

**Kentucky's
Temporary
Assistance for Needy
Families
(TANF)**

STATE PLAN

10/1/2023-09/30/2026

Temporary Assistance for Needy Families (TANF) Title IV-A State Plan

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10/01/2023-09/30/2026

Kentucky

Mission, Goals, Philosophy

Mission:

- ▶ Provide families with the tools to become self-sufficient while ensuring children are protected and valued

Goals:

- ▶ Accomplish the Administration for Children & Families' four purposes of the TANF program:
 - ▶ 1. Provide assistance to needy families so that children can be cared for in their own homes or in the homes of relatives
 - ▶ Ensure children live in a safe, secure environment
 - ▶ 2. End the dependence of needy parents by promoting job preparation, work, and marriage
 - ▶ Assist clients in obtaining full-time, unsubsidized employment
 - ▶ Help clients retain jobs and, when necessary, obtain re-employment
 - ▶ Ensure clients are involved in work activities and become self-sufficient before their sixty (60) month TANF lifetime limit expires
 - ▶ 3. Prevent and reduce the incidence of out-of-wedlock

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pregnancies

- ▶ Collaborate with non-TANF funded Kentucky Department for Public Health programs to address Teen Pregnancy Prevention (TPP) and Statutory Rape Prevention (SRP)
- ▶ TPP and SRP programs in the state of Kentucky are expanded to include men as required by Section 402(a)(1)(A)(vi)
- ▶ 4. Encourage the formation and maintenance of two-parent families
 - ▶ Foster economically secure households and communities for the well-being and long-term success of children and families
 - ▶ Support community-based efforts to promote strong, healthy family formation and maintenance, responsible fatherhood and parenting, and reentry opportunities for fathers returning from incarceration.
 - ▶ Ensure that all families are treated equally and with compassion and dignity.

Approach:

- ▶ Develop partnerships with other state agencies, local governments, community-based organizations, and employers to provide linkages for Kentucky Works Program participants for services to reduce barriers to employment
- ▶ Integrate services
- ▶ Develop multiple strategies recognizing the varying strengths and needs of clients and communities
- ▶ Encourage communities to develop broad based collaboratives for local plans for welfare reform and regionalized economic development

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strategies

- ▶ Maximize all state and local resources

Cultural Change:

- ▶ Provide information and support to participants enabling them to recognize their own strengths, value work, formulate goals, choose options, and meet new expectations
- ▶ Integrate Kentucky's TANF State Plan mission into service delivery through training for case managers and communication with service providers
- ▶ Promote outcomes-oriented human-centered design concepts, with an enhanced focus on equity, supporting families with the highest barriers to economic opportunity and addressing persistent racial inequities.

Organization

Operation:

- ▶ Kentucky Cabinet for Health and Family Services (CHFS) is responsible for the TANF block grant
 - ▶ CHFS has authority to submit the state plan for programs funded under Title IV-A of the Social Security Act
 - ▶ CHFS has authority to establish and revise provisions of TANF funded programs and file administrative regulations governing the administration of the plan according to Chapters 194A and 205 of the Kentucky Revised Statutes
- ▶ TANF is administered by CHFS's Department for Community Based Services (DCBS)
- ▶ DCBS has offices located in every county. DCBS has a statewide Call Service Center and website to serve clients.
- ▶ Case managers work in partnership with families to support their efforts toward identifying barriers and obtaining self-sufficiency
- ▶ Kentucky Works Program (KWP) Public Assistance Program Specialists

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(PAPS) serve as program consultants in Kentucky Works Program policy and act as facilitators/resource persons with other agencies

- ▶ The Family Resource and Youth Services Centers (FRYSC), the Division of Child Care, and the Division of Protection and Permanency, are part of CHFS. FRYSC is not currently a TANF-funded program, but DCBS staff are encouraged to refer individuals to local Family Resource and Youth Services Centers. TANF funds are not used for medical services in accordance with 408(a)(6) of the Social Security Act.
 - ▶ The FRYSC removes non-cognitive barriers to children's learning by providing such services as health services, child care, employment counseling, Substance Use Disorder (SUD) treatment and counseling, parent and child education, or referrals for such services
 - ▶ The Division of Child Care provides help for families who need child care outside their homes. CHFS is working to increase the quality and availability of affordable child care by administering a statewide network of resource and referral agencies
 - ▶ The Division of Protection and Permanency provides family services, including crisis intervention, domestic violence counseling, child protective services and family preservation services
- ▶ The Department for Income Support (DIS), Child Support Enforcement Division (CSE) provides assistance to any person, with minor children, who needs financial support from an absent parent
- ▶ CHFS contracts with various providers throughout the state to conduct job readiness & job search workshops, provide employment services through job referrals, wage subsidy positions, and employment training services to Kentucky Works Program participants.
- ▶ While TANF funds are not currently used for the programs listed below, this list of programs were previously TANF funded, and DCBS workers can refer clients to these and other programs and services, if available in their area.
 - ▶ S.T.A.R.T. (Sobriety Treatment & Recovery Team)
 - ▶ Kentucky Youth Health Network (formerly known as Kentucky coalition on Teenage Pregnancy)
 - ▶ SRAE (Title V State Sexual Risk Avoidance Education Program)
 - ▶ PREP (Personal Responsibility Education Program Grant)

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- ▶ Rape Crisis Centers and the Rape Crisis Hotline
- ▶ HANDS (Health Access Nurturing Development Services)
- ▶ The Green Dot Kentucky Program
- ▶ Children’s Advocacy Centers
- ▶ TANF Maintenance of Effort (MOE) funded services:
 - ▶ KTAP (Kentucky Transitional Assistance Program)
 - ▶ Relative Care Programs:
 - Kinship Care
 - D.O. v. Glisson Relative Foster Payments: As described in the “Placement Support” section of this plan
 - Relative Placement Support Benefits (RPSB): As described in the “Placement Support” section of this plan
 - ▶ Substance Use Disorder (SUD) Programs
 - As described in the “Additional programs to address Substance Use Disorder (SUD)” section of this plan
 - ▶ TANF Family Preservation
 - As described in the “Family Services” section of this plan
 - ▶ Out of Home Care Diversion
 - As described in the “Family Services” section of this plan
 - ▶ Child Care and Development Fund (CCDF) Excess MOE
 - Excess CCDF MOE can be used to meet TANF MOE per 45 CFR § 263.3
 - Child Care Development Fund (CCDF) Excess MOE is used to meet TANF MOE per 45 CFR § 263.3. Families receiving assistance through CCDF Excess MOE must meet financial eligibility criteria that matches 160% of the current Federal Poverty Level (FPL)/Federal Poverty Guidelines (FPG) at initial CCAP Application, and 200% of the FPL/FPG at CCAP Recertification. Kentucky uses the form ACF-696, “Financial Reporting Form for the Child Care and Development Fund (CCDF)” to track the expenditures that are eligible to be used for TANF MOE when they are in excess of the state’s MOE requirement for child care.

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Kentucky Transitional Assistance Program (KTAP)
Cash Assistance

Eligible Groups:

- ▶ Families with a minor child lacking parental support through unemployment, underemployment, death, voluntary or involuntary absence, or incapacity pursuant to Kentucky Administrative Regulations
- ▶ Child defined as
 - ▶ Age 15 or under; or age 16, 17 or 18 and has not attained 19 years of age, if attending high school or equivalent
- ▶ Qualified immigrants residing in the country prior to August 22, 1996 (enactment date)
- ▶ Qualified immigrants entering the country on or after August 22, 1996
 - ▶ Not eligible for first 5 years but eligible afterwards
 - ▶ Eligible for the first 5 years and afterwards if exempt from benefit restrictions as specified in federal law
 - ▶ Victims of a severe form of trafficking, including a victim's child(ren) or spouse, are eligible for TANF to the same extent as an immigrant who is admitted to the United States as a refugee
 - ▶ If a victim of a severe form of trafficking is under 18 years of age, the victim's siblings and parents are also eligible for TANF to the same extent as an immigrant who is admitted to the United States as a refugee
- ▶ Recipients moving from other states as current residents

Ineligible Groups:

- ▶ Fugitive felons and probation/parole violators

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- ▶ An individual convicted under federal, or state law of an offense committed after August 22, 1996, classified as a felony by the law of the jurisdiction involved, and that has an element of the possession, use or distribution of a controlled substance pursuant to 21 U.S.C. 802(6), shall not be eligible for KTAP benefits, except pursuant to Kentucky Revised Statute 205.2005.
- ▶ Those convicted of misrepresenting residency in two states are ineligible for 10 years
- ▶ Children absent from the home for 30 consecutive days, unless good cause exists

Technical Eligibility

Requirements:

- ▶ Completion of assessment and self-sufficiency agreement
- ▶ Cooperation in child support enforcement (CSE) activities
- ▶ Child lives in the home of a specified relative
- ▶ Work registration is required for able bodied adults
- ▶ Unmarried teen parents must live in an adult supervised setting pursuant to Kentucky Administrative Regulation 921 KAR 2:006, Section 20
- ▶ Teen parents must attend school
- ▶ Teen parents without high school credential and with a child at least 12 weeks old must attend high school or equivalent
- ▶ Children ages 16 through 18 must attend school
- ▶ Must furnish a social security number (SSN) or agree to apply for a SSN

Income/Resource

Considerations and

Exclusions:

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- ▶ Up to \$10,000 in liquid assets excluded
- ▶ Exclude all real and personal property including all vehicles, as well as burial plans and life insurance policies
- ▶ Up to \$5,000 in Individual Development Accounts
- ▶ Twice in a lifetime exclusion of first six (6) full months earned income per adult, at individual's option
- ▶ Exclude earned income of a KTAP child or a KTAP parent aged nineteen (19) or under, who is attending school

Gross Income Limit:

- ▶ The benefit group's total gross earned and unearned income minus excluded income is compared to the maximum gross income scale
- ▶ If the benefit group's total gross earned and unearned income exceed the maximum gross income limit for the appropriate benefit group size, the family is not eligible for KTAP
- ▶ The gross income limit is as follows for the appropriate family size

<i>Number of Eligible Persons</i>	<i>Maximum Monthly Gross Income Limits</i>
1 Person	\$ 890
2 Persons	\$ 1021
3 Persons	\$ 1169
4 Persons	\$ 1315
5 Persons	\$ 1462
6 Persons	\$ 1608
7 or more Persons	\$ 1754

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Benefit

Calculation:

- ▶ The Standard of Need calculation is defined in Kentucky Revised Statutes 205.2001 and is an amount no less than the poverty level of the family unit minus the combined value of the state's average Medicaid utilization for a given family size plus the value of Supplemental Nutrition Assistance Program (SNAP) for a given family size
- ▶ To compute eligibility for a cash payment, additional income deductions may be applied, and the remaining income compared to the Standard of Need for the family size
 - ▶ The family's income is subtracted from the Standard of Need to arrive at the deficit amount
 - ▶ The deficit amount is multiplied by 55 percent (45 percent ratable reduction)
 - ▶ Ratable reduction allows the recipient to retain a larger portion of their earnings
 - ▶ The KTAP payment is the lesser of this product or the maximum KTAP payment for the family size
 - ▶ In no instance shall grants to families with no income be less than the appropriate grant maximum (in accordance with Kentucky Revised Statutes 205.200(2))

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Standard of Need:

Current Standard of Need

<i>Number of Eligible persons</i>	<i>Standard of Need</i>
1 Person	\$481
2 Persons	\$552
3 Persons	\$631
4 Persons	\$710
5 Persons	\$790
6 Persons	\$869
7 or more Persons	\$948

Cash Benefits:

- ▶ Maximum monthly cash payments to eligible families:

<i>Number of Eligible persons</i>	<i>Payment Maximum</i>
1 Person	\$372
2 Persons	\$450
3 Persons	\$524
4 Persons	\$656
5 Persons	\$766
6 Persons	\$864
7 or more Persons	\$964

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Educational bonus:

- ▶ An educational bonus of \$500 per individual paid to a Kinship Care child, or KTAP adult or child, who reports and verifies receiving a high school diploma or GED certificate, one ESL certificate, or one post-secondary school certificate or degree
- ▶ The individual must have been an active KTAP or Kinship Care recipient when the educational program was completed.

Relocation

Assistance

Program (RAP):

- ▶ Cash assistance recipients who choose to relocate to another area to access employment, escape a domestic violence situation, and to prevent homelessness, may qualify for up to \$1500 to assist the family with moving related expenses, such as moving van rental and first month's rent
- ▶ For an individual who moves to access employment
 - ▶ There must be a verified offer of employment of at least an amount equal to 30 hours at minimum wage; or
 - ▶ The individual must be currently employed with wages of at least an amount equal to 30 hours at the minimum hourly wage rate, reporting and verifying wages timely, and request relocation assistance within ninety (90) days from the start date of employment
 - ▶ The current residence must be located ten (10) miles or more from the location of new employment and the new residence is closer to the location of new employment than the applicant's

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current residence

- ▶ Relocation Assistance Program (RAP) is available, to relocate for employment, escape domestic violence or prevent homelessness
- ▶ For families who use RAP for employment purposes, they may receive assistance once in a 12-month period, and again in subsequent 12-month periods
- ▶ For families who use RAP to prevent homelessness, they may receive assistance from RAP once in a 12-month period, and again in subsequent 12-month periods.
- ▶ . There is no limit for RAP if needed to escape a domestic violence situation.
- ▶ Follow-up case management is available to assist the family with the transition

Penalties:

- ▶ 25 percent reduction of the maximum grant for KTAP household size for failure to cooperate with child support
- ▶ Other penalties listed in the Kentucky Works Program section of this state plan

Time Limit:

- ▶ Five-year lifetime limit for families receiving federally funded cash assistance
- ▶ Five-year lifetime limit for families with an adult not eligible due to being a fleeing felon or probation/parole violator
- ▶ Up to 20 percent of caseload may receive an extension to the lifetime limit
- ▶ The extension reasons include a recipient who:

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- ▶ Is battered or subjected to extreme cruelty
- ▶ Has a physical or mental disability prohibiting work as determined by the Cabinet
- ▶ Is a parent providing care for a disabled family member
- ▶ Is a grandparent or other close relative caring for an eligible child who would otherwise be placed in foster care
- ▶ Is an adult with insufficient employment opportunities who has complied with participation in Kentucky Works Program and child support requirements
- ▶ Has received a domestic violence exemption, up to the number of months the individual received KTAP during the domestic violence exemption
- ▶ A benefit group containing a member who has lost a job within thirty (30) days of reaching the sixty (60) month time limit will receive a three (3) consecutive month extension of the time limitation

Electronic Benefit

Transfer (EBT):

- ▶ In accordance with 42 U.S.C. 608(a)(12), the state must maintain policies and practices as necessary to prevent TANF-funded KTAP and Kinship Care assistance from being used in any EBT transaction in any liquor store, casino, gambling casino, gaming establishment or business that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.
- ▶ The application to apply for public assistance includes a statement concerning the restrictions of using the EBT card to access cash benefits
- ▶ EBT restrictions are included in the operation manual as EBT information explained by staff

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- ▶ Notices mailed to individuals with the EBT card include the EBT restrictions, list any fees, and a toll-free number for 24 hour/7 days a week customer care to contact for any questions or problems with accessing benefits. A list of participating stores and Kentucky locations of ATMs that are linked to the Quest program are available on the EBT vendor's Cardholder Portal website/mobile application.
- ▶ EBT restrictions are described in Kentucky Administrative Regulations
- ▶ Prevent access to assistance through EBT transactions in ATM or point-of-sale devices located in restricted businesses
 - ▶ Restrictions outlined in 42 USC 608 (a)(12) are included on the EBT Brochure under "EBT Card Restrictions" mailed to all EBT recipients when a new card is issued
 - ▶ The Kentucky Department of Alcoholic Beverage Control (ABC) has agreed to allow the agency to post signs on EBT restrictions at local liquor stores
- ▶ Ensure that cash benefit recipients have adequate access to their cash assistance and have access to using or withdrawing benefits with no charges, or incur only minimal fees
 - ▶ Educational information is printed on the card carrier in both English and Spanish covering how and where to use the card
 - ▶ Brochure lists restrictions to card use under instructions to withdraw cash at an ATM which displays the Quest logo
Individuals receive one free cash withdrawal per month
 - ▶ The individual is charged a minimal fee per withdrawal for subsequent withdrawals per month
 - ▶ Normal bank charges will be assessed if the ATM charges a processing fee
 - ▶ Fees are deducted from the EBT account
 - ▶ No charge for cash withdrawals at an authorized retailer's point of

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service terminal at the time of a retail purchase

- ▶ Information on fees and charges is made available to the public under “Avoid Fees” on the EBT Brochure
 - ▶ The EBT Brochure is mailed with the EBT card and lists fees, a toll-free number for 24 hour/7 days a week customer care to contact for any questions or problems with accessing benefits. The same information that is on the EBT brochure is available online on both the Cardholder Portal and Mobile app.
 - ▶ Information regarding applicable fees and surcharges that apply to electronic fund transactions is also made available to the public on the Kentucky CHFS/DCBS/Division of Family support website.

Domestic Violence:

- ▶ Screen and identify those participants who may be threatened by, or subjected to domestic violence
- ▶ Provide special training for case managers in the identification of domestic violence, sexual harassment, sexual assault & stalking, and the dynamics of violent relationships
- ▶ Refer individuals to the Division for Protection and Permanency per statutory requirements of Kentucky Revised Statutes Chapters 209 and 620
- ▶ Refer individuals to the Targeted Assessment Program (TAP), where available
- ▶ Provide assurance of confidentiality and referral to counseling and supportive services
- ▶ On a case-by-case basis, waive requirements related to residency, time

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limits, child support cooperation and work requirements when compliance would make it more difficult for the recipient to escape domestic violence or protection of their children

“Good Cause”

- ▶ Good cause granted based on need, as determined by an individualized assessment, and redetermination completed no less than every 6 months
- ▶ An appropriate services plan is:
 - ▶ Developed by a person trained in domestic violence or child abuse and neglect
 - ▶ Reflects the individualized assessment and any revisions made by a redetermination
 - ▶ Designed to safely lead to employment

Kentucky Works Program (KWP)

KWP Participation:

- ▶ All adults must participate in the Kentucky Works Program, with the exception of:
 - ▶ Single custodial parents with a child under age one (1) may be exempt for up to twelve (12) months (lifetime limit), at their option
 - ▶ Teen parents aged 18-19 years old who are enrolled and attending in high school
 - ▶ Domestic violence survivors if participation would cause harm
 - ▶ A parent providing care to a disabled family member
 - ▶ A parent who is a recipient of Social Security Disability Insurance (SSDI)

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Hours of Kentucky

Works Program

(KWP) participation:

- ▶ Required participation is no less than the number of hours per week required in the activity, except where the Cabinet determines that alternate hours are appropriate
- ▶ The activity required to have at least:
 - ▶ Thirty (30) hours per week for single parent
 - ▶ Thirty-five (35) hours per week required for two (2) parent cases, if the family does not receive federally funded child care assistance
 - ▶ Fifty-five (55) hours per week required for two (2) parent cases, receiving federally subsidized child care
 - ▶ Twenty (20) hours for a single parent, thirty (30) hours for two (2) parent cases is required to be in federally countable core activities (Hours above 20/30 hours may be in education)
 - ▶ Twenty (20) hours for the only parent or caretaker relative in the family with a child who has not attained six (6) years of age
 - ▶ Twenty (20) hours for a single or married head of household age 18 or 19 who has not obtained a high school diploma or a general equivalency diploma if attending a secondary school or the equivalent or participates in education that is directly related to employment

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Assessment:

- ▶ Transitional Assistance Assessment is completed at application
 - ▶ Brief overview of the income, service needs and family data relevant to achieving self-sufficiency through employment
 - ▶ The assessment is completed on work eligible adults and teen parents who are the head of household or married to the head of household
 - ▶ Employment goals, work history and concerns or barriers are obtained by the case manager
- ▶ Assistance in the assessment process is obtained from other agencies as needed
- ▶ Assessment includes basic skills, work skills, occupational skills, education levels, barriers to employment such as LEP status, transportation, dependent care, housing, physical disabilities, and other relevant factors. The need for domestic violence counseling, Substance Use Disorder (SUD) treatment or mental health treatment is also assessed, and referrals to other agencies are completed, if needed.
- ▶ Family situation is reviewed including strengths and needs
- ▶ Goals are set for obtaining a job and becoming self-supporting
- ▶ Plans are made for reaching goals
- ▶ The need for supportive services is evaluated
- ▶ On-site professional screening is completed in select sites to identify individuals for possible learning disabilities, Substance Use Disorder (SUD), domestic violence, or mental health issues

Transitional Assistance Agreement (TAA):

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- ▶ Based on the assessment, a self-sufficiency plan (TAA) is jointly developed by case manager and client containing:
 - ▶ An employment goal for the participant
 - ▶ Services to be provided by the agency (including child care assistance)
 - ▶ Activities to be undertaken by the recipient to achieve the employment goal
 - ▶ Other needs of the family
 - ▶ Where appropriate, reasonable accommodations and language assistance will be provided to beneficiaries to ensure meaningful access and effective communication
- ▶ The TAA is completed by work eligible adults and teen parents who are the head of household or married to the head of household

Components:

- ▶ All activities allowable in federal law
- ▶ Unsubsidized employment includes all paid employment that is not subsidized by TANF or any other public program to include self-employment
- ▶ Subsidized employment is an activity in which the participant works for either a private or public sector employer who is reimbursed for a portion of the wage paid to the participant
- ▶ **Work experience training program (WEP)** is an activity to improve the employability of individuals not otherwise able to obtain employment by providing experience and training which assists the individual in obtaining regular public or private unsubsidized employment
 - ▶ WEP limited to projects which serve a useful public purpose
 - ▶ WEP placement only used if training is needed to obtain a job

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- ▶ A valid WEP placement must meet the following:
 - ▶ The work experience training benefits the participant
 - ▶ Trainees do not displace regular employees
 - ▶ Trainees are not entitled to a job after training is completed
 - ▶ Trainees are not paid
 - ▶ The WEP Training Site Agency must provide sufficient training to ensure development of appropriate and specific skills, provide new tasks after each skill is mastered, provide intensive participant instruction and supervision at all times, and derive no immediate advantage from trainees' activities
- ▶ **Job search and job readiness assistance** is allowed for a maximum of six (6) weeks per federal fiscal year with only four (4) weeks being consecutive
 - ▶ **Job Readiness** is pre-employment preparation which helps prepare participants for working and becoming marketable as an employee by assuring that participants are familiar with general workplace expectations
 - ▶ **Job search** is a structured activity for seeking employment with potential employers for participants who are job ready based on the needs of the participant
- ▶ **Community service** is a structured program in which participants perform work for the direct benefit of the community under the sponsorship of public or nonprofit organizations including, but not limited to churches, the Red Cross, Big Brothers/Big Sisters, Habitat for Humanity, public schools, and local government
- ▶ **Vocational training** provides training directly related to the preparation for employment, not to exceed twelve (12) months
- ▶ Providing child care assistance to a KWP participant participating in a

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structured community service activity

- ▶ Based on the findings of the assessment, the agency or Cabinet designee and the participant may determine placement in a work preparation activity which includes:
 - ▶ Domestic violence counseling as an activity designed to help participants who are in a domestic violence situation to overcome abuse due to physical and sexual violence, threats and intimidation, emotional abuse, and economic deprivation
 - ▶ Life skills training as an activity to learn basic living skills needed before the individual can become self-sufficient
 - ▶ A Substance Use Disorder (SUD) program as a KWP activity in which services available in the community are accessed by the participant to overcome the use of alcohol or drugs which impairs the recipient's health, and their ability to work and take proper care of his/her family
 - ▶ Mental health counseling as an activity in which health services are accessed by the participant to overcome mental health problems
 - ▶ Vocational rehabilitation as an activity available for participants who have a learning disability, Substance Use Disorder (SUD) or a mental or physical disability
 - ▶ Adult education (Literacy, ABE, GED, ESL)
 - ▶ Other activities approved by the Cabinet
- ▶ Reasonable accommodations and language assistance will be provided to beneficiaries to ensure meaningful access and effective communication to those needing sign language interpretation services
 - ▶ Individuals who are deaf or hard of hearing have the right to have free and effective interpreting services provided by the Cabinet or its agent.

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- ▶ These individuals have the right to waive the free interpreting services provided by the Cabinet or its agent and have the right for an interpreter of their choosing to accompany them; however, the Cabinet for Health & Family Services or its agent is not required to pay for this person.
- ▶ The state will assist individuals to train for, seek, and maintain employment in occupations related to elder care by:
 - ▶ Referring individuals to healthcare-related training
 - ▶ Placing individuals in a structured activity for seeking employment with potential employers
 - ▶ Providing supportive services to maintain employment

Substance Use Disorder (SUD):

- ▶ Possible Substance Use Disorder (SUD) is identified through questions included in the assessment as well as by other interaction by case managers as part of the Kentucky Works Program assessment process
- ▶ Persons with indication of abuse are referred to the local Comprehensive Care center or other site with Substance Use Disorder (SUD) professionals for an in-depth SUD assessment with a professional
- ▶ A Substance Use Disorder (SUD) professional determines whether the individual is or is not in need of SUD treatment
 - ▶ Level of treatment and referral to an appropriate program determined by the Substance Use Disorder (SUD) professional
- ▶ Recipients may be required to participate in treatment as part of the Transitional Assistance Agreement
 - ▶ Substance Use Disorder (SUD) treatment coupled with a countable work activity whenever possible
- ▶ On-site professional screening completed in select sites to identify

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individuals for possible learning disabilities, Substance Use Disorder (SUD), domestic violence, or mental health issues

Limited English

Proficiency (LEP) Services:

- ▶ Ensures all clients have meaningful access to the programs and services of CHFS in a timely, efficient manner by minimizing or eliminating language barriers
- ▶ Qualified interpreters and appropriately translated forms and documents are provided at no cost for the Cabinet's clients, allowing the Cabinet to remain in compliance with Section 601 of Title VI of the Civil Rights Act of 1964 and Executive Order 13166.
- ▶ Provides interpretation and translation services for LEP clients who have Spanish as their primary language through Language Assess Section (LAS) staff interpreters, other qualified Cabinet staff members, qualified community-based partners and a contract with Language Services Associates, Inc.
- ▶ Provides interpretation and translations in up to 160 other languages through qualified community-based partners and Language Services Associates, Inc.
- ▶ Translates vital documents used in the administration of Cabinet benefit programs into Spanish
- ▶ Provides documents notifying clients of adverse actions clearly, and in the most comprehensive manner
- ▶ Advise the client that interpreter services are provided at no cost
- ▶ Cabinet agencies and staff:

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- ▶ Post multi-lingual signs in waiting areas to explain the availability of interpreters
- ▶ Use “I Speak” cards at the initial contact to invite people with limited English Proficiency to identify their primary language
- ▶ Identify each LEP customer and record the primary language of such customer. Document in the case record that the household contains LEP individuals, so interpreter services can be provided at no cost and without unreasonable delay
- ▶ Whether through cabinet staff or contracted vendors, cabinet agencies shall:
 - ▶ Ensure staff are trained on cultural competency, implicit bias, diversity, and effective communication and the use of interpreters/translators
 - ▶ Monitor compliance in each office to ensure that proper procedures are followed
 - ▶ Stipulate in service contracts that contractors are responsible for language services needed to serve LEP customers
 - ▶ Monitor compliance of contracted offices to ensure that proper procedures are followed.

Resolution of

Displacement complaints:

- ▶ The Training Site Agency will abide by the statewide grievance procedures in Chapter 13B of the Kentucky Revised Statutes for resolving grievances and/or complaints about WEP activities and any final decision rendered therein
- ▶ Grievances and/or complaints will be forwarded to the Department for Community Based Services for resolution through the conciliation and/or

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administrative hearing process

Conciliation:

- ▶ Conciliation is a process which resolves participation problems in the Kentucky Works Program. Conciliation is:
 - ▶ Conducted by the case manager
 - ▶ At the request of a Kentucky Works Program participant or a component provider
 - ▶ Used when a situation occurs which could result in a sanction or penalty
- ▶ Determination is made as to whether additional services are needed to assist with Kentucky Works Program participation
- ▶ Where appropriate, reasonable accommodations and language assistance will be provided to beneficiaries to ensure meaningful access and effective communication

Kentucky Works Program

Penalties:

- ▶ Kentucky Works Program participant is penalized, unless good cause criteria is met, for:
 - ▶ Failure to participate in required KWP activities, including self-sufficiency plan development after completion of the Transitional Assistance Agreement
 - ▶ Failure to participate in the program activities, as defined in the

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Transitional Assistance Agreement, includes refusal to accept employment, termination of employment or reduction of earnings, or failure to complete Work Registration

- ▶ Penalties include:
 - ▶ Reducing the amount of the assistance otherwise payable to the benefit group on a pro rata basis
 - ▶ The penalties continue until the participant complies with program requirements
 - ▶ Penalties are not applied until after conciliation procedures are conducted
- ▶ Good cause for not applying a penalty in Kentucky Works Program include:
 - ▶ Temporary illness or injury which prevents KWP participation as verified by the Cabinet
 - ▶ Long term illness determined by the Medical Review Team (MRT)
 - ▶ The work activity site is so far removed from the home that commuting time would exceed three (3) hours per day
 - ▶ Temporary incarceration or institutionalization for 30 days or less
 - ▶ Domestic violence survivors if participation in the Kentucky Works Program would cause risk of harm
 - ▶ Other reasons that involve working conditions, such as a formal complaint of discrimination, etc.
 - ▶ Childcare terminated through no fault of the applicant or recipient
 - ▶ Childcare not meeting the needs of the child, for example, a child with a disability
 - ▶ Accommodations for a disability or language barrier have not been made or are not sufficient
 - ▶ Single custodial parent caring for child under 6 years of age, if childcare is unavailable, including:

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- ▶ Appropriate childcare within a reasonable distance from the home or work site unavailable
 - ▶ Informal childcare by a relative or under other arrangements unavailable or unsuitable; or
 - ▶ Appropriate and affordable formal childcare arrangements unavailable
- ▶ The following criteria or definitions applied by the TANF agency to determine whether the parent has a demonstrated inability to obtain needed childcare:
- ▶ Case workers who provide case management services for TANF recipients, including referral for the Child Care Assistance Program (CCAP), advise the family about program requirements, and advise KWP Participants about the exemption to the individual penalties associated with the work requirement for any single custodial parent who has a demonstrated an inability to obtain needed childcare for a child under 6 years of age
 - ▶ Kentucky defines “appropriate childcare” as an eligible child care provider as defined in 45 C.F.R. Part 98.2
 - ▶ Kentucky defines “reasonable distance” as the distance customarily available within a locality
 - ▶ Kentucky defines “unsuitability of informal childcare” as care not regulated under Kentucky law which does not meet the quality child care need as defined by the parent or the health and safety requirements applicable to unregulated child care in the Commonwealth
 - ▶ Kentucky defines “affordable childcare arrangements” as appropriate child care at a reasonable distance which is suitable and with charges at or below the maximum

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provider payment rate under the Child Care and
Development Fund plan

Quality Assurance:

- ▶ The control mechanism to ensure that KTAP grants are appropriately reduced for refusing to engage in work is Quality Control sampling, supervisory reviews, and the fair hearing process

KWP 3 Month

Sanction Policy

(“Full Family Sanction”):

- ▶ As a condition of eligibility, an adult who has received cash assistance for six (6) months must engage in an activity listed as Kentucky Works Program "components" listed in this state plan.
- ▶ A family is ineligible for assistance if the recipient refuses to participate without good cause and has been penalized for noncompliance with KWP work requirements for at least three (3) cumulative months

Parental Responsibility

Opportunities (PRO)

Team:

- ▶ PRO Team in available areas is composed of entities in the community, including Department for Community Based Services staff, who have an interest in assisting individuals in becoming self-sufficient; and

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- ▶ Identifies solutions before the family loses cash assistance to ensure protection for children

Supportive Services:

- ▶ Case Management
 - ▶ The goal for case managers is to work in partnership with families to support their efforts toward self-sufficiency
- ▶ **Child Care Assistance Program (CCAP)**
 - ▶ TANF recipients automatically eligible
 - ▶ Kentucky Works Program (KWP) participants are eligible for free childcare assistance.
 - ▶ Referrals made to contracted service agents
- ▶ **Transportation**
 - ▶ Actual transportation costs paid up to the maximum payment rates listed below
 - ▶ If free or low-cost transportation that meets the needs of the individual is unavailable, direct payment to the individual per month as follows:
 - ▶ Fifty (50) dollars for five (5) days or less of participation per month, or
 - ▶ Three hundred (300) dollars for six (6) or more days of participation per month
 - ▶ Car repair payments up to a maximum of \$3000 per year (12- month period) per eligible family
 - ▶ Items or services needed by the recipient for participation in Kentucky Works Program up to a maximum of \$600 per year
 - ▶ Referral to other agencies for needs such as Substance Use Disorder (SUD) treatment, mental health counseling, life skills, domestic violence counseling

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Education:

- ▶ The Cabinet recognizes the critical role that education plays in preparing adults for work and long-term employment
 - ▶ Welfare recipients may attend vocational education for twelve (12) months
 - ▶ Subsequently, recipients may continue their education while meeting the federal work requirement
 - ▶ The requirement may be met by practicums, internships, co-op programs, and work study as well as regular employment
 - ▶ The Cabinet provides supportive services, including childcare assistance, transportation assistance payments, payments for school supplies for the KWP participant, GED test fees, car repairs, car insurance, short term training fees, registration fees, financial aid application fees, and activity fees for students who are KTAP recipients
 - ▶ Family and expanded literacy and financial literacy programs
- ▶ Ten (10) hours of the hours required for participation may be in education activities, five (5) hours for two (2) parent families

Family Services

Family Services:

- ▶ Provision of family services to needy families so children may be cared for in their own homes or in the home of relatives and/or to encourage the formation and maintenance of two (2) parent families
- ▶ **TANF Family Preservation**
 - Purpose of service program: TANF Family Preservation Program is a short term, intensive, in-home crisis intervention resource

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using evidence-based and trauma-informed service models intended to prevent unnecessary out-of-home placement of children, maintain children safely in their home, and facilitate the safe and timely return home for a child in placement.

- Financial Eligibility Criteria: Income limits equal to or less than 200 percent of the federal poverty scale adjusted annually
- TANF Family Preservation Program offers evidence based in-home services intended to prevent unnecessary out-of-home placement of children and facilitate the safe return home for children in placement. Trained in-home specialists are available to families 24 hours a day, 7 days a week and carry a low caseload that allows for immediate response to crises.
- Family Preservation Program service workers engage the family using a strength based and holistic approach. Families are assessed using an interactive family functioning assessment to identify their strengths and capabilities as well as their needs.
- Services to families are goal directed and workers partner with each family to develop goals unique to each family. Services provided include but are not limited to parenting education, child development training, skill-based teaching, household maintenance education, job readiness training, community resource linkage, emotion management skills, and concrete services.
- Follow-ups are conducted on each family at 3 months, 6 months and 1 year after completing services to determine location and status of the child(ren) identified as at risk of placement or reunified and to assess the success of the program.
- TANF Family Preservation Program does not use TANF funds to provide medical services in accordance with 408(a)(6) of the Social Security Act.

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► **Out-of-Home Care (OOHC) Diversion program**

- Purpose of service program: The purpose of the diversion program is to develop and provide clinical preservation and reunification in-home services for TANF eligible clients that will: safely divert from OOHC children committed to DCBS and are at risk of commitment & placement in OOHC; return children who have recently been placed in OOHC but with in-home services could be safely returned to their home; improve youth externalizing behaviors and family functioning; and prevent adoption disruption. Through a variety of in-home services, children will safely remain in, or safely return to, their homes without additional abuse or neglect.
- Financial Eligibility Criteria: Income limits equal to or less than 200 percent of the federal poverty scale adjusted annually
- Diversion services serve families with children and youth ages 5-17 years old who are at risk of removal from their biological families, relatives or finalized adoptive families and to those children who are in Out-of-Home Care (OOHC) and have a plan to be returned to their families.
- Services include use of evidence-based in-home service models, clinical assessments, therapeutic child support services, parent development program, and crisis intervention services, available 24 hours per day and seven days per week for up to four months (a two-month extension is possible on an as-needed basis).
- The community collaborative services include Community Mental Health Centers, schools, faith-based services, housing, transportation, and medical services that can be utilized for sustained self-sufficiency. There is follow-up with the family at 3 months, 6 months and 1 year to determine the location of the

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child and assess the success of the program.

- The OOHC Diversion Program does not use TANF funds to provide medical services in accordance with 408(a)(6) of the Social Security Act.

▶ **Provision of family services include but are not limited to:**

- ▶ Crisis intervention services such as risk assessment, case management, or intensive family preservation services
 - ▶ Family reunification services
 - ▶ Advocacy
 - ▶ Family, individual and marriage counseling
 - ▶ Communication and negotiation skills
 - ▶ Linkage development with natural networks and community services
 - ▶ TANF Informational Flyer – contains information about programs and services offered by the Cabinet such as help with child support or domestic violence issues, sexual assault, and stalking
 - ▶ Eligibility requirements for the flyer is a gross income limit of 200% of the federal poverty level for households with elderly and /or disabled members and 130% for all other households
 - ▶ Job readiness training or other employment related services that do not provide basic income support
 - ▶ Home maintenance skills
 - ▶ Other services to meet the needs attributable to emergency or unusual crisis situations
- ▶ Services provided without regard to the length of need
- ▶ Family Services are funded with TANF federal and state MOE funds

Targeted Assessment

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Program (TAP):

- ▶ Program in available areas to target barriers to self-sufficiency and safety, with emphasis on Substance Use Disorder (SUD), domestic violence, mental health, and learning problems
 - ▶ Identify and address multiple barriers to family self-sufficiency and safety
 - ▶ Conduct screenings and assessments and facilitate appropriate referral and client follow through

Additional Services

to KTAP Recipients:

- ▶ Project to assist long-term KTAP recipients in need of domestic violence, mental health and Substance Use Disorder (SUD) treatment programs to secure and sustain employment, maintain family safety, or both
- ▶ Provision of services include:
 - ▶ Screening and referral services
 - ▶ Outreach and education
 - ▶ Non-medical clinical services including but not limited to:
 - ▶ Counseling
 - ▶ Safety planning
 - ▶ Emergency shelter
 - ▶ Court advocacy
 - ▶ Substance Use Disorder (SUD) treatment programs
 - ▶ Case management
 - ▶ Supportive services
- ▶ Services coordinated with Targeted Assessment Program (TAP) in available areas

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Kinship Care Program

Eligible child:

- ▶ In need of protection and unable to remain in his/her home
- ▶ Removed from the home for a protection issue who is placed with a caring nonparent relative that has been determined to be a preferable and viable alternative to placement with a nonrelative by the Cabinet for Health and Family Services
- ▶ At risk of commitment to the Cabinet for Health and Family Services due to abuse or neglect or death of both parents

Program benefits:

- ▶ Financial assistance - monthly payment scale:

<i>Number of Eligible Children</i>	<i>Monthly Payment</i>
1 Child	\$ 300
2 Children	\$ 600
3 Children	\$ 900
4 Children	\$1,200
5 Children	\$1,500
6 or more children	\$1,800

- ▶ A case management service to each non-parental relative caring for the child in the home
- ▶ Support Services on a case-by-case basis including:
 - ▶ An educational bonus of \$500 per Kinship Care child under the

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same conditions as KTAP, pursuant to 921 KAR 2:017;

- ▶ A childcare subsidy pursuant to 922 KAR 2:160
- ▶ Family counseling
- ▶ If requested, a referral to an available support group or other community-based services
- ▶ Case management services supplied through the Cabinet for Health and Family Services for a minimal period of six (6) months
- ▶ Parenting training

Eligibility Requirements:

- ▶ The income limit is the same as the monthly payment scale listed above
- ▶ The resource limit and countable resources of the child is the same as a KTAP child
- ▶ Except for the income limit, countable income of the child is the same as a KTAP child
- ▶ The child meets technical eligibility requirements of a KTAP child
- ▶ The child's eligibility for payment is ongoing until the child:
 - ▶ Leaves the home of the relative without involvement of the Cabinet; or
 - ▶ Has attained the age of nineteen (19) and is no longer a full-time student in elementary school, secondary school, or an equivalent level of vocational or technical school
- ▶ A caretaker relative is excluded from the case and income or resources of the caretaker relative disregarded
- ▶ The caretaker relative is required to:
 - ▶ Pursue permanent custody within 30 days following the 12th month of receipt of Kinship Care

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- ▶ Cooperate in a child support activity pursuant to 42 USC 608(a)(2)
- ▶ Assign support rights to the state pursuant to 42 U.S.C. 608(a)(3) and KRS 205.720(1)
- ▶ Participate in an annual eligibility review pursuant to 921 KAR 2:040, Section 2(2)(c)
- ▶ Undergo a criminal records check, and child abuse and neglect check
 - ▶ Undergo a Relative Home Evaluation performed by the cabinet
- ▶ The Cabinet for Health and Family Services reviews the placement after a six (6) month period

Funding:

- ▶ Kinship Care program services funded with TANF Federal Funds and State MOE
 - ▶ Kinship Care program services funded with state general funds not claimed as TANF MOE

Placement Support

Relative Placement

Support Benefit:

- ▶ To the extent funds are available, a one (1) time monetary benefit to address a child's immediate need during the cabinet's placement of a child who is eligible for Kinship Care and placed with a non-parental relative to assist with the following:
 - ▶ Clothing, school supplies, additional furniture, a deposit for a

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larger apartment, or an essential documentable cost up to the maximum amount allowed for the appropriate number of eligible children.

- ▶ Relative's home evaluation must indicate the need
- ▶ Maximum amount for the appropriate number of eligible children

<i>Number of Eligible Children</i>	<i>Maximum Payment Amount</i>
1 Child	\$ 350
2 Children	\$ 700
3 Children	\$ 1,050
4 Children	\$ 1,400
5 Children	\$ 1,750
6 or more children	\$ 2,100

- ▶ Financial eligibility criteria is listed in the Kinship Care Program section of the plan
- ▶ Funded with TANF Federal Funds and State MOE

D.O. v. Glisson

Relative Foster

Payments

- ▶ In October 2017, federal court made a ruling that requires the Cabinet for Health and Family Services (CHFS) to pay relatives and fictive kin raising kin children a foster care payment.
- ▶ No TANF funds are used for "fictive kin" payments. DCBS Standards of Practice Online Manual defines "Fictive Kin" as individuals who are not related to a child by birth, marriage, or adoption; however, they have developed an emotionally significant relationship with the child.

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► **Eligibility requirements:**

- Individual must be a relative or fictive kin caregiver *with an approved home evaluation*
 - The child must currently be in CHFS custody; or the child has been placed in CHFS custody for the current removal period prior to the relative or fictive kin receiving temporary custody; and
 - The relative or fictive kin has not yet obtained permanent custody through a DNA-9 (Permanent Custody Order).
- Relative/fictive kin is eligible to all benefits as any foster parent including clothing letter, special expenses, birthday/Christmas, etc.
- Relative/fictive kin signs a Relative Caregiver Agreement (“contract”) which explains that the relative/fictive kin must agree to permanency.
- Relative/fictive kin submits a Relative Placement Billing Invoice (“monthly boarding statement”) to the Division of Administration and Financial Management (DAFM) each month to document the number of days the child is in their home, any special expenses, etc.
- Relative/fictive kin receives payment once per month until permanency is achieved.
- Office of Legal Services (OLS) pursues permanency for the child.
- If DCBS has custody and the child is placed with relative/fictive kin, the Social Service Worker (SSW) will request a pre-permanency meeting with OLS within timeframes specified in SOP or Standards of Practice (SOP is forthcoming).
- Payment ceases when child achieves permanency, (i.e., permanent custody by issuance of the DNA-9, adoption, legal guardianship, reaches age 18, etc.), child returns to home of origin, or there is a change in placement.
- Regarding closed cases in which relative/fictive kin has temporary custody, OLS attorneys have been hired to specifically pursue

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permanent custody. These attorneys will also help with courts/judges that do not grant permanent custody.

- ▶ If the case is already closed, the SSW is not required to open a new intake or case.
- ▶ D.O. v. Glisson payments can be received while relative/fictive kin is pursuing approval as a foster parent. Once approval occurs, D.O. v. Glisson payments will transition to foster payments with relative as an approved foster parent.
- ▶ Financial eligibility criteria is listed in the Kinship Care Program section of the plan
- ▶ Funded with TANF Federal Funds and State MOE

Diversions Program

Family Assistance Short Term

Diversions (FAST):

- ▶ Temporary short-term assistance available to stabilize families and allow them to maintain self-sufficiency
- ▶ Available to KTAP eligible families, not currently receiving cash payments, who are at or under the gross income limit for KTAP for the appropriate family size
- ▶ For families with an ongoing means of support from earned income, but with verified short term needs
- ▶ Payment to resolve crisis, not to exceed \$2600 maximum
- ▶ Approval once in 12 months, with multiple payments to client and/or vendor made within 3 months from the date of application
- ▶ An adult member of a benefit group cannot be approved for FAST more than twice in a lifetime

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- ▶ An adult member of a benefit group not eligible to receive FAST if voluntarily quit employment unless there is good cause
- ▶ Receipt of a FAST payment exclude the benefit group from receiving ongoing KTAP benefits for twelve (12) months unless non-receipt would result in:
 - ▶ Abuse or neglect of a child, as determined by the Cabinet; or
 - ▶ The parent's inability to provide adequate care or supervision due to the loss of employment through no fault of the parent, as determined by the Cabinet
- ▶ Referrals made to other agencies and programs
- ▶ FAST payments funded through TANF and considered short-term assistance pursuant to 45 CFR 260.31(b)(1)

Referrals for other

Services:

- ▶ The following additional services/referrals are offered to FAST applicants:
 - ▶ An application taken or referrals made for benefits needed by the household such as SNAP, Medicaid, and the Child Care Assistance Program (CCAP)
 - ▶ Referrals to the following agencies or organizations are made, as appropriate:
 - ▶ The Department for Income Support (DIS)
 - ▶ The Department for Public Health (DPH)
 - ▶ Contracted vendors for job search and job readiness programs

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- ▶ Charitable organizations

Transitional Services for Families **No Longer Receiving Cash Assistance**

Work Incentive

Program (WIN):

- ▶ WIN is available to a family if the family:
 - ▶ Includes an adult with wages who has been discontinued from KTAP on or after April 1, 2003
 - ▶ Includes an adult who is employed and has a work expense
 - ▶ Reports employment within ten (10) calendar days of obtaining employment and provides verification of the employment within ten (10) calendar days of the report
 - ▶ Has an eligible child
 - ▶ Is a resident of Kentucky
 - ▶ Has a total gross income at or below 200 percent of federal poverty level
- ▶ WIN is a reimbursement of \$200 per month for up to twelve (12) cumulative months for work-related expenses
- ▶ Receipt of WIN reimbursements is limited to once in a lifetime

Safety Net:

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- ▶ Safety Net services initiated for former KTAP recipients, who have total gross income at or below 200 percent of federal poverty level, when no longer eligible for KTAP benefits due to being sanctioned for three months for not participating in KWP or due to benefit time limitations
- ▶ Assessment of family and home situation to identify problems and referral to available resources in the community, or if needed, crisis intervention with financial assistance for basic needs such as food, clothing, fuel, utilities, housing, etc.
- ▶ Recipients of safety net services shall have access to LEP services and shall have reasonable accommodation for a disability provided if needed
- ▶ Financial assistance available up to \$635 over four (4) months, during a twelve (12) month period
- ▶ Safety Net services are funded through TANF and considered short-term assistance pursuant to 45 CFR 260.31(b)(1)

Alternative Program

Wilson-Fish (WF)

Alternative Program:

- ▶ The purpose of the Wilson-Fish alternative program is to establish an alternative to the traditional State-administered refugee assistance program through the provision of integrated assistance (cash and medical) and services (employment, case management, ESL classes and other social services) to clients to increase early employment and self-sufficiency prospects.
- ▶ WF applicants must meet all requirements of 45 C.F.R. 400.43 (“Requirements for documentation of refugee status”) to be eligible for the WF-funded program.
- ▶ Eligibility for services and assistance through ACF’s Office of Refugee

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Resettlement also includes:

- ▶ Refugees
- ▶ Asylees admitted under section 208 of the Immigration and Nationality Act
- ▶ Cuban and Haitian Entrants under section 501 of the Refugee Education Assistance Act of 1980
- ▶ Certain Amerasians from Vietnam, including U.S. citizens, under title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Acts of 1989, 1990 and 1991
- ▶ Victims of Severe Forms of Trafficking as required by section 107(b)(1)(A) of the Victims of Trafficking and Violence Protection Act of 2000 as amended
- ▶ Special Immigrant Visa Holders, defined as Special Immigrants (SIV) from Afghanistan and Iraq
- ▶ Kentucky's Wilson-Fish TANF Coordination Program (WF TCP) is funded with a four-year grant period of FFY 2021- FFY 2024.
 - ▶ Working in close coordination with state and county TANF offices and local services providers, grantees will strengthen and expand existing in-person and remotely delivered services, resulting in earlier and higher rates of social and economic stability across the caseload.
 - ▶ Programming is designed for service delivery of customized, culturally, and linguistically appropriate assistance to help refugee families navigate and overcome barriers to self-sufficiency.

MISCELLANEOUS

**Compliance with
other Laws:**

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- ▶ The following provisions of law apply to any program or activity funded with TANF funds:
 - ▶ The Age Discrimination Act of 1975
 - ▶ Section 504 of the Rehabilitation Act of 1973
 - ▶ The Americans with Disabilities Act of 1990
 - ▶ Title VI of the Civil Rights Act of 1964
 - ▶ The Consolidated Appropriations Act, 2022, amends Social Security Act section 402(a)(7)
 - ▶ This program is prohibited from discriminating based on race, color, religion, sex, gender, national origin or ancestry, sexual orientation, age, or disability

Recertification Extensions:

- ▶ TANF recertifications will be extended by 12 months for the population coming due in January 2024 through May 2024.
- ▶ The extension will prevent incorrect discontinuances for KTAP (TANF) population due to the sheer volume of the Medicaid Public Health Emergency unwinding population and the Fiscal Responsibility Act of SNAP and ABAWD changes

Privacy:

- ▶ Guaranteed through Kentucky Revised Statutes 194A.060, 205.175, and 205.177
- ▶ Case record information not published or open for public inspection
- ▶ Compliance with the Health Insurance Portability Act of 1996 (HIPAA)
- ▶ Information available to the following entities:
 - ▶ Public employees administering public assistance and child support programs
 - ▶ All law enforcement agencies in cases involving the discovery and

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- prosecution of fraud
- ▶ Banks or other financial institutions to confirm information submitted by the recipient for assistance determination
- ▶ Written consent to disclose financial data will be given by applicants for KTAP

- ▶ Information about the recipient is also available to:
 - ▶ Entities supplying or securing services for the recipient, where a confidentiality agreement exists with the Cabinet
 - ▶ An authorized representative of any other state or local government agency, if there is a direct or legitimate interest in the participant or his family, notwithstanding any state statute or regulation to the contrary
 - ▶ Private or quasi-private agency when such agency has an agreement with the state assuring the confidentiality of all such information and a direct, tangible and legitimate interest in the individual

Hearing rights:

- ▶ A system of hearings available to any applicant or recipient dissatisfied with an action or inaction on the part of the Cabinet
- ▶ On receipt of an oral request (later submitted in writing) or written request, the applicant or recipient given reasonable notice and opportunity for a hearing pursuant to procedures provided in Chapter 13B of Kentucky Revised Statutes and Kentucky Administrative Regulation 921 KAR 2:055
- ▶ If dissatisfied with the decision of a hearing officer, the applicant or recipient may appeal to the Appeal Board for Public Assistance

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- ▶ Within 30 days after a decision by the appeal board, any party aggrieved may secure judicial review in the circuit court of the county in which the petitioner resides
- ▶ To file a complaint of discrimination with the Commonwealth of Kentucky, write: Office of Human Resource Management

***EEO Compliance Branch
275 East Main Street, 5C-D
Frankfort, Kentucky 40621
or call: (502) 564-7770***

**Activities to Reduce Teen Pregnancy, Statutory Rape
& Domestic Violence:**

- ▶ Strong partnerships among public and private community agencies, parents, schools, and the faith community to teach school-age children the value of personal responsibility is practiced at the state level and encouraged throughout the Commonwealth
- ▶ Inter-agency collaborations provide a wide variety of resources which uniquely serve specific needs of each community
- ▶ Programs related to promoting male responsibility include preparing for fatherhood

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- ▶ Suspected domestic violence or statutory rape referrals are made to the Division of Protection and Permanency for an evaluation and recommendation for further action. Protection and Permanency staff work with state and local law enforcement officials and local school systems to ensure the safety of Kentucky's children, teens, and vulnerable adults.
 - ▶ Kentucky law requires mandatory reporting of child abuse, neglect, and dependency. These laws are called the Kentucky Unified Juvenile Code and are contained in Kentucky Revised Statutes, KRS 600 to 645. The Code requires the reporting of neglect, physical, sexual, or emotional abuse and dependency of children.
 - ▶ The law states that it is the duty of everyone who has reasonable cause to believe that a child is dependent, neglected or abused to report this information. KRS 620.030 states: "Any person who knows or has reasonable cause to believe that a child is dependent, neglected or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the Kentucky State Police; the Cabinet or its designated representative; the commonwealth's attorney or the county attorney; by telephone or otherwise."
 - ▶ Per KRS 620.990(1), the penalty for failure to report child dependency, abuse or neglect is a Class B misdemeanor, which carries a penalty of up to 90 days in jail and/or a fine of up to \$250.

- ▶ **Rape Crisis Centers**
 - ▶ Thirteen (13) regional centers, each covering 5 to 17 counties
 - ▶ Rape Crisis Hotline provides intervention, crisis counseling, crisis assessment, and referral services to men and women of any age

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who are survivors of sexual assault, rape and sexual abuse

- ▶ Crisis counseling by trained professionals provide short-term counseling and long-term psychotherapy to individuals, couples, groups and families
- ▶ Rape Crisis Center Advocacy: Accompanies survivors to health facilities, police stations and court, upon request. Provides personal support throughout the entire medical and legal process, explaining procedures to the survivors, family members and friends
- ▶ Consultation is available for professionals working with survivors of rape and sexual abuse
- ▶ Public Education: Age-appropriate preventative and informative programs and awareness education are made available to schools, universities, churches, and other local and statewide groups. The topics address both male and female sexual assault survivors.
- ▶ Trainings on the spectrum of sexual victimization and sex-related crimes are provided to law enforcement officials, mental health, medical personnel, and other professionals who provide services to sexual assault survivors
- ▶ CHFS contracts to KCADV (Kentucky Coalition Against Domestic Violence), which subcontracts to fifteen regional offices, in the 15 regional area development districts, covering all Kentucky's 120 counties
 - ▶ The mission of KCADV is to end intimate partner violence, promote healthy relationships, and engage communities through social change, economic empowerment, educational opportunities, and other prevention strategies.
 - ▶ Funding for KCADV comes from the Family Violence Prevention and Services Grant, Kentucky general funds, TANF funds, Kentucky Trust and Agency, and the Social Services Block Grant

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(SSBG). Children's Advocacy Centers core set of standard KRS 620.020 and 922 KAR 001:580.

- ▶ Kentucky law requires in-service training for peace officers on child sexual abuse. KRS 15.946 states, "The Kentucky Law Enforcement Council shall provide an in-service training program for peace officers in child development, the dynamics of physical and sexual abuse, the impact of violence on child development, the treatment of offenders, and related issues."
- ▶ CHFS Kentucky Department of Criminal Justice Training (DOCJT) offers trainings for state and local law enforcement officials in education and training on the problems of child sexual abuse and rape. DOCJT trainings are not TANF funded, but DCBS is encouraged to work with state and local law enforcement officials. These courses include:
 - ▶ **Child Abuse** - This course is designed to enhance the skills of law enforcement officers who are responsible for investigating child abuse. Topics will include child abuse prevention, child fatality review, Kentucky child abuse laws, child physical abuse, pediatric abusive head trauma, the nexus between child abuse and technology, missing children, child sexual abuse, interrogating the abuser, child sex abuser typology, team approach to child sexual abuse prosecution and interviewing the victims and witnesses. This class will also address the need for a multidisciplinary approach to child abuse investigations and prosecutions.
 - ▶ **Domestic Violence** - This course is designed to address the police response to domestic abuse. Topics will include dynamics of domestic abuse, protective orders, State and Federal law related to domestic abuse, policy issues, evidence collection, and intimate partner sexual abuse.

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- ▶ **Human Trafficking** - This course will provide investigators with a comprehensive understanding of Human Trafficking, to include Commercial Sex Trafficking and Labor Trafficking. This course will include instruction on the Federal and Kentucky Human Trafficking statutes, interviewing victims of Human Trafficking crimes, characteristics of individuals who are trafficking victims, and case presentations.
- ▶ **Legal Update: Penal Code** - This course is a review of the Basic Training Academy training on Penal Code offenses and other offenses outlined in the Kentucky Revised Statutes. This course meets the statutory requirements regarding Domestic Violence Response training. In this course, students will be able to define legal terms specific to Kentucky Revised Statutes, discuss elements of the statutes contained within the Kentucky Penal Code, and will be able to determine what offense has occurred by applying elements to a given set of facts.
- ▶ **Sexual Assault Investigations** - The learning outcome for this course will be to train police to identify and collect the kind of evidence that is appropriate for cases involving known offenders. The student will become familiar with the fact that the majority of sexual assaults are committed by someone known to the victim. The student will be made aware that most investigations should not focus exclusively on the kind of evidence that establishes identity (like DNA, trace and associative evidence). Such evidence is relevant in acquaintance cases, but it is not as crucially important as it is in a stranger rape case where identity is the primary issue. The student will be made aware that police investigations in cases of acquaintance rape should focus on evidence that establishes the absence of consent and/or the presence of force or threat, because this is the type of evidence

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necessary to overcome a consent defense. The student will be made aware of the importance of the Sexual Assault kit, process of evidence collection and Kentucky laws as they relate to sex crimes.

- ▶ **Cold Case Sexual Assault Investigations: Reopening Cases, Notifying Victims** - This class will provide investigative factors to consider when reopening "cold" sexual assault investigations. The course will cover investigative background work, including investigative planning and skills. This interactive course will allow officers to review and plan for their own cold case investigation and practice trauma informed notifications and interview skills with trained actors.

Trainings to address The Consolidated Appropriations Act, 2022

Domestic Violence: Basic

This is a web-based training, required for Family Support Staff. This training requirement includes management, supervisors, and support staff in direct service roles.

DCBS plays a critical role in the coordinated response to domestic violence by enhancing safety of adult and child victims. This training meets the 1996 domestic violence mandatory "initial course" training requirement pursuant to KRS 194A.545. Specific focus will be on the following: nature and extent of domestic violence, "common ground" differences between domestic violence and child protection philosophies, psychological dynamics of battering, assessment and lethality/risk issues, service planning strategies, legal remedies for protection, model protocols for addressing domestic violence and community resources.

Domestic Violence: Biennial Continuing Education (required every two years)

The KRS 194A.545 mandate directs each person employed by DCBS who

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provides supervisory or direct service at the local, district, or state level to successfully complete a domestic violence continuing education course. Information to be covered includes dynamics of domestic violence, effects of domestic violence on adult and child victims, legal remedies for protection, lethality and risk issues, model protocols for addressing domestic violence, available community resources and victim services and reporting requirements.

Family Planning Services:

- ▶ Through the Department for Public Health, family planning services are to provide the target population of low-income women, men, and teens the information and the means to choose the number and the spacing of their children
 - ▶ Easy access to comprehensive family planning services to obtain contraceptive services at 120 local health department locations, and family planning clinics (where available)
 - ▶ Provide reproductive preventive services to enhance the health of Kentucky women and families as demonstrated in improved prematurity rates, sexually transmitted disease prevalence, and cancer screenings and decreased teen pregnancy and birth rates
 - ▶ Assist women, teens, and men to prevent unintended pregnancy and plan healthy pregnancies

- ▶ **SRAE:**
 - The purpose of the Title V State Sexual Risk Avoidance Education (SRAE) Program is to fund states and territories to implement education exclusively on sexual risk avoidance that

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- teaches youth to voluntarily refrain from sexual activity.
- The program is designed to teach youth personal responsibility, self-regulation, goal setting, healthy decision-making, a focus on the future, and the prevention of youth risk behaviors such as drug and alcohol use without normalizing teen sexual activity.
 - SRAE programs seek to prevent negative outcomes that could have lasting effects on a young person's health, future career prospects, and economic stability.
- ▶ **PREP** (Personal Responsibility Education Program):
- Through the State Personal Responsibility Education Program (PREP), the Federal Youth Services Bureau (FYSB) awards grants to State agencies to educate young people on both abstinence and contraception to prevent pregnancy and sexually transmitted infections.
 - The program targets youth ages 10-19 who are homeless, in foster care, live in rural areas or in geographic areas with high teen birth rates, or come from racial or ethnic minority groups.
 - The program also supports pregnant and parenting youth.
 - State PREP projects replicate effective, evidence-based program models or substantially incorporate elements of effective programs that have been proven to delay sexual activity, increase condom or contraceptive use for sexually active youth, and/or reduce pregnancy and STIs among youth.
- ▶ **HANDS** (Health Access; Nurturing Development Services):
- Home visitation program for parents to assist them in meeting the challenges of parenting during the prenatal period and continuing through the child's second birthday.
 - The purposes of HANDS are:
 - ▶ Achieve positive pregnancy outcomes
 - ▶ Improve health and development outcomes for children

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- ▶ Have children in healthy and safe homes
- ▶ Reduction in the likelihood of child abuse and neglect over the long term

Additional programs to address Substance Use Disorder (SUD):

- ▶ The Seven Counties Addiction Recovery Center, or Seven Counties ARC (formerly known as the Centerstone Addiction Recovery Center) program provides Substance Use Disorder (SUD) case management for parents identified as having SUD; providing support and tracking services in Louisville.
 - ▶ Seven Counties ARC assists these parents in developing a safe, nurturing, and stable living situation for children as rapidly and responsibly as possible.
 - ▶ The ARC is a community-based resource for adults with Substance Use Disorders that are involved with the child welfare system and/or receiving public benefits.
 - ▶ The ARC is a program in the network of Seven Counties and can link clients and their family members to a variety of other services including psychiatry, children's services, crisis intervention, and other behavioral health programming.
 - The SUD Program "Seven Counties Addiction Recovery Center (ARC)" does not use TANF funds to provide medical services. TANF funds are not used for psychiatry or other medical services in accordance with 408(a)(6) of the Social Security Act.
 - ▶ Income limits must be equal to or less than 200 percent of the federal poverty scale and are adjusted annually.

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Tribes

Not applicable to the Commonwealth of Kentucky

Certifications

- Operation of child support program
- Operation of foster care and adoption assistance program
- Administration by the Cabinet for Health and Family Services
- Assurance that local governments and private sector organizations have been given 45 days for submittal of comments
- Procedures to ensure against fraud and abuse
- Kentucky has established and is enforcing standards and procedures to ensure that TANF applicants and potential applicants are informed of the support provided by the state to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking.
- Additionally, Kentucky has adopted and provides case workers and other agency personnel responsible for administering the TANF program training in: the nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking; 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 techniques for determining and guaranteeing the confidentiality of personal information and documents pertaining to applicants and their kids who have disclosed information regarding their encounters with sexual harassment, domestic violence, sexual assault, or stalking.
- Kentucky has adopted the Family Violence Option set forth in section 402(a) (7) to establish and enforce standards and procedures regarding the screening

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for, and identification of, domestic violence, sexual assault, or stalking. Kentucky has provided information about the options available to current and potential beneficiaries and ensure that case workers and other agency personnel are provided with training regarding relevant state standards and procedures.