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 <b>Department of Human Resources</b> 311 West Saratoga Street Baltimore MD 21201	<b>FIA ACTION TRANSMITTAL</b>
<b>Control Number:</b> FIA/OPRS#99±17	<b>Effective Date:</b> Upon Receipt <b>Issuance Date:</b> November 23, 1998

**TO:** DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES  
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT  
FAMILY INVESTMENT SUPERVISORS  
*Charles E. Hevey for*

**FROM:** ROBERT J. EVERHARD, EXECUTIVE DIRECTOR, FIA

**RE:** ELIMINATION OF 20-HOUR PER WEEK WORK ACTIVITY  
REQUIREMENT

**PROGRAM AFFECTED:** TEMPORARY CASH ASSISTANCE (TCA)

**ORIGINATING OFFICE:** OFFICE OF POLICY, RESEARCH AND SYSTEMS

**SUMMARY**

The Personal Responsibility and Work Opportunities Reconciliation Act of 1996 (PRWORA) requires parents receiving assistance through Temporary Assistance for Needy Families (TANF) to participate in a work activity at least 20 hours a week in federal fiscal years (FFY) 1997 and 1998 and 25 hours a week in FFY 1999 in order to count toward the federal work participation rate. PRWORA also requires parents receiving assistance through TANF to be engaged in a state defined work activity by the 24<sup>th</sup> month of assistance. If appropriate child care is available, there are no exceptions to the 24-month work requirement. Some TCA customers will reach this time limit on January 1, 1999.

To enhance the local departments' ability to meet the 24-month requirement and ensure that households do not lose benefits, we have changed the state regulation that required customers to participate in a work activity a minimum number of hours per week in order to receive TCA. The elimination of this requirement will give local departments maximum flexibility to create work activities, and access employment and educational opportunities for their customers who are reaching the 24-month limit. To count toward the federal participation rate, customers must still participate in a federally defined work activity (listed in action transmittal 97-67) for 25 hours a week.

## **NEW POLICY**

Local departments have great flexibility in defining work activities for their customers who have received 24 or more months of TANF funded benefits since January 1, 1997. Local departments will continue to ensure that all customers participate in a work activity by the 24<sup>th</sup> month of assistance. However, **customers are no longer required to participate in a work activity for at least 20 hours per week.**

## **ACTION TO BE TAKEN**

Local departments will set the minimum or maximum number of hours they deem appropriate for participation in a particular work activity. Local departments and the customer will determine the minimum or maximum number of hours the customer will participate in a particular work activity. Document the type and number of hours of participation in the Family Independence Plan that is signed by the customer. Local departments are still expected to have sufficient work activities for all TCA customers who are nearing their 24<sup>th</sup> month of assistance.

## **REMINDERS**

Action Transmittal FIA/OPR 99-05 describes the process to be used to identify those customers that are nearing the 24-month time limit.

Local departments are sent two monthly reports listing those customers in your jurisdiction who have received TCA for 24 cumulative months since January 1997. The most recent report lists customers who have received continuous assistance through July 1998. (TCA customer groups being moved into a State-funded TCA program are not included in these reports.) The reports are as follows:

- The "Customers in State-Defined Work Activities" report lists all 19-month customers participating in a work activity as of September 1, 1998, as recorded in the Work Opportunities Management Information System (WO MIS).
- The "Customers not in State-Defined Work Activities" report lists all 19-month customers not participating in a work activity (did not have an open activity record in WO MIS) as of September 1, 1998.

Use the information contained in these reports to ensure customers are meeting the work requirements included in their Family Independence Plan by the 24-month time limit.

Case managers must review the time limited eligibility counter on the customer's DEM2 screen to ensure the number of months is correct. If an adjustment to the

counter is required, case managers should forward the record to their supervisor with a note indicating the number of months assistance has been received and the proper documentation. Failure to keep an accurate count of months of benefits received will result in potential errors and possible overpayments.

Local departments will continue to set forth expectations, including the number of hours the customer is to participate in a work activity, as appropriate, in the customer's Family Independence Plan.

Every customer who has reached the 24-month time limit is required to be:

- in a work activity,
- in a conciliation process or
- no longer receiving Temporary Cash Assistance.

Local departments will sanction those households who are offered an activity and refuse to cooperate.

Local departments will continue to use the Work Opportunities Management Information System (WO MIS) to document and track all work activities in which customers participate.

### **ACTION DUE DATE**

The required action is due upon receipt of this Action Transmittal.

### **INQUIRIES**

Please direct policy questions to Steve Sturgill at (410) 767-7733, systems question to Joyce Westbrook at (410) 767-8735 and Work Opportunity/WO MIS questions to Fred Schroeder at (410) 767-8192.

cc: DHR Executive Staff  
FIA Management Staff  
Constituent Services  
CTF  
DHR Help Desk  
RESI