Kentucky’s Temporary Assistance for Needy Families (TANF)

STATE PLAN

10/1/2017-09/30/2020
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

10/01/2017-09/30/2020

Kentucky

Mission, Goals, Philosophy

Mission:

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

Goals:

► Clients obtain full-time, unsubsidized employment

► Clients retain jobs and, when necessary, obtain re-employment

► Clients and their families are self-sufficient

► Clients are involved in work activities and become self-sufficient before their sixty (60) month lifetime limit expires

► Children live in a safe, secure environment

Approach:

► Develop partnerships with other state agencies, local governments, community based organizations and employers to provide linkages for Kentucky Works participants for services to reduce barriers to employment

► Integrate services
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- 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 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 the new mission into service delivery through training for case managers and communication with service providers

Organization

Operation:

- The Kentucky Cabinet for Health and Family Services (CHFS) is responsible for the TANF block grant

  - The CHFS has authority to submit the state plan for programs funded under Title IV-A of the Social Security Act

  - The 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 supervised by Department for Community Based
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Services (DCBS) in CHFS

- The DCBS has offices located in every county

- Case managers work in partnership with families to support their efforts toward self-sufficiency

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

- The Family Resource and Youth Services Centers (FRYSC) and Division of Protection and Permanency, a Division of the Department for Community Based Services, are part of CHFS

- The Division of Protection and Permanency provides family services, including crisis intervention, domestic violence counseling, child protective services, and family preservation services

- The FRYSC removes non-cognitive barriers to children's learning by providing such services as health services, child care, employment counseling, drug and alcohol abuse 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 through the state's quality rating and improvement system and a network of resource and referral agencies

- The Department for Income Support provides assistance to any person, with minor children, who needs financial support from an absent parent
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- CHFS contracts with various providers throughout the state to conduct job readiness workshops and provide employment services through job referrals, wage subsidy positions, job search workshops, job training services, and some basic skills to Kentucky Works participants.

Kentucky Transitional Assistance Program (K-TAP)

Cash Assistance

Eligible Groups:

- Families with a minor child deprived of parental support through unemployment, death, voluntary or involuntary absence, or incapacity pursuant to Kentucky Administrative Regulations

- Child defined as

  - Age 15 or under, or

  - Age 16 through 18 and has not attained 19 years of age if attending high school or equivalent

- Qualified aliens residing in the country prior to August 22, 1996 (enactment date)

- Qualified aliens entering the country on or after August 22, 1996

  - Not eligible for first five years but eligible afterwards

  - Eligible for the first five years and afterwards if exempt from benefit restrictions as specified in federal law
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- 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 alien 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 alien 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

- Felony drug offenders commission of crime and conviction after August 22, 1996 (exemptions in accordance with Kentucky Revised Statutes 205.2005)

- Those convicted of misrepresenting residency in two states 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 activities

- Child lives in the home of a specified relative
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- Work registration required for adults

- Minor unmarried teen parents must live in adult supervised setting and attend school

- Minor teen parents without high school credential and with child at least 12 weeks old must attend high school or equivalent

- Child age 16 through 18 must attend school

- Must furnish a social security number or agree to apply for a number

Income/Resource Considerations and Exclusions:

- Up to $2,000 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

- One-time exclusion of first two full months earned income per adult, at individual’s option

- Exclude earned income of a K-TAP child or a K-TAP parent age 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
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- 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 K-TAP.

- The gross income limit is as follows for the appropriate family size:

<table>
<thead>
<tr>
<th>Number of Eligible Persons</th>
<th>Maximum Monthly Gross Income Limits</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Person</td>
<td>$ 742</td>
</tr>
<tr>
<td>2 Persons</td>
<td>$ 851</td>
</tr>
<tr>
<td>3 Persons</td>
<td>$ 974</td>
</tr>
<tr>
<td>4 Persons</td>
<td>$1096</td>
</tr>
<tr>
<td>5 Persons</td>
<td>$1218</td>
</tr>
<tr>
<td>6 Persons</td>
<td>$1340</td>
</tr>
<tr>
<td>7 or more Persons</td>
<td>$1462</td>
</tr>
</tbody>
</table>

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.
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- 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 K-TAP payment is the lesser of this product or the maximum K-TAP 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))

Standard of Need:

Current Standard of Need

<table>
<thead>
<tr>
<th>Number of Eligible persons</th>
<th>Standard of Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Person</td>
<td>$401</td>
</tr>
<tr>
<td>2 Persons</td>
<td>$460</td>
</tr>
<tr>
<td>3 Persons</td>
<td>$526</td>
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<tr>
<td>4 Persons</td>
<td>$592</td>
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<tr>
<td>5 Persons</td>
<td>$658</td>
</tr>
<tr>
<td>6 Persons</td>
<td>$724</td>
</tr>
<tr>
<td>7 or more Persons</td>
<td>$790</td>
</tr>
</tbody>
</table>
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Cash Benefits:

- Maximum monthly cash payments to eligible families

<table>
<thead>
<tr>
<th>Number of Eligible persons</th>
<th>Payment Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Person</td>
<td>$186</td>
</tr>
<tr>
<td>2 Persons</td>
<td>$225</td>
</tr>
<tr>
<td>3 Persons</td>
<td>$262</td>
</tr>
<tr>
<td>4 Persons</td>
<td>$328</td>
</tr>
<tr>
<td>5 Persons</td>
<td>$383</td>
</tr>
<tr>
<td>6 Persons</td>
<td>$432</td>
</tr>
<tr>
<td>7 or more Persons</td>
<td>$482</td>
</tr>
</tbody>
</table>

Educational bonus:

- An educational bonus of $250 per individual paid to a K-TAP adult or child who reports and verifies receiving a high school diploma or GED certificate, one English as a Second Language certificate, or one post-secondary school certificate or degree

Relocation Assistance:

- Cash assistance recipients who choose to relocate to another area to access employment or escape a domestic violence situation may qualify for up to $500 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
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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 90 days from the start date of employment

- The current residence must be located 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 current residence

- Relocation Assistance Program is available only one time

- For an individual who moves to escape a domestic violence situation, Relocation Assistance is available as needed

- Follow-up case management is available to assist the family with the transition

Penalties:

- 25 percent reduction of the maximum grant for K-TAP 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
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- Five year lifetime limit for families with an adult not eligible due to being a fleeing felon, probation/parole violator, or convicted drug felon

- Up to 20 percent of caseload may receive an extension to the lifetime limit

- The extension reasons include a recipient who:
  
  - 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 and child support requirements
  
  - Has received a domestic violence exemption, up to the number of months the individual received K-TAP during the domestic violence exemption

- A benefit group containing a member who has lost a job within 30 days of reaching the 60 month time limit will receive a three consecutive month extension of the time limitation

Electronic Benefit Transfer (EBT):

- The state must maintain policies and practices as necessary to prevent TANF-funded K-TAP and Kinship Care assistance from
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being used in any EBT transaction in any liquor store, casino, gambling casino, gaming establishment or adult-oriented entertainment establishment

⇒ 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

⇒ Notices mailed to individuals with the EBT card include the EBT restrictions, list any fees, and a toll free number for 24 hour/seven days a week customer care to contact for any questions or problems with accessing benefits, along with a list of all participating stores and automatic teller machines (ATM’s) that are linked to the Quest program across KY

⇒ State regulations include the EBT restrictions

⇒ Prevent access to assistance through EBT transactions in an automated teller machine or point-of-sale device located in restricted businesses

⇒ One-time notice sent to EBT recipients November 2013 with information regarding transactions at restricted establishments

⇒ Restrictions are included on the EBT Brochure under “Card Use Restrictions” mailed to all EBT recipients when a new card is issued

⇒ The Kentucky Department of Alcoholic Beverage Control has agreed to allow the agency to post signs on EBT
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restrictions at local liquor stores

- Ensure that recipients of assistance have adequate access to their cash assistance and have access to using or withdrawing assistance with no charges or minimal fees

- Educational information is printed on the card carrier 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

- Worker explains the use of the card and fees
  
  - Individuals receive one free cash withdrawal per month
  
  - The individual is charged a fee of 20 cents 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 service terminal at the time of a retail purchase
  
- Information on fees and charges is made publicly
  
- Under "Avoid Fees" on EBT Brochure
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- Benefit Secure Card Handbook is mailed with the EBT card and list fees, a toll free number for 24 hour/seven days a week customer care to contact for any questions or problems with accessing benefits, along with a list of all participating stores and ATM's that are linked to the Quest program across KY

Victims of 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 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, and 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 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 granted based on need, as determined by an individualized assessment, and redetermination completed no less than every six months

- An appropriate services plan is:
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- 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**

Participation:

- All adults must participate, with the exception of:

  - Single custodial parents with a child under age one may be exempt for up to 12 months (lifetime limit), at their option
  - Teen parents age 18-19 in high school
  - Victims of domestic violence 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)

Hours of 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
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- Two parent cases include Unemployed Parent cases only, not two parent cases based on deprivation of incapacity

- The activity required to have at least:
  - 30 hours per week for single parent or two parent cases based on the deprivation of incapacity
  - 35 hours per week required for two parent cases, based on unemployment, if the family does not receive federally funded child care assistance
  - 55 hours per week required for two parent cases, based on unemployment, receiving federally subsidized child care
  - 20 hours (30 hours for two parent cases based on unemployment) required to be in federally countable core activities (Hours above 20/30 hours may be in education)
  - 20 hours for the only parent or caretaker relative in the family with a child who has not attained six years of age
  - 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

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
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- The assessment is completed on work eligible adults and minor
  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 Limited
  English Proficiency (LEP), transportation, dependent care,
  housing, substance abuse, mental health, physical disabilities,
  domestic violence, and other relevant factors

- 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
  abuse, domestic violence, or mental health issues

Transitional Assistance
Agreement (TAA):

- Based on the assessment, a self-sufficiency plan (TAA) is jointly
  developed by case manager and client containing:
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► An employment goal for the participant

► Services to be provided by the agency (including child care)

► 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 minor 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
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- WEP limited to projects which serve a useful public purpose

- WEP placement only used if training is needed to obtain a job

- 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 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
  - Derive no immediate advantage from trainees’ activities

- Job search and job readiness assistance is allowed for a maximum of six weeks per federal fiscal year with only four 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
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with general work place expectations

- A substance abuse program is an 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 ability to work and take proper care of his/her family

- Mental health counseling is an activity in which health services are accessed by the participant to overcome mental health problems

- 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 12 months

- Providing child care services to a KWP participant participating in a 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
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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 abuse program as an 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 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 abuse issue or a mental or physical disability

► Adult education (Literacy, Adult Basic Education, high school equivalency/GED, ESL)

► Other activities approved by the Cabinet

► Where appropriate, reasonable accommodations and language assistance will be provided to beneficiaries to ensure meaningful access and effective communication to those needing sign language interpretation services

► 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
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- Placing individuals in a structured activity for seeking employment with potential employers

- Providing supportive services to maintain employment

Substance Abuse:

- Possible substance abuse 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 abuse professionals for an in-depth substance abuse assessment with a substance abuse professional

- A substance abuse professional determines whether the individual is or is not in need of substance abuse treatment

- Level of treatment and referral to an appropriate program determined by the substance abuse professional

  - All results forwarded back to the case manager

- Recipients may be required to participate in treatment as part of the Transitional Assistance Agreement

- Substance abuse treatment coupled with a countable work activity whenever possible

- On-site professional screening completed in select sites to identify individuals for possible learning disabilities, substance abuse, 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. Flag the case as LEP so 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, effective communication and the use of interpreters/translator

➤ 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.
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- Grievances and/or complaints will be forwarded to the Department for Community Based Services for resolution through the conciliation and/or administrative hearing process.

Conciliation:

- Conciliation: 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 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 participation

- Where appropriate, reasonable accommodations and language assistance will be provided to beneficiaries to ensure meaningful access and effective communication

Kentucky Works
Penalties:

- Kentucky Works Program participant is penalized, unless good cause criteria is met, for:

  - Failure to participate in required activities, including:
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- Self-sufficiency plan development including completion of the Transitional Assistance Agreement

- Failure to participate in the program activities, as defined in the Transitional Assistance Agreement

- Refusal to accept employment

- Termination of employment or reduction of earnings, or

- Failure to register for work

- 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 include:

  - Temporary illness or injury which prevents 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 hours per day
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- Temporary incarceration or institutionalization for 30 days or less

- Victims of domestic violence if participation would cause risk of harm

- Other reasons that involve working conditions, e.g., formal complaint of discrimination, etc.

- Child care terminated through no fault of the applicant or recipient

- Child care 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 child care unavailable

  - Appropriate child care within a reasonable distance from the home or work site unavailable

  - Informal child care by a relative or under other arrangements unavailable or unsuitable; or

  - Appropriate and affordable formal child care arrangements unavailable

- The following criteria or definitions applied by the TANF agency to determine whether the parent has a demonstrated inability to obtain needed child care:

  - Case workers who provide case management
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services for TANF recipients including referral for child care advise the family about program requirements and exemption to the individual penalties associated with the work requirement for any single custodial parent who has a demonstrated inability to obtain needed child care for a child under six years of age

▶ Kentucky defines “appropriate child care” 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 child care” 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 child care arrangements” as appropriate child care at a reasonable distance which is suitable and with charges at or below the maximum provider payment rate under the Child Care and Development Fund plan

Quality Assurance:

▶ The control mechanism to ensure that K-TAP grants are appropriately reduced for refusing to engage in work is:

▶ Quality Control sampling
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► Supervisory reviews

► The fair hearing process

KW P Three-Month
Sanction Policy:

► As a condition of eligibility, an adult who has received cash assistance for six months must engage in an activity listed as Kentucky Works "components" on pages 19 through 23 of this section

► A family is ineligible for assistance if the recipient refuses to participate without good cause and has been penalized for noncompliance with work requirements for at least three 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 and FRYSC staff, who have an interest in assisting individuals in becoming self-sufficient; and

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

Support Services:

► Case Management

► The goal for case managers: to work in partnership with
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families to support their efforts toward self-sufficiency

► Child Care

► TANF recipients automatically eligible

► 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:

► $15 for less than four days of participation per month, or

► $200 for four or more days of participation per month

► Car repair payments up to a maximum of $1500 per year per eligible family

► Items or services needed by the recipient for participation in Kentucky Works up to a maximum of $400 per year

► Referral to other agencies for needs such as substance abuse counseling, life skills, domestic violence counseling

Education:

► The Cabinet recognizes the critical role that education plays in preparing adults for work and long term employment
Temporary Assistance for Needy Families (TANF)  
Title IV-A State Plan

- Welfare recipients may attend vocational education for 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 child care, transportation, payments for school supplies, GED test fees, car repairs, short term training fees, registration fees, financial aid application fees, and activity fees for students who are K-TAP recipients

- Family and expanded literacy programs

- Basic skills upgrades permitted and incorporated in many activities

- 10 hours of the hours required for participation may be in education activities, five hours for two 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 parent families

- Income limits equal to or less than 200 percent of the federal
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

Poverty scale adjusted annually

- Provision of 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
    - 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, and
  - Other services to meet the needs attributable to emergency or unusual crisis situation
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- Services provided without regard to the length of need

- Family Services are funded with TANF federal and state MOE funds

Sobriety Treatment and Recovery Team (S.T.A.R.T.)

- An intensive case management program for child protective services and a substance abuse early intervention and treatment initiative to improve the methods of keeping children safe

- Income limits equal to or less than 200 percent of the federal poverty scale adjusted annually

- At least one child in the home that is under six years old

- Mother tests positive at delivery or investigation results in substantiated abuse/neglect involving drug use

- Provision of services focus on:
  - Treating families upfront by providing quick access to substance abuse services
  - Keeping the family together where possible and safe for the children
  - To improve the well-being of the children and parents

- Goals:
  - To keep children safe
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- To develop a safe, nurturing and stable living situation for these children as rapidly and responsibly as possible

- To help drug-addicted parents overcome their drug problems

- Provides intensive case management by:
  
  - Increasing birth family involvement and responsibility for children
  
  - Addressing substance abuse by a network of individuals, program, skills and the building and strengthening of community partnerships
  
  - At minimum, weekly contact between the mothers and the social work/advocate team
  
  - Teams composed of licensed drug and alcohol counselors, professionally trained child welfare social workers and family mentors who also are recovering addicts
  
  - Face-to-face, in-home case management to addicts in pregnancy or with children
  
  - Relapses require social worker visit to assess child safety issues
  
  - Treatment is coordinated with drug court to ensure the client attends both
  
  - Drug assessments available upon the mother's discharge from the hospital or at which time there is a substantiated case for child abuse or neglect due to substance abuse
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- A comprehensive training program, aimed at educating DCBS clients and all external partners in the community and private agencies on identifying signs of substance abuse

- Collects data for future evaluation and analysis of S.T.A.R.T.

- S.T.A.R.T. is funded with TANF MOE

Targeted Assessment Program (TAP):

- Program in available areas to target barriers to self-sufficiency and safety, with emphasis on substance abuse, 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 K-TAP Recipients:

- Project to assist long-term K-TAP recipients in need of domestic violence, mental health, and substance abuse services 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:
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- Counseling
- Safety planning
- Emergency shelter
- Court advocacy
- Intensive substance abuse treatment
- Case management
- Supportive services

- Services coordinated with Targeted Assessment Program (TAP) in available areas

**Kinship Care Program**

Eligible child:

- In need of protection and unable to remain in his 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
- New intake ceased on April 1, 2013
Program benefits:

- Financial assistance

  - The monthly payment scale

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<tr>
<th>Number of Eligible Children</th>
<th>Monthly Payment</th>
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<tbody>
<tr>
<td>1 Child</td>
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<tr>
<td>6 or more children</td>
<td>$1,800</td>
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</table>

- A case management service to each nonparental relative caring for the child in the home

- Support Services on a case-by-case basis including:

  - An educational bonus of $250 per Kinship Care child under the same conditions as K-TAP, pursuant to 921 KAR 2:017; and

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

- 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 K-TAP child

- Except for the income limit, countable income of the child is the same as a K-TAP child

- The child meets technical eligibility requirements of a K-TAP 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
  - Cooperate in a child support activity pursuant to 42 USC
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

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

Funding:

- Kinship Care Program services funded with TANF Federal Funds and State MOE

- Services funded with state general funds not claimed as TANF MOE

Placement Support

Relative Placement Support Benefit:

- A one time monetary benefit to address a child’s immediate need during the cabinet’s placement of a child who is placed with a non-parental relative to assist with the following:

  - Clothing

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

- Additional furniture

- A deposit for a 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

<table>
<thead>
<tr>
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<th>Maximum Payment Amount</th>
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<td>6 or more children</td>
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- To the extent funds are available

Funding:

- Funded with TANF Federal Funds and State MOE

**Diversion Program**

Family Alternatives
Diversion (FAD):
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- Temporary short-term assistance available to stabilize families and allow them to maintain self-sufficiency

- Available to K-TAP eligible families, not currently receiving cash payments, who are at or under the gross income limit for K-TAP 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 $1300 maximum

- Approval once in 24 months, with multiple payments to client and/or vendor made within three months from the date of application

- An adult member of a benefit group not approved for FAD more than twice in a lifetime

- An adult member of a benefit group not eligible to receive FAD if voluntarily quit employment unless there is good cause

- Receipt of a FAD payment exclude the benefit group from receiving ongoing K-TAP benefits for 12 months unless nonreceipt 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
Temporary Assistance for Needy Families (TANF)  
Title IV-A State Plan

- FAD 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 FAD applicants:
  
  - An application taken or referrals made for benefits needed by the household such as SNAP, Medicaid, and Child Care
  
  - Referrals to the following agencies or organizations are made, as appropriate:
    
    - The Department for Income Support
    - The Department for Public Health
    - Contracted vendors for job search, job readiness or life skills services
    - 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 K-TAP on or after April 1, 2003
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- Includes an adult who is employed and has a work expense

- Reports employment within 10 calendar days of obtaining employment and provides verification of the employment within 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 $130 per month for nine months for work-related expenses

- Receipt of WIN reimbursements is limited to once in a lifetime

Safety Net:

- Safety Net services initiated for former K-TAP recipients, who have total gross income at or below 200 percent of federal poverty level, when no longer eligible for K-TAP 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
Temporary Assistance for Needy Families (TANF)  
Title IV-A State Plan

disability provided if needed

- Financial assistance available up to $635 over four months, during a 12 month period

- Safety Net services are funded through TANF and considered short-term assistance pursuant to 45 CFR 260.31(b)(1)

MISCELLANEOUS

Compliance with Other Laws:

- 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

- This program is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

Privacy:

- Guaranteed through Kentucky Revised Statutes 194A.060, 205.175, and 205.177

- Case record information not published or open for public
Temporary Assistance for Needy Families (TANF)  
Title IV-A State Plan

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 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 K-TAP

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

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

- 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:

- The establishment of the Kentucky Teen Pregnancy Prevention Team (KTPPT)

- KTPPT established four strategic goals to reduce teen pregnancy and births:
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- Conduct/implement age-appropriate personal responsibility and sexuality education throughout the Commonwealth

- Educate and engage parents and communities to initiate opportunities for positive youth development and involvement

- Implement ongoing awareness of teenage pregnancy prevention using multiple modes of communication

- Continue to provide all Kentucky youth with access to reproductive healthcare, contraceptives, and preventative services

- The KTPPT set the overall goal to reduce teen pregnancy 20% by 2020

- 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

- The Department for Public Health partners with the Kentucky Department for Education, Coordinated School Health Branch; Kentucky Teen Pregnancy Coalition; local health departments and community-based organizations to provide comprehensive teen pregnancy prevention and positive youth development education and activities

- Inter-agency collaborations provide a wide variety of resources which uniquely serve specific needs of each community

- The Title V State Abstinence Education Grant Program
Temporary Assistance for Needy Families (TANF)  
Title IV-A State Plan

- Provides abstinence education to 6-8th grade children in participating counties

- Communities apply for funding through local health departments/districts to provide either the Choosing the Best® curriculum or Postponing Sexual Involvement curriculum in local schools

- The curriculum provides sexual abstinence education and adulthood preparation topics including healthy relationships, parent-child communication and healthy life skills such as goal setting, decision making, negotiation, communication and interpersonal skills

- Requires funded communities to provide foster parent education programs in the area of sexuality and risk-taking behaviors in children. Local health departments/districts partner with the local DCBS office to provide this education to foster parents and teens

- The Personal Responsibility Education Program Grant (PREP)

- Provides awarded communities the opportunity to teach comprehensive sexuality education including abstinence and contraception

- Two curriculum choices are permitted to be taught using the PREP funding stream

- Reducing the Risk is a 5-day course taught to high school students in awarded counties
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- The Teen Outreach Program (TOP) is an after-school or in-school club that meets at least one time a week during the school year

- Both curriculums provide abstinence and contraception education as well as adult preparedness subjects

- Other activities utilized with the Title V State Abstinence Education Grant Program and PREP to accomplish the program goals are school programs (before, during and after), parent education programs, community coalitions/partnerships, and awareness campaigns

- Programs related to promoting male responsibility include preparing for fatherhood

- The Green Dot Kentucky Program

  - Provides violence prevention education to high school students across the Commonwealth

  - Designed to prevent violence, particularly domestic, sexual and dating violence

- Suspected child or adult protective referrals are made to the Division of Protection and Permanency for an evaluation and recommendation for further action

- Services and trainings offered as part of the statutory rape program

  - Rape Crisis Centers

    - 13 regional centers, each covering five to 17 counties
Temporary Assistance for Needy Families (TANF)  
Title IV-A State Plan

- Rape Crisis Hotline provides intervention, crisis counseling, crisis assessment, and referral services to men and women of any age who are victims 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.

- Advocacy

  - Accompanies victims to health facilities, police stations and court, upon request.

  - Provides personal support throughout the entire medical and legal process, explaining procedures to the victim, family members and friends.

- Consultation is available for professionals working with victims 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.

  - Topics address male and female victims of assaults.

- 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 clients who become victims of sexual assault.
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- Children's Advocacy Centers
  - 15 regional offices, each covering five to 17 counties, covering all Kentucky's 120 counties
  - Provide services to prospective victims of sexual abuse, including males, birth to age 17
  - Designed to promote the well-being of children while facilitating the most effective investigation and prosecution of child sexual abuse cases
  - Provide onsite medical exams
    - Performed by doctors specializing in child sexual abuse
    - Doctors meet with child's family regarding the results of the exam
  - Each child is assessed by a trained mental health professional to determine need for mental health services
    - Center provides services or make referrals to services in their region if need is identified
    - Doctors meet with child's family regarding the results of the exam
  - Provide intervention services to family and friends
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- Provide a range of awareness/educational programs including trainings on sexual harassment, bullying, sexting, and signs of sexual abuse

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 family planning clinics

- 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

HANDS
(Health Access; Nurturing Development Services):

- Home visitation program for first time mothers to assist them in meeting the challenges of parenting during the prenatal period and continuing during the child's first two years of life

- Purposes are:

  - Achieve positive pregnancy outcomes
Temporary Assistance for Needy Families (TANF)
Title IV-A State Plan

- Improve health and development outcomes for children
- Have children in healthy and safe homes
- Reduction in the likelihood of child abuse and neglect over the long term

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 groups have 45 days to comment

Procedures to ensure against fraud and abuse
CERTIFICATIONS

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

This program is known as: Kentucky Transitional Assistance Program (K-TAP)

Executive Officer of the State (Name): Matthew G. Bevin, Governor

In administering and operating a program which provides Temporary Assistance for Needy Families with minor children under title IV-A of the Social Security Act, the State will:

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

   Cabinet for Health and Family Services is the agency responsible for administering the program;

   Department for Community Based Services is the agency responsible for supervising the program;

2. Assure that local governments and private sector organizations:
   (a) Have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and
   (b) Have had at least 45 days to submit comments on the plan and the design of such services.

3. Operate a Child Support Enforcement program under the State plan approved under part D;

4. Operate a Foster care and Adoption Assistance program in accordance with part E, and certify that the State will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance;

5. Provide each member of an Indian tribe, who is domiciled in the State and is not eligible for assistance under a Tribal Family Assistance plan approved under Section 412, with equitable access to assistance under the State program funded under this part attributable to funds provided by the Federal Government.
6. Establish and enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State program, kickbacks, and the use of political patronage.

7. Make available to the public a summary of the State plan; and

OPTIONAL CERTIFICATION

[✓] The State has established and is enforcing standards and procedures to:

(1) Screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals;
(2) Refer such individuals to counseling and supportive services; and
(3) Waive, pursuant to a determination of good cause, other program requirements such as time limits (for as long as necessary) for individuals receiving assistance, residency requirements, child support cooperation requirements, and family cap provisions, in cases where compliance with such requirements would make it more difficult for individuals receiving assistance under this part to escape domestic violence or unfairly penalize such individuals who are or have been victimized by such violence.

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:

Matthew G. Bevin, Governor
Commonwealth of Kentucky

Date 10-11-17
CERTIFICATION REGARDING MAINTENANCE OF EFFORT

In accordance with the applicable program statute(s) and regulation(s), the undersigned certifies that financial assistance provided by the Administration for Children and Families, for the specified activities to be performed under the Temporary Assistance for Needy Families Program by the Department for Community Based Services (Applicant Organization), will be in addition to, and not in substitution for, comparable activities previously carried on without Federal assistance.

Signature of Authorized Certifying Official

Commissioner

Title 4/1/12

Date
CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

The Pro-Children Act of 2001, 42 U.S.C. 7181 through 7184, imposes restrictions on smoking in facilities where Federally-funded children’s services are provided. HHS grants are subject to these requirements only if they meet the Act’s specified coverage. The Act specifies that smoking is prohibited in any indoor facility (owned, leased, or contracted for) used for the routine or regular provision of kindergarten, elementary, or secondary education or library services to children under the age of 18. In addition, smoking is prohibited in any indoor facility or portion of a facility (owned, leased, or contracted for) used for the routine or regular provision of federally funded health care, day care, or early childhood development, including Head Start services to children under the age of 18. The statutory prohibition also applies if such facilities are constructed, operated, or maintained with Federal funds. The statute does not apply to children’s services provided in private residences, facilities funded solely by Medicare or Medicaid funds, portions of facilities used for inpatient drug or alcohol treatment, or facilities where WIC coupons are redeemed. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1,000 per violation and/or the imposition of an administrative compliance order on the responsible entity.

Signature: ___________________________ Date: 10/24/17

Title: Commissioner

Organization: Department for Community Based Services
CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature

Title- Commissioner

Organization-Department for Community Based Services
CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER

RESPONSIBILITY MATTERS (PRIMARY)

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--
Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from
the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

************

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

   (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
   (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
   (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
   (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS (LOWER TIER)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**********

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
MEMORANDUM

TO:    Constitutional Officers
       Cabinet Secretaries
       Agency Heads
       HR Administrators

FROM:  Thomas B. Stephens, Secretary

DATE:  October 4, 2017

RE:    Annual State Certification for Drug-Free Workplace Federal Grants
       October 1, 2017 - September 30, 2018

Attached is your agency’s copy of the Kentucky State Certification for Federal Grants under the provisions of the Drug-Free Workplace Act for Federal Fiscal Year 2017. Your agency may be required to submit a copy of this certification when applying for federal funding. The certification is valid from October 1, 2017 through September 30, 2018.

If you have any questions or concerns, please feel free to contact Rosemary G. Holbrook at (502) 564-6761 or via email at rosemaryg.holbrook@ky.gov.

Thank you for your continued cooperation.

Attachments:  Annual Certification for Drug-Free Workplace Federal Grants
               Agency Federal Funding Source 2017-2018
Kentucky State Government  
Annual Multiple Agency Certification Regarding  
Drug-Free Workplace Requirements  
Federal Fiscal Year 2017/2018  
October 1, 2017 - September 30, 2018  

Pursuant to Executive Order 96-611 issued by the Governor of the Commonwealth of Kentucky on May 15, 1996, (attached as Appendix A) I, Thomas B. Stephens, Secretary, Personnel Cabinet, do hereby certify, on behalf of the Executive Branch of Kentucky State Government, that all of its agencies are in compliance with the Drug-Free Workplace Act of 1988, and it has:

I. Published a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the grantee’s workplace and specifying the actions that will be taken against employees for violation of such prohibition (attached as Appendix B);

II. Established an ongoing drug-free awareness program to inform employees about:
   A. The dangers of drug abuse in the workplace;
   B. The grantee’s policy of maintaining a drug-free workplace;
   C. Available drug counseling, rehabilitation, and employee assistance programs; and
   D. The penalties that may be imposed upon employees for drug abuse violations;

III. Made it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (I);

IV. Notified each employee in the statement required by paragraph (I) that as a condition of employment under the grant the employee will:
   A. Abide by the terms of the statement; and
   B. Notify the employer of any criminal drug statute conviction for a violation in the workplace no later than five days after the conviction;

V. Established a policy which the employer will notify the granting agency in writing, within ten days after receiving notice under subparagraph (IV)(B) from an employee or otherwise receiving actual notice of such conviction;

VI. Established a policy under which the employer will impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted; as required by 41 U.S.C. § 8104;
VII. Made a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs I through VI.

Commonwealth of Kentucky, State Government
Organization Name

Thomas B. Stephens - Personnel Cabinet
Name and Title of Authorized Representative

Signature

October 1, 2017
Date
RELATING TO DRUG-FREE WORKPLACE POLICY
COMMONWEALTH OF KENTUCKY

WHEREAS, in 1988, the United States Congress enacted the Anti-Drug Abuse Act (Public Law 100-690) which requires recipients of federal grants to certify that they have met the requirements designed to promote a drug-free workplace; and

WHEREAS, the Commonwealth of Kentucky has maintained a policy of prohibiting the manufacture, distribution, possession, and use of controlled substances in the workplace and of enforcing such prohibition through disciplinary action against offenders while providing a program of rehabilitation and counseling through its Employee Assistance program and through the State-supported health insurance programs; and

WHEREAS, the unlawful manufacture, distribution, possession and use of controlled substances in the workplace constitutes a serious hazard to the health, safety and welfare of State employees as well as to the health, safety and welfare of the public they serve; and

WHEREAS, it is deemed appropriate that the Secretary of the Personnel Cabinet notify State employees of the penalties, programs and reporting requirements of the Anti-Drug Abuse Act of 1988:

NOW, THEREFORE, I, PAUL E. PATTON, Governor of the Commonwealth of Kentucky, do hereby order and direct the Secretary of the Personnel Cabinet to issue written notices to each employee of the Commonwealth of Kentucky, advising of the requirements of the Anti-Drug Abuse Act of 1988, of the range of penalties that may be imposed for violations, and of the rehabilitation and counseling programs that are available.

The Secretary of the Personnel Cabinet is authorized and directed to certify compliance with the Anti-Drug Abuse Act of 1988 to the appropriate federal grantor agency upon issuance of notice to State employees.

This Order is effective upon execution.

PAUL E. PATTON
Governor

JOHN Y. BROWN III
Secretary of State
EMPLOYEE HANDBOOK

*Revised: September 30, 2016

Issued by:
Personnel Cabinet
Department of Human Resources Administration

501 High Street, 3rd Floor
Frankfort, Kentucky 40601
Phone: (502) 564-7571
Fax (502) 564-1823
www.personnel.ky.gov
https://khris.ky.gov

*This handbook is reviewed annually, but is subject to change at any time based on the necessity for updates.

APPENDIX B
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This handbook is not a contract nor do the statements contained in it have the force of law. Personnel laws and regulations may modify or supersede any or all statements in this handbook. For more information, employees should see their human resource administrator and refer to the current edition of 18A of the Kentucky Revised Statutes and Title 301 of the Kentucky Administrative Regulations.

The Employee Handbook is always available electronically on the Personnel Cabinet’s website. If another format is needed, a request may be submitted to the Department of Human Resources Administration, through the agency human resource administrator.
Drug-Free Workplace

The federal statute governing drug-free workplace requirements for federal grant recipients requires recipients of federal funds to certify that they have met requirements designed to promote a drug-free workplace (41 U.S.C. § 8103). In compliance with this Act, and at the discretion of the Governor, all state employees are notified that:

- The unlawful manufacture, distribution, dispensation, possession or use of any controlled substance is strictly prohibited in the workplace and any employee found to be in violation will be subject to disciplinary action by the Appointing Authority for misconduct which may include sanctions up to and including dismissal from state service, in accordance with the State law.
- The Personnel Cabinet will continue to improve drug-free awareness programs through employee assistance and, in cooperation with State agencies, to eradicate the dangers that drugs in the workplace create for our employees. State-supported health insurance provides coverage for employees referred to or seeking treatment for drug and alcohol related problems.
- Compliance with drug-free workplace requirements is a condition of continued employment with State Government. Each employee is obligated, on pain of disciplinary action, to report any conviction he or she receives as a result of a violation of any criminal drug statute occurring in the workplace within five (5) days of such conviction. Such a report is to be made to the employee’s Appointing Authority and is required by federal law and the agency is obligated to report such conviction to the federal grantor within ten (10) days after it receives notice.
- Employees found to be in violation of drug-free workplace requirements may face disciplinary action up to and including dismissal or may be required to satisfactorily participate in a drug abuse assistance or treatment program.

Employees who have questions concerning this directive are encouraged to contact their supervisor or the Kentucky Employee Assistance Program at (502) 564-5788. For more information please check our website at https://personnel.ky.gov/Pages/Substance-Abuse.aspx.

LEGAL REFERENCES:
KRS 18A.043
41 U.S.C. § 8103
MEMORANDUM

TO: All State Employees

FROM: Thomas B. Stephens, Secretary

DATE: August 22, 2017

RE: Drug-Free Workplace

The federal statute governing drug-free workplace requirements for federal grant recipients requires recipients of federal funds to certify that they have met requirements designed to promote a drug-free workplace (41 U.S.C. § 8103). In compliance with this Act, and at the discretion of the Governor, all state employees are notified that:

A. The unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance is strictly prohibited in the workplace, and any employee found to be in violation will be subject to disciplinary action by the appointing authority for misconduct which may include sanctions up to and including dismissal from state service, in accordance with state law.

B. The Personnel Cabinet will continue to improve drug-free awareness programs through employee assistance and, in cooperation with state agencies, to eradicate the dangers that drugs in the workplace create for our employees. State-supported health insurance provides coverage for employees referred to or seeking treatment for drug and alcohol-related problems.

C. Compliance with drug-free workplace requirements is a condition of continued employment with state government for all state employees. Each employee is obligated to report any conviction he or she receives as a result of a violation of any criminal drug statute occurring in the workplace within five (5) days of such conviction. Such a report is to be made to the employee’s appointing authority and is required by federal law. Failure of any employee to report his or her conviction to the appointing authority may result in disciplinary action. The agency is obligated to report such conviction to the federal grantor within ten (10) days after it receives notice.

D. Employees found to be in violation of drug-free workplace requirements may face disciplinary action up to and including dismissal or may be required to satisfactorily participate in a drug abuse assistance or treatment program.

Feel free to contact your supervisor or the Personnel Cabinet’s Kentucky Employee Assistance Program at (502) 564-5788 with any questions concerning this directive.
# STATE AGENCIES' FEDERAL FUNDING SOURCES 2017/2018
(As of September 30, 2017)

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Kentucky Communications Network Authority
U.S. Department of Commerce

Office of Attorney General

Office of Medicaid Fraud & Abuse Control
U.S. Department of Health & Human Services
Office of Victims Advocacy
U.S. Department of Justice
Office of Prosecutors Advisory Council
U.S. Department of Transportation
Office of Child Abuse & Human Trafficking
U.S. Department of Justice
Prevention and Prosecution
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Department of Criminal Investigations
U.S. Executive Office of the President (CFDA 95.011)

Transportation Cabinet

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U.S. Department of Homeland Security
Federal Emergency Management Agency
U.S. Department of Transportation*
- Federal Aviation Administration
- Federal Highway Administration*
- Federal Motor Carrier Safety Administration
- Federal Railroad Administration
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- National Highway Traffic & Safety Administration
(*Includes ARRA & Federal Lands Highway)

Economic Development Cabinet

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Finance & Administration Cabinet

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Kentucky Higher Education Assistance Authority
U.S. Department of Education

Commonwealth Office of Technology
U.S. Department of Agriculture

Department of Revenue
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U.S. Department of Interior
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U.S. Department of Agriculture |
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STATE AGENCIES' FEDERAL FUNDING SOURCES 2017/2018
(As of September 30, 2017)

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Office of the Secretary
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U.S. Department of Labor

Kentucky Environmental Education Council
U.S. Environmental Protection Agency

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U.S. Department of Homeland Security
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U.S. Department of Transportation
U.S. Department of Labor

Labor Cabinet
U.S. Department of Labor

Public Protection Cabinet
U.S. Department of Justice
U.S. Department of Health & Human Services

Cabinet for Health and Family Services
U.S. Department of Agriculture
U.S. Department of Health and Human Services
U.S. Department of Energy
U.S. Department of Education
Corporation for National and Community Service
U.S. Environmental Protection Agency
U.S. Department of Labor
U.S. Social Security Administration
U.S. Department of Justice
U.S. Department of Defense

Justice and Public Safety Cabinet
U.S. Department of Justice

Office of the Secretary
U.S. Department of Transportation – Governor’s Highway Safety Program
U.S. Department of Health and Human Services – Kentucky Prescription Drug Overdose Prevention Program

Department of Criminal Justice Training

Department of Corrections
U.S. Department of Education
U.S. Department of Health & Human Services
- Substance Abuse and Mental Health Services Administration
U.S. Department of Justice
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<td>- Office of National Drug Control Policy</td>
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<td>U.S. Department of Commerce</td>
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<td>(*Includes NHTSA, MCSAP &amp; FHWA)</td>
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