LAWRENCE	76,541	38,271
SARATOGA	101,779	50,890
SCHENECTADY	530,653	265,327
SCHOHARIE	26,486	13,243
SCHUYLER	10,566	5,283
SENECA	55,327	27,664
STEUBEN	143,326	71,663
SUFFOLK	552,519	276,260
SULLIVAN	120,864	60,432

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TIOGA	34,906	17,453
TOMPKINS	104,684	52,342
ULSTER	307,634	153,817
WARREN	27,141	13,571
WASHINGTON	35,046	17,523
WAYNE	61,126	30,563
WESTCHESTER	979,427	489,714
WYOMING	26,569	13,285
YATES	13,139	6,570
REST OF STATE	11,812,948	5,906,474
NEW YORK CITY	18,187,052	9,093,526
NEW YORK STATE	30,000,000	15,000,000