STATE OF NEW HAMPSHIRE

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES STATE PLAN
12/31/2014 –December 31, 2017

THE NEW HAMPSHIRE EMPLOYMENT PROGRAM (NHEP)
THE FAMILY ASSISTANCE PROGRAM (FAP)

Submitted by:
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PURPOSE

This document is the State of New Hampshire's plan for providing assistance to families with children from funds provided under Title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) and amended by the Deficit Reduction Act of 2005. The Act amended Section 402 of the Social Security Act to require that states submit a plan to the U.S. Department of Health and Human Services (DHHS) that outlines how the state will provide Temporary Assistance for Needy Families (TANF) benefits.

Since the original state plan was adopted in October 1996, New Hampshire's TANF program has continued to evolve. An amendment submitted in March 2011 incorporated all changes made from October 1, 2006 to that date. That amended plan provided all changes necessary for New Hampshire to retain its status as an eligible state under the reauthorization of the TANF program provided by the Deficit Reduction Act. The State Plan for October 1, 2011 incorporated all changes made since the October 2008 plan, and was New Hampshire's 'renewal plan'. The 2014 plan incorporates all subsequent updates up to September 30, 2014. This October 1, 2014 submission is New Hampshire's renewal plan.

ORGANIZATION OF THE PLAN

The sections in this document correspond to the organization of the language in the Social Security Act ("the Act") that describes the requirements of TANF state plans, including general provisions, special provisions, and optional provisions relative to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). Attachment A contains the state's executive certifications, Attachment B contains the text of the public notice advertising availability of the 1997 TANF plan, Attachment C explains uses of maintenance of effort funds, Attachment E describes the State's procedure to determine when an individual has demonstrated an inability to obtain needed childcare including how the parent is informed about the procedure and their right to an appeal.

BACKGROUND

In New Hampshire, the TANF program consists of four categories of financial assistance and one category of nutritional assistance:
The New Hampshire Employment Program (NHEP) is the mandatory work program that provides parents with job preparation, work and support services to enable them to permanently attach to gainful employment while providing financial assistance that allows children to be cared for in their own homes.

The Families With Older Children (FWOC) program provides assistance to families that include a child who is over age 18, and under age 20, but still a full-time student in high school or the equivalent. These children meet the definition of a dependent child under State of New Hampshire law, but not under federal regulations. The FWOC program has a mandatory work requirement for the able-bodied parent.

The Interim Disabled Parent (IDP) program provides assistance to families in which a parent is temporarily unable to participate in work programs due to their own medical condition. The IDP program has a mandatory work requirement only for the able-bodied adults in the household, and provides the same employment and training supports as the mandatory work program for able-bodied adult.

The Nutritional Supplement for Working Families (NSWF) program provides an additional assistance payment to single-parent families who are receiving SNAP benefits, and have at least one child 18 years of age or younger living in the home, and are working at least 35 hours each week. The assistance payment can only be used to purchase food stamp eligible items. The additional nutritional assistance allows the family to use more of its cash resources on housing, transportation, child care, and other basic necessities. NSWF is a separate state program, and is funded by state Maintenance of Effort dollars.

The Family Assistance Program (FAP) provides financial assistance for families in which the children are deprived of the care of both parents due to continued absence or disability. The children may be cared for by the disabled parent (or parents) or by a caretaker relative. The relative is the designated guardian for a child/children deprived of the support of both parents. The relative caretaker may or may not be included in the case. There is no mandatory work requirement for the Family Assistance Program. In a relative caregiver case, if the relative chooses to be included in the assistance group for financial assistance, the relative would be mandatory for the work program, and case would be considered an NHEP case.

NEW HAMPSHIRE

New Hampshire complies with the mandatory provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 as amended by the Deficit Reduction Act of 2005 The program design minimizes the stigma of welfare by promoting a philosophy and perception that the purpose of welfare is to eliminate or reduce the harmful effects of poverty on families and children by promoting work opportunities for all New Hampshire residents. The New Hampshire TANF programs seek to eliminate or reduce the harmful effects of poverty on families and children by fostering employment and opportunity as a means to economic independence for those families who can participate with the employment programs. Employment is promoted by:

- Assisting participants to gain employment as rapidly as possible, given due consideration to individual circumstances, labor market conditions, the needs of the dependent children for continuing care and protection, and the ultimate goal of long-term economic independence;

- Supporting and coordinating with activities that promote self-sufficiency and strengthen family life;

- Providing a comprehensive support service package that includes: medical assistance, food stamps, child care, transportation, child support and other support services necessary to promote economic independence;

- Promoting successful transition from public assistance through the provision of job readiness activities, training, and education activities concurrently with employment or seeking employment, family support skills, and follow-up services for problem resolution and job advancement;

- Developing partnerships with employers to create job opportunities and meet the needs of both employers and participants; and

- Providing a program where it is more advantageous to work than not to work by rewarding self-sufficiency.

In addition to the goals above, the goal of the Families With Older Children (FWOC) category is:

- Allowing low-income older teenagers the opportunity to complete basic education with the benefit of a cash safety net.

The goals of the Interim Disabled Parent Program (IDP) are:

- Providing financial assistance that allows a family to care for children in their own home during times of physical disability; and
- Offering employment support services to the parent who is able to work.

The goal of the Nutritional Supplement to Working Families (NSWF) program is:

- Helping families maintain their employment by enhancing their ability to meet their financial obligations for basic necessities.

The goal of the Family Assistance Program (FAP) is:

- Eliminating or reducing the harmful effects of poverty on families and children by providing financial assistance and medical assistance to families with children in a manner compatible with decency and health.

Individuals who are categorically eligible for TANF cash assistance are also eligible for the Supplemental Nutritional Assistance Program, and for Medical Assistance (Medicaid).

GENERAL PROVISIONS

Section 42 USC 602 (a) (1) (A) (i) of the Act: Conduct a program, designed to serve all political subdivisions in the State (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work, and support services to enable them to leave the program and become self-sufficient.

The New Hampshire Department of Health and Human Services (DHHS) is the single State agency that administers the Temporary Assistance for Needy Families Assistance (TANF) Program. Under TANF, financial assistance benefits are provided to needy families with children. New Hampshire does not provide TANF benefits to single, pregnant women who do not have any other children. Parents of children in needy families are provided with job preparation, work, and support services.

The program operates uniformly in all parts of the State. The Department provides access to the supports of the TANF program through eleven District Offices located throughout the state, administered by the Division of Family Assistance. In addition, New Hampshire residents now have the choice to apply for services through Internet access, via the NHEASY application portal, or by telephone application via the Client Services Unit located within the Division of Client Services. Clients may also choose to maintain their eligibility by establishing a NHEASY account on-line, and conducting the eligibility operations through the account. TANF financial assistance

applicants have access to application for SNAP, Medicaid and child care services through the same operations.

The policies through which the Department administers the TANF program can be found in the Family Assistance Manual on the New Hampshire Department of Health and Human Services website, which is located at http://www.dhhs.state.nh.us/FAM_HTM/NEWFAM.HTM.

All New Hampshire residents may apply for TANF financial assistance, and can expect to be fairly determined for eligibility for services under the policies described above. All individuals who apply for assistance are advised of their rights and responsibilities as a part of the application protocol. It is the Department's policy not to discriminate against individuals because of their race, creed, color, sex, age, political affiliation or beliefs, religion, national origin, handicap, or disability. The application process, rights and responsibilities, and non-discrimination policy, are further described in Section 100 of the Family Assistance Manual.

Application time frames, advance notice periods, and redetermination schedules are described in Section 100 of the Family Assistance Manual.

As mentioned above, New Hampshire now accepts applications and redeterminations via electronic transmission, and by telephone. The need to print and sign a paper application has been eliminated by adopting an electronic or telephonic signature process. Electronic signatures were accepted beginning September 23, 2009, and as of October 5, 2011, New Hampshire has the ability to accept telephone signatures for a TANF application. Via the on-line NH Easy system, TANF recipients can also report changes and upload verifications directly to their case.

New Hampshire has implemented document imaging, which has eliminated the need for the storage of paper records to verify eligibility. All verifications required to determine and maintain eligibility are scanned into a central database, and delivered to individual electronic files, accessible from all District Offices by pertinent Division staff. Current paper eligibility records were scanned and delivered to individual e-files for access and ongoing record keeping. The database is accessible through the New HEIGHTS eligibility system, and documents are sorted both by the case they belong to and by the worker assigned to that case. Workers have an electronic dashboard that tracks the number of unprocessed documents in the database. The digitalization of District Office client files has allowed the Department a new degree of administrative efficiency in managing the significant increase in caseloads, and offering clients a new level of access to their own file information regarding application and eligibility through a NH EASY online account.

Financial assistance benefits are provided to needy families who meet the eligibility requirements related to household composition, income limits, asset limits, cooperation with child support, application procedures, citizenship, residency, verification of information and other characteristics. Eligibility requirements are described in the Family Assistance Manual, and changes to these requirements are noted in the following table.

The amount of financial assistance provided to the family is based on family size, family shelter costs and family income. The treatment of income and the procedure for determining the amount of financial assistance for which the family is eligible are described in sections 500 and 600 of the Family Assistance Manual.

The Emergency Assistance Program (EA) provides payments to secure or maintain permanent housing for TANF eligible families, or to remove obstacles to employment for those who are

participating in the mandatory NHEP program. In addition, emergency assistance payments for family preservation are also made through DHHS' Division for Children, Youth and Families (DCYF). DCYF is responsible for determining eligibility for and authorization of these EA payments.

Employment-related services are provided as described in Section 800 of the Family Assistance Manual. If a TANF recipient has verified an exemption status from the work requirement, the individual's exemption status is reviewed at the time of application, and every subsequent six months. At the second request for a six-month exemption from the mandatory work requirement, the TANF recipient is required to apply for SSI. Recipients, who are mandatory participants, and those who volunteer for the Employment Program, are referred to an inter-agency team consisting of representatives from the New Hampshire Department of Health and Human Services, and Southern New Hampshire Services, a Community Action Agency. This inter-agency group assesses the individual for the purpose of developing an employability plan. All mandatory individuals are required to participate in a work activity. Acceptable work activities may include any combination of the following:

- Unsubsidized employment
- Work Experience
- On-the-job training
- Job Search and Job Readiness
- Community Service
- Vocational Educational Training
- Job Skills Training Directly Related to Employment
- English as a Second Language
- Single Course of Study
- Attendance at Secondary School
- Barrier resolution

For a description of each work activity, refer to New Hampshire's most recent Work Verification Plan, submitted October 1, 2010. When individuals are participating in approved employment-related activities, support services are available to help individuals pay for such expenses as transportation, car repairs, child care, tools of the trade, uniforms, tuition, and books, fees and supplies. Support services are described in Sections 827 and 900 of the Family Assistance Manual.

Effective October 1, 2011, New Hampshire established a new TANF program support for low-income families who are eligible for SNAP. The Nutritional Supplement for Working Families (NSWF) provides a twice-monthly nutritional assistance stipend. This program helps the family purchase their food, leaving more income for shelter, transportation, child care and other family necessities. The program design makes the NSWF assistance available to single-parent families who are receiving SNAP benefits, have a child less than 18 years of age in the house, and are working at least 35 hours every week. This new program is funded by state funds as a separate state program. The funds will be counted towards MOE, and allows the state to count these families in their state work participation rate.

Since the renewal plan of October 1, 2011 the following TANF policy changes were implemented:

OLD POLICY	NEW POLICY	EFFECTIVE DATE
All notices of decision (NODs) and New HEIGHTS-generated letters were mailed to the DFA assistance program casehead using the U.S. postal service. There was no other way for the casehead to access DFA NODs and letters.	Most NODs and letters can now be accessed electronically, once the TANF casehead establishes an on-line account in NHEASY. Additionally, the Department is now able to offer the casehead a "green" alternative in which the casehead can opt to only access DFA NODs and letters electronically, and no longer receive mail from DFA. TANF clients are now able to check the status of their application and ongoing eligibility in their NHEASY account.	1/27/11 SR 11-09
The District Office in Salem, New Hampshire served New Hampshire residents from Atkinson, Danville, Derry, Hampstead, Londonderry, Newton, Plaistow, Salem, Sandown, and Windham.	The District Office in Nashua NH will now be known as the Southern District Office and will provide services to the residents of the towns formerly served by the Salem District Office, in addition to the Nashua catchment area towns. All staff, files and services moved to the Southern District Office.	4/25/11 SR 11-10
Financial and medical assistance was provided for certain two-parent families who met unemployment criteria under the Unemployed Parent (UP) program.	State funding for UP financial assistance is no longer available. UP financial assistance will no longer be provided. Unemployed two-parent families may still be eligible for UP medical assistance if all program criteria are met.	7/1/11 SR 11-30
	The Nutritional Supplement for Working Families (NSWF) provides a twice/month additional food benefit to single-parent families who receive SNAP benefits, have at least one child less than 18 years of age living in the home, and the parent is working at least 35 hours each week.	10/1/11 SR 11-08
Applications for TANF financial assistance required a signature on the application, or an electronic signature.	Telephonic signatures are now accepted for application and redetermination.	10/5/11 DM

OLD POLICY	NEW POLICY	EFFECTIVE DATE
A person receiving SSI or a State Supplemental Program (SSP) benefit and that person's income and resources, were excluded when determining eligibility and benefit allotment amount for TANF financial assistance.	As of March 1, 2012, if the TANF household has a member receiving SSI, the SSI benefit and all other income and resources of the SSI recipient are now counted in the household's eligibility and benefit allotment process for TANF financial assistance. The SSI household member is now included in the TANF financial assistance group. If the TANF household has a member receiving SSP cash assistance, which includes Old Age Assistance, Aid to the Permanently and Totally Disabled, and Aid to the Needy Blind, current policy on excluding the SSP grant when determining the household's eligibility and benefit allotment amount remains unchanged. However, all other income and resources of the SSP cash assistance recipient is now counted in the household's eligibility and benefit allotment determination process for TANF financial assistance. The SSP cash assistance recipient is also now included in the TANF financial assistance group.	3/1/12 SR 12-09
Guardians, conservators, protective payees, case members other than the casehead, and authorized representatives (ARs) were not able to create an account through NH EASY, per SR 11-09 dated January 4, 2011.	Individuals who legally represent the casehead, such as guardians, conservators, and protective payees, and individuals the casehead chooses as a representative, such as ARs and individuals with power of attorney, are now able to create NH EASY accounts on behalf of the clients they represent. However, there can only be one NH EASY account per case. If an individual other than the client chooses to create a NH EASY account on behalf of the client, the client cannot also have a NH EASY account.	6/13/13 SR 13-05

OLD POLICY	NEW POLICY	EFFECTIVE DATE
There was no specific policy about Medical Loss Ratio (MLR) rebates, although every category of assistance has existing policy on nonrecurring, lump sum payments.	Medical Loss Ratio (MLR) health insurance rebates that are issued by paper check or direct deposit to an individual are considered to be nonrecurring, lump sum payments and are to be treated as such according to each program area's policy. • For FANF cash and medical and NH Child Care Scholarship, see: – FAM 409, *COMMON TYPES OF RESOURCES; LUMP SUM PAYMENT: NONRECURRING (RESOURCES)*; and – FAM 511, *COMMON TYPES OF INCOME: LUMP SUM INCOME (INCOME)*.. Some MLR rebates may also be issued to an individual via: • a decrease in the individual's insurance premiums for the coming year; or • a reimbursement to the individual's employer to be used in a manner that would provide or improve the individual's health insurance. When the MLR rebates are issued in either of these latter ways, the District Office worker disregards the MLR rebate in the eligibility and benefit allotment determination process for all program areas.	Signed 6/24/13, Effective 9/7/12 SR 13-10

OLD POLICY	NEW POLICY	EFFECTIVE DATE
If a request for continuation of benefits by a recipient of any category of benefits was received within 10 days from the date on the notice of the action being appealed, the recipient's assistance, under certain circumstances, could be continued or reinstated at the previous level until the decision on the appeal was reached, or, for recipients of Food Stamp benefits, until the certification period ended.	The number of days provided to request continuation of benefits during an appeal has been extended: If requested within 15 days from the date on the notice of the action being appealed, a recipient's benefits may, under certain circumstances, be continued or reinstated at the previous level until the decision on the appeal is reached, and/or, if receiving Food Stamp benefits, until the Food Stamp certification period ends.	9/10/13 SR 13-19
There were no restrictions on where a financial assistance recipient was able to access their benefit, or on what items were purchased with the benefit at any location. NH continues to offer two free ATM cash withdrawals each month, and provide cardholder balance information at cash back transactions at POS devices, and ongoing benefit balance information at the cardholder portal.	<u>State Plan Update on New Hampshire Compliance with Section 4004 of the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96)</u> New Hampshire (NH) has implemented policies and practices to comply with the mandates of Section 4004 of the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96), and prevent assistance funded with TANF and TANF maintenance-of-effort funds from being used in any electronic benefit transfer transaction in any liquor store; any casino, gambling or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. NH passed legislation in June of 2013, effective January 1, 2014, that provided an addition to RSA 167:7 at RSA 167:7-b. RSA 167:7-b prohibits any person receiving public cash assistance from using electronic benefit transfer (EBT) cards or cash obtained with EBT cards for the purpose of purchasing or participating in any activities in any location as listed in the RSA, which includes the three	12/12/13 SR 14-05

	locations identified in P.L.112-96. The law imposes client penalties on cash and EBT use for TANF, Old Age Assistance (OAA), Aid to the Needy Blind (ANB) and Aid to the Permanently and Totally Disabled (APTD) programs as all four programs are administered through the same EBT contractor and cards. At the same time, the RSA directed the listed businesses to not knowingly accept direct cash assistance funds held on an EBT card or cash obtained with EBT cards using an ATM or POS device on business premises, and provides the authority for DHHS to refer the business sites to their respective regulatory authorities. NH amended administrative rules to direct the implementation of RSA 167:7-b at He W-608.01 by deleting (a) that required *no* restrictions and adding 608.02 which provides details of how and when the penalty is applied. It also added definitions regarding which businesses are restricted by the legislation. The rules at 608.02 (d-f) specify the conditions and penalty if the cardholder is not a beneficiary, as in child-only or protective payee cases. Additional language was also added to further specify how the Department identifies prohibited adult entertainment, liquor stores and gambling outlets. The New Hampshire Department of Health and Human Services (DHHS) developed an extensive communication plan to inform clients and businesses about the new EBT card/ cash restrictions and penalties. The communication plan includes one time and ongoing strategies to alert clients and applicants, licensing authorities and businesses about the new restrictions, and strategies to alert and remind new and current applicants and eligible recipients about the proper uses of the EBT card and their cash assistance. The communications above are included	

	with the report on the implementation of P.L. 112-96 as attachments. Supervisory Release (SR) 14-05 was issued on December 12, 2013, and became effective January 1, 2014. The SR outlines the new policy prohibiting the use of the EBT card, or cash obtained with the EBT card, at the specified sites. You can find the SR here: http://www.dhhs.nh.gov/SR_HTM/SR.HTM. NH ensures that TANF cash assistance recipients have the ability to use and access their benefit with minimal or no fees or charges. Recipients have the choice of Electronic Benefit Transfer (EBT), Electronic Fund Transfer (EFT) or vouchers to vendors such as landlords and utilities. NH does not issue checks for TANF cash assistance. If a client requests EFT, but the state cannot transfer the funds, the state will issue an EBT card. The rules governing the issuance of assistance payments are found at He-W 671.01, 671.02 and 671.03. When a client chooses EFT, they retain the ability to control the location and fees associated with their card use and cash access. The EBT cards are useable at all Point Of Service (POS) devices (as cash back) and at all ATM's that display the Quest logo. NH monitors the availability of the POS and ATM machines that deliver the EBT cash benefit by zip code, ensuring every client in NH has adequate access to a POS or ATM based on the amount of cash withdrawals made at each outlet. The EBT Administrator for NH monitors the location and number of ATM's that accept EBT through a quarterly Cash Access Reports that list ATM's by zip code, address, and whether there is a surcharge. The contractor uses this report to make a "NH Summary Report" that reviews the cash issued per zip code, and identifies the volume as high or low. The contractor is	

	required to identify one ATM or POS per $5,000 cash issuance. If the ratio is out of compliance, the contractor must recruit a new ATM or POS. NH currently has one rural zip code that does not meet these requirements. There is no location that would be suitable for an ATM or POS in this zip code. For these types of very rural districts, we encourage clients to choose the EFT option so they have the ability write checks for their life essentials such as rent and utilities. The EBT Administrator also monitors EBT client access through a Point of Sale Report that that lists all sites that offer cash back with purchase. The EBT contract provides two free cash withdrawals per month at ATM's, and unlimited cash back with purchase at those POS locations that allow cash back with purchase. After the two free withdrawals, the client is subject to all the normal bank fees associated with an ATM transaction, in addition to a $.50 EBT charge. NH provides opportunities for cash assistance recipients to track their balance. NH requires the EBT contract administrator to provide a cardholder portal that allows the EBT cardholder to monitor the balance of their bi-monthly benefit. Balance on receipts at POS devices also provides updated information about their cash assistance balance, and clients are advised to keep these receipts and note their balance. NH provides information on EBT use, including information on how to access the cash assistance benefit without a fee, in: • DFA Form 800A, "Programs and Services," provided at application and online; • a client flyer that is included in all	

	EBT card mailings; and • the cardholder 'portal' provided and maintained by the NH EBT contractor.	
OLD POLICY	**NEW POLICY**	**EFFECTIVE DATE**
Applicants or recipients of TANF cash assistance who reported their living situation as homeless and no longer claimed a shelter cost had their monthly cash grant reduced to the lowest level of the Basic Maintenance Payment Allowance.	Applicants and recipients of TANF cash assistance who report their living situation as homeless and have a $0 shelter cost are allocated the subsidized housing shelter cost of $293.00/month. This maintains their cash grant at the higher level of the BMPA + the shelter cost, until they report a permanent shelter with the actual cost.	10-20-14 Directors' Memo (rules are in process for the spring of 2015)
Under NH Law, the cash grant issued on an EBT card, or cash obtained from an EBT card, could not be used at or in the following prohibited places: □□Gaming Establishments – in NH, gaming establishments: - Include commercial and charitable bingo halls, card halls, or race tracks, even if the gaming provided is through video, rather than live, events; and - Do not include establishments such as, but not limited to, grocery stores or convenience stores, whose only gaming activity is in the sale of lottery tickets or lucky 7 tickets and the sale of these tickets is secondary to	In addition to the existing list of prohibited locations at which the cash grant issued on an EBT card or cash obtained from an EBT card cannot be used, the following categories of business are now also considered prohibited locations: □□Business establishments that primarily engage in the practice of body piercing, branding, or tattooing; □□Cigar stores and stands, pipe stores, smoke shops and tobacco shops; and □□Marijuana dispensaries, excluding alternative treatment centers as defined at RSA 126-X:1, I. Additionally: □□Businesses that exclusively or primarily sell beer, wine, or other alcoholic beverages will only be considered a prohibited location if the business is not certified as a Food Stamp Retailer and greater than 50% of visible inventory is beer, wine, or other alcoholic beverages; and	9-18-15 DFA SR 15-27

the establishment's sales of other goods unrelated to gaming. □□Businesses that provide adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment – whether live or video. In NH, this includes establishments: - In which greater than 50% of visible inventory being sold or rented is printed matter, visual representation, live performance or sound recording including, but not limited to, books, magazines, motion picture films, pamphlets, pornographic records, pictures, photographs, figures, statues, plays, dances, in which performers disrobe or perform in unclothed states for entertainment; and - Which provide on or off-site adult oriented entertainment for such venues, commonly referred to as, but not limited to, bachelor parties or peep shows, in which performers disrobe or perform in an unclothed state for entertainment.	□□The Department will be using MCC codes to assist in electronically identifying the prohibited locations.	

□□Places that exclusively or primarily sell alcoholic drinks – in NH, this includes: - State liquor stores and agency liquor stores established by or under the authority of the NH Liquor Commission; and - Establishments in which greater than 50% of visible inventory is beer, wine,or other alcoholic drinks.		
A misuse of the EBT cash grant occurred if the EBT card assigned to the individual designated as the EBT cardholder, or cash obtained with the EBT card, was used at or in a prohibited location, as determined by the EBT record of transaction indicating usage of the EBT card at a point-of-sale (POS) device or ATM machine that is located within the walls of the place of business.	A misuse of the EBT cash grant will now occur if the EBT card assigned to the individual designated as the EBT cardholder, or cash obtained with the EBT card, *is exchanged for goods or services* at or in a prohibited location, as determined by the EBT record of transaction indicating a *successful EBT card transaction* at a point-of-sale (POS) device or ATM machine that is located within the walls of the place of business. This means that the EBT card transaction must be successful within the walls of the prohibited location and the cash assistance recipient must also then use that EBT card-issued cash grant in exchange for goods or services in that prohibited location for a violation to have occurred.	

Section 402(a)(1)(A)(ii) of the Act: Require a parent or caretaker receiving assistance under the program to engage in work (as defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received

assistance under the program for 24 months (whether or not consecutive), whichever is earlier.
AND;

Section 402(a)(1)(A)(iii) of the Act: Ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 407.

Work requirements for New Hampshire Employment Program recipients, are described in Section 800 of the Family Assistance Manual.

An individual's work requirement status is reviewed at the time of application, redetermination, or when an individual reports a change. Allowable exemptions are described in Section 800 of the Family Assistance Manual.

Mandatory and voluntary participants are referred to an inter-agency team consisting of staff from the New Hampshire Department of Health and Human Services, and Southern New Hampshire Services, a local Community Action Agency. These referrals are made upon determination of the mandatory or voluntary status of the participant. The inter-agency team of Employment Counselor Specialists assesses the individual for the purpose of developing and implementing an employability plan.

All mandatory participants are required to participate in a work activity. Individuals who fail to meet participation requirements and who do not have good cause for the failure are sanctioned. The sanction policy is listed in sections 808.31,33,35,and 36 of the Family Assistance Manual.

Section 402(a)(1)(A)(iv) of the Act: Take such reasonable steps as the State deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the Federal Government.

Policy regarding confidentiality and disclosure of client information is the same as that in effect on September 30, 1996 [reference RSA 167:30] with the exception described in Section 408(a)(9)(B) of the Social Security Act, as amended, relative to providing information to law enforcement officials. Information concerning applicants and recipients is confidential. The Department's confidentiality policy is described in Section 100 of the Family Assistance Manual. Use or disclosure of information in Department files is limited to persons directly involved in administration or enforcement of the Department's programs, or as otherwise permitted by policy, or federal or state laws. Agencies and individuals who contract with DHHS to provide services to TANF clients must meet the Department's confidentiality requirements, and sign a statement to that effect. The State of New Hampshire has established certain protocols to provide a consistent response by the Department of Health and Human Services when employees become aware of a potential crime under RSA 632-A: 3, which identifies the engagement of sexual penetration with a person who is thirteen (13) years of age or older and under sixteen (16) years of age as a criminal act.

Certain divisions within the Department have the opportunity for interactions with children that are unique, and require the Department to share confidential client information with professional community members outside the Department, in the interest of protecting children. The protocol described below assures that staff, upon knowing either of the following circumstances, shall immediately report such information to DCYF Central Intake:

1. A child under the age of sixteen (16) is pregnant or has given birth while under the age of sixteen (16) or,
2. A child under the age of eighteen (18) who has given birth or is pregnant as the result of force.

Consistent with current practice, once Central Intake receives this information, notification will be provided to both local law enforcement and the appropriate county attorney's office. This process is in accordance with the Department's goal to reduce further trauma for children and to assure prompt notification to appropriate law enforcement.

The Department has determined that sharing client information, as specified in the Memorandum of Understanding between DHHS and the United States Census Bureau, for research purposes, is appropriate and helpful to the Department in administering the TANF program. The Census Bureau will maintain the confidentiality of the TANF client information according to Section 9 of Title 13, United States Code and the Privacy Act of 1974 (Section 552a of Title 5, United States Code). This State Plan amendment will apply retroactively to any client data, so specified in the Memorandum of Understanding between DHHS and the United States Census Bureau, obtained from January 1, 2004 until the expiration of this Memorandum of Understanding.

Section 402(a)(1)(A)(v) of the Act: Establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies, and establish numerical goals for reducing the illegitimacy ratio of the State (as defined in section 403(a)(2)(B).

The New Hampshire Division of Public Health Services Family Planning Program (FPP) collaborates with DFA to assist in the prevention of unintended pregnancies. In FFY 2014, agencies provided pre-pregnancy family planning services to ten contracted sub-recipients with eighteen service sites. In FFY 2014, these agencies provided clinical and educational services to 7,202 persons. 3,326 (46%) of these individuals have incomes below 100% of the federal poverty level, and 5,562 (77%) have incomes below 250% of the federal poverty level.

The delegated agencies promote the availability of family planning and reproductive health services through partnerships that include schools and community-based agencies. As a result, the agencies provided information and education to an estimated 1,618 (22%) teens.

NH TANF-Family Planning Collaborative Project program focus areas include:

- Increase access to pre-pregnancy family planning programs to low income women through the expansion of existing Title X community education programs and outreach efforts.
- Increase use of more effective methods to prevent out-of-wedlock births especially to women who have financial barriers.

The activities to meet the program focus areas include targeted outreach to increase knowledge of pre-pregnancy family planning services and encourage access. Additionally, with these funds, agencies provide education programs to youth to impact knowledge, attitudes and behavior, which could lead to teen pregnancy. Programs include:

- Parent Child Communication
- Peer Education Training
- Education on Contraception (including Abstinence Education)
- Marketing of Family Planning Activities

Through collaboration with the Division of Public Health Services, Maternal and Child Health Section (MCH), Home Visiting New Hampshire (HVNH) promotes employment by supporting and coordinating with activities that promote self-sufficiency and strengthen family life. HVNH is a voluntary, preventive program that provides health, education and support to low-income pregnant women and their families. Theses young families participate in this comprehensive home visiting program beginning early in their pregnancy until their child's first birthday. The model employs the Parents as Teachers (PAT) curriculum, and includes a nurse home visit during each trimester during pregnancy, one post-natal visit, and three infant visits. Recognizing that it is an integral part of New Hampshire's Maternal, Infant and Early Childhood Home Visiting (MIECHV) program, TANF continued to support HVNH as a strategy of strategically designed, evidence-based, supportive services that promotes healthy development and strong families, the foundation of financial independence. However, budget cuts to the SFY 2012 contracts in addition to eligibility restrictions imposed by NH Medicaid, resulted in further reductions in the numbers of families served. During SFY 2012 the program served 583 pregnant women, approximately 3% fewer families than served by HVNH in SFY 11.

Family planning education is woven throughout the standard curriculum and is an important component of many visits. Data from State Fiscal Year 2013 shows that:

- 99% of eligible pregnant women, infants, and children enrolled in the HFNH/CFHS program were enrolled in Medicaid
- 96% of eligible pregnant and postpartum women, infants and children enrolled in the HVNH/CFHS program had client record documentation of enrollment in WIC.
- 85% of pregnant women enrolled in the HVNH/CFHS program identified as cigarette smokers were referred to QuitWorks-New Hampshire.

- 98% of women enrolled in the HVNH/CFHS program received further evaluation/treatment for perinatal depression, following identification by a formal validated depression screening.
- 98% (148 of 151) of postpartum women who report they are not pregnant at the exit of the program.

Section 402(a)(1)(A)(vi) of the Act: Conduct a program, designed to reach State and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men.

The Department's plans for a statewide public education and information campaign for the Teen Pregnancy Prevention initiative, targeted at men in their early twenties, was never implemented because funding could not be made available in the time frame needed to carry out the campaign. When funds ultimately became available to the New Hampshire Family Planning Program for male involvement projects from above, the plans for prevention strategies were shifted to a community-based, rather than a statewide, approach. The Department saw the community-based approach as a more effective approach. Listed below are those community-based strategies.

During 1997, the New Hampshire Family Planning Program developed and implemented a pilot male teen involvement program, supported by federal supplemental Title X funds appropriated by Region I through the Office of Population Affairs (OPA). This program proved to be highly successful in the first year (44% increase in number of male teens served at two pilot sites). While this project's funds are no longer available to New Hampshire, the Family Planning Program continues to strive to increase the number of male teens served at family planning clinic sites.

Additionally, $5,000 was awarded to one of New Hampshire's adolescent health clinics that contract with the Family Planning Program for adolescent health care. Teen Health Clinic, in Manchester, New Hampshire, was funded to develop and deliver focused outreach efforts to teenage males. The objective of this initiative, begun in June 2002, was to raise awareness and educate individuals about male health services, which would ultimately bring more males into the pre-pregnancy family planning system. This initiative included raising awareness among school personnel, especially sports coaches and school nurses, human resource departments in settings that employ teenage males, community youth agencies, Police Athletic League programs and public assistance housing personnel. Evaluation of this initiative showed that it increased the likelihood of referrals of males to health care services. During these services, young men receive counseling on appropriate sexual behavior.

The Teen Health Clinic and two other Family Planning urban sites in southern New Hampshire receive OPA funds to provide HIV testing and counseling as an integrated component of its Family Planning Program. This additional health service has proven to be successful in reaching male clients in their respective communities.

Through a project supported by TANF, the Family Planning Program collaborates with local school and youth organization partners to implement one of three teen pregnancy and sexually transmitted disease prevention curriculums for middle and high school-aged New Hampshire youth. This curriculum project includes in its scope both young men and young women. When the three curricula being used in this project were implemented in research studies, participants demonstrated changes in attitude, knowledge and behaviors that contribute to reductions in unintended pregnancy and/ or sexually transmitted infections. All three curricula have the potential to reduce incidences of statutory rape because all teach students responsible decision-making relative to sexual activity. Participants routinely rehearse communication, refusal and negotiation skills, self-advocacy and problem solving approaches to sexual pressure. They are also encouraged and taught to pre-contemplate responses to situations that might involve sexual risk such as being in the presence of alcohol and drugs, dating or being coerced by partners of a different age, etc. Within those schools and organizations that implement these curriculums, both

males and females are offered the opportunity to participate as students in the curriculum. For those students who do participate, the curriculum is generally offered in a co-educational setting so males and females are able to practice the skill development in mixed, more realistic settings. This project continues to be in operation and it has grown its reach to a number of public schools in the northern area of the State.

The Family Planning Program also works with the state Coalition Against Domestic and Sexual Violence, which has a strong emphasis on prevention of dating violence and the development of consensual sexual relationships. Many pre-pregnancy family planning agencies collaborate closely with Coalition member agencies to provide support to young women and men in making appropriate sexual decisions.

Both the Family Planning Program and the state's STD/HIV Prevention Section have been active in training providers who work with young people on sexual health issues in understanding state assault laws and the issue of sexual consent.

The Family Planning Program in collaboration with the Regional Training Center will explore conducting a training for family planning staff at the contracted agencies around male family planning physical assessment and family planning counseling skills.

SPECIAL PROVISIONS

Section 402(a)(1)(B)(i) of the Act: The document shall indicate whether the State intends to treat families moving into the State from another State differently than other families under the program, and if so, how the State intends to treat such families under the program.

New Hampshire does not implement this option. Families moving into New Hampshire from another state are treated no differently from all other families.

Section 402(a)(1)(B)(ii) of the Act: The document shall indicate whether the State intends to provide assistance under the program to individuals who are not citizens of the United States, and if so, shall include an overview of such assistance.

New Hampshire provides assistance to qualified aliens, either with or without time-limit restrictions. A qualified alien is an individual who at the time of application is one of the following:

- Lawfully admitted permanent resident under the Immigration and Nationality Act (INA);
- Asylee granted such status under section 208 of the INA;
- Refugee admitted to the U.S. under section 207 of the INA;
- Noncitizen whose deportation is being withheld under section 243(h) of the INA (Note: after April 1, 1997, withholding of deportation is under section 241(b)(3));
  parolee paroled into the U.S. under section 212(d)(5) of the INA for a period of at least 1 year;
- Conditional entrant into the U.S. under section 203(a)(7) of the INA as in effect prior to April 1, 1980;
- Cuban or Haitian entrant under section 501(e) of the Refugee Education Assistance Act;
- Amerasian immigrant under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988 (usually the children of Vietnamese women and Americans present in Vietnam during the Vietnam War era);
- Noncitizen who is or has been a victim of family/domestic violence while residing in the U.S. by that person's spouse, or by another member of the spouse's family residing in the same household as the parent and the spouse acquiesced or consented to such battery or cruelty; or the noncitizen child of a parent subjected to family/domestic violence; or
- Veteran or active in military service, including noncitizens on active military duty in the Armed Forces of the U.S., honorably discharged veterans who have met the minimum active duty commitment (24 months or the time period for which they were called to active duty), and their

spouses or unremarried surviving spouses (if the individual is deceased), unmarried dependent children under 18 years of age, and, for medical assistance only, Philippine nationals who served in the Philippine Commonwealth Army during WWII or as Philippine Scouts following WWII.

All other aliens are ineligible for assistance, with the following possible exceptions:

- Victims of Trafficking: Non-citizens who have been certified as a victim of trafficking by the Office of Refugee Resettlement (ORR), and who do not meet the definition of qualified alien, may still be eligible for up to 8 months of benefits and services under any State or Federal Program as if the individuals were admitted to the U.S. as refugees. See Section 305.13, Qualified Aliens Eligible Without Restriction, for a description of the eligibility status of refugees. Certified victims of trafficking must meet all other eligibility criteria for a program of assistance in order to receive benefits.
- Native Americans: Native Americans who are members of an Indian tribe as defined in section 4(e) of the Indian Self-determination and Education Assistance Act [25 USC 450(e)], or were born in Canada and are covered under the provisions of section 289 of the Immigration and Nationality Act (8 USC 1359) are eligible for medical assistance, regardless of qualified alien status. Canadian-born Indians must have at least 50% American Indian blood.

The following qualified aliens are eligible without restrictions:

- Noncitizens in military service,
- Refugees, from date of entry into the U.S. with such status;
- Asylees, from date of INS action to grant asylum;
- Cuban/Haitian Immigrants from date of entry into the U.S. with such status;
- Amerasian Immigrants;
- Noncitizens whose deportation is being withheld, from the date of INS action to withhold deportation;
- Iraqi immigrants for only the first 6 months from their date of entry; and
- Afghan immigrants for only the first 8 months from their date of entry.

All other qualified aliens are eligible only if they resided in the United States prior to August 22, 1996, or have resided in the United States lawfully for five years from their date of entry when such entry took place after August 22, 1996.

Section 402(a)(1)(B)(iii) of the Act: The document shall set forth objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including an explanation of how the State will provide opportunities for recipients who have been adversely affected to be heard in a State administrative or appeal process.

With the exception of the TANF provisions, which supersede State provisions, the Department will continue to use the objective criteria described in the Family Assistance Manual to determine eligibility. The eligibility criteria are applied in an equitable manner throughout the State. Individuals have a right to an administrative hearing, as outlined in Section 143 of the Family Assistance Manual. The individual rights and responsibilities are outlined in Section 101 of the Family Assistance Manual. The Department's policy to not discriminate against individuals is described in Section 103 of the Family Assistance Manual.

The criteria for the delivery of benefits, such as benefit delivery time frames, application processing time frames, advance notice periods, redeterminations and notices of decision are described in Section 100 of the Family Assistance Manual. Changes in the benefit delivery system during the period January, 2011 through October, 2014 are listed on pages 7-14 of this state plan.

Section 402(a)(1)(B)(iv) of the Act: Not later than 1 year after the date of enactment of this Act, unless the chief executive officer of the State opts out of this provision by notifying the Secretary, a

State shall, consistent with the exception provided in section 407(e)(2), require a parent or caretaker receiving assistance under the program who, after receiving such assistance for 2 months is not exempt from work requirements and is not engaged in work, as determined under section 407(c), to participate in community service employment, with minimum hours per week and tasks to be determined by the State.

The State opted out of the community service provision by submitting a letter dated August 7, 1997, from Governor Jeanne Shaheen to DHHS Secretary Donna E. Shalala.

Section. 6701-6703 of (P.L. 111-148) Title VI, Subtitle H of the Patient Protection and Affordable Care Act of 2010: Elder Justice Act of 2009. Section 6703(a)(2) of PPACA amends section 402(a)(1)(B) of the Social Security Act (42U.S.C 602(a)(1)(B)—
(v) The document shall indicate whether the State intends to assist individuals to train for, seek, and maintain employment—
(I) providing direct care in a long-term care facility (as such terms are defined under section 1397j of this title); or
(II) in other occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel , and if so, shall include an overview of such assistance.

New Hampshire recognizes the need to train an eldercare workforce. New Hampshire has secured an ACF training grant, administered out of the Department of Health and Human Services, Office of Minority Health & Refugee Affairs. The grant, the Health Profession Opportunity Project (HPOP), offers opportunities for low-income adults to train for and find employment in health care occupations in New Hampshire. The targeted health care employment fields include long-term care, nursing and allied health professions. HPOP uses an employer-driven model to identify gaps in skilled health care occupations, including the elder care field. New Hampshire expects the demand for skilled workers in the elder care field to grow in the five-year term of the grant, and expects they will be able to help meet the demand through the training afforded through this grant. The model includes a track for current health care workers to advance their skills and move up in their career. The TANF Program Administrator and Bureau of Welfare to Work Chief, as well as other TANF staff, were included in the planning for this program. The admission to the program has been designed to ensure TANF program participants can take advantage of this training opportunity.

New Hampshire also has a work force development project for TANF recipients, developed in 2006, called "HomeCare Works." The HomeCare Works program partners with community providers of home-based care services to deliver quality care to support seniors and individuals with disabilities to continue to live independently in their own homes and in community settings. This partnership between New Hampshire DHHS and community-based care providers throughout the state develops and delivers on-the-job training (OJT) and a system of supports for TANF recipients as an incentive for new individuals to join the ranks of home care workers and meet the needs of New Hampshire's aging and disabled population. Training is according to curricula for home health care workers developed by the hiring agency. Stipends are available for both the employing agency providing the training and the TANF participant completing the training. The program includes linkages to further training resources and financial aid to establish health care-related career ladders and continued education.

OPTIONAL PROVISIONS

Section 404(c) of the **Act: AUTHORITY TO TREAT INTERSTATE IMMIGRANTS UNDER RULES OF FORMER STATE.--A State Operating a program funded under this part may apply to a family the rules (including benefit amounts) of the program funded under this part of another State if the family has moved to the state from the other State and has resided in the State for less than 12 months.**

See Section 402(a)(1)(B)(i) under the Special Provisions section.

Section 404(d) of the Act: AUTHORITY TO USE PORTION OF GRANT FOR OTHER PURPOSES.

Information pertaining to the transfer of TANF funds to programs primarily funded by the Child Care and Development Block Grant or Title XX is available in the FFY 2014 TANF Annual Report.

Section 404(f) of the Act: AUTHORITY TO OPERATE EMPLOYMENT PLACEMENT PROGRAM.--A State to which a grant is made under section 403 may use the grant to make payments (or provide job placement vouchers) to State-approved public and private job placement agencies that provide employment placement services to individuals who receive assistance under the State program funded under this part.

The State has not elected to use the grant to make payments to State-approved job placement agencies to provide employment placement services to individuals who receive TANF assistance.

Section 404(g) of the Act: IMPLEMENTATION OF ELECTRONIC BENEFIT TRANSFER SYSTEM.

In December 1998, New Hampshire implemented an EBT/EFT system, which eliminates the issuance of most paper checks. The EBT system authorizes electronic availability for recipients to financial assistance benefits from a DHHS account, which is accessed by the client with a magnetic stripe debit card. Although EBT does not literally establish discrete accounts, like regular personal checking or savings bank accounts, in the name(s) of recipients, EBT functions like a personal account in that access is individualized and controlled by the use of a Personal Identification Number (PIN) chosen privately by the recipient. EBT is the default method of benefit issuance, unless the case head has a bank account that accepts direct deposit. If so, the recipient is mandatory for an Electronic Funds Transfer (EFT) issuance of financial assistance benefits. EFT is the method of delivering financial assistance benefits through a common direct deposit into the bank account of a client. Vendors, such as landlords who receive regular disbursements from the assistance payment of a client, are required to receive payments through EFT.

Section 404(h) of the Act: USE OF FUNDS FOR INDIVIDUAL DEVELOPMENT ACCOUNTS.

New Hampshire does not currently use any TANF funds for Individual Development Accounts.

Section 404(i) of the Act: SANCTION WELFARE RECIPIENTS FOR FAILING TO ENSURE THAT MINOR DEPENDENT CHILDREN ATTEND SCHOOL.--A State to which a grant is made under section 403 shall not be prohibited from sanctioning a family that includes an adult who has received assistance under any State program funded under this part attributable to funds provided by the Federal Government or under the food stamp program, as defined in section 3(h) of the Food Stamp Act of 1977, if such adult fails to ensure that the minor dependent children of such adult attend school as required by the law of the State in which the minor children reside.

The State has not elected to sanction parents who fail to ensure that their minor dependent children attend school.

Section 404(j) of the Act: REQUIREMENT FOR HIGH SCHOOL DIPLOMA OR EQUIVALENT.--A State to which a grant is made under section 403 shall not be prohibited from sanctioning a family that includes an adult who is older than age 20 and younger than age 51 and who has received assistance under any State program funded under this part attributable to funds provided by the Federal Government or under the food stamp program, as defined in section 3(h) of the Food Stamp Act of 1977, if such adult does not have, or is not working toward attaining, a secondary school diploma or its recognized equivalent unless such adult has been determined in the judgment of medical, psychiatric, or other appropriate professionals to lack the requisite capacity to complete successfully a course of study that would lead to a secondary school diploma or its recognized equivalent.

New Hampshire does not sanction an adult older than age 20 and younger than age 51 if the adult does not have a high school diploma or its equivalent.

Under the New Hampshire Employment Program, custodial parents under age 20 without a high school diploma or its equivalent must participate in basic educational activities to obtain a high school diploma or equivalent as follows:

- Parents under age 20 are required to participate when their youngest child turns 12 weeks of age; and
- Dependent children age 16 through 17 who do not have a high school diploma or equivalent, and are not attending school, lose their temporary exemption status from the mandatory work program. Failure to respond with either enrollment in a secondary credential program or meet NHEP participation requirements of 30 hours per week results in a one-time, non-progressive sanction against the case.

Individuals who are <u>not</u> teen parents may participate in ABE/GED as a secondary activity, provided they are also in a countable core activity.

More specific details of the high school diploma/GED requirement and related sanctions are described in Section 800 of the Family Assistance Manual.

Section 408(a)(7) of the Act: The State may exempt a family from the application of subparagraph (A) by reason of hardship or if the family includes an individual who has been battered or subjected to extreme cruelty.

The State does choose to exempt a family from termination of TANF cash assistance due to the application of the 60-month time limit if the family includes an individual who has been battered or subjected to extreme cruelty.

Effective April 1, 2001, the State chose to allow time-limited, temporary "hardship extensions", available either at month 60 or to families who had closed TANF due to reaching the time limit, but whose situation had changed, and now required further financial assistance. If the hardship meets the criteria listed in He W 602.08, TANF eligibility may be extended for up to six months. If a hardship still exists after the six-month period, the client may reapply for another extension based on the same hardship criterion or another criterion. If the hardship no longer exists or the assistance group no longer meets all TANF eligibility requirements before the end of the six-month extension period, the extension may end, subject to current TANF policy on advance notice and right to Administrative Appeal (fair hearing).
Six categories of hardship criteria are available for the hardship extension. The criteria for this group includes lack of child care, loss of employment, life-threatening circumstance or emergency situation, medical condition, medical condition of another household member, documented learning disability, participation in a substance abuse or mental health program and family/domestic violence, where the individual has been battered or subjected to extreme cruelty.

Families in which at least one adult is eligible to receive TANF cash assistance through the Family Assistance Program (FAP) are automatically granted an extension to the 60 month time lifetime limit. These cases may continue to receive financial assistance so long as the assistance group remains eligible for TANF financial assistance, outside the 60-month time limit.

Work program mandatory TANF cases *may* also request a hardship extension if they meet the following criteria:

- The case is in full compliance with NHEP participation requirements (open NHEP AG's only) at 60 months;
- The case is working 30 hours a week (pending TANF re-applicants only).

New Hampshire also has special situation hardship criteria regarding New Hampshire's capacity for employment:

- The New Hampshire Employment Security agency has determined that there is a statewide unemployment rate of 7% or more;
- A person is designated eligible for special extended unemployment compensation; or
- The family is living in an area designated as a labor surplus area.

The assistance group is informed in writing of the decision. The recipient always retains the right to request an Administrative Appeal. If an Administrative Appeal is requested, the Division of Family Assistance State Office Extension Review Coordinator and the Division of Family Assistance Supervisor must attend.

Section 408(a)(10) of the Act: DENIAL OF ASSISTANCE FOR MINOR CHILDREN WHO ARE ABSENT FROM THE HOME FOR A SIGNIFICANT PERIOD.-- "(A) IN GENERAL.--A State to which a grant is made under section 403 shall not use any part of the grant to provide assistance for a minor child who has been, or is expected by a parent (or other caretaker relative) of the child to be, absent from the home for a period of 45 consecutive days or, at the option of the State, such period of not less than 30 and not more than 180 consecutive days as the State may provide for in the State plan submitted pursuant to section 402. (B) STATE AUTHORITY TO ESTABLISH GOOD CAUSE EXCEPTIONS.--The State may establish such good cause exceptions to subparagraph (A) as the State considers appropriate if such exceptions are provided for in the State plan submitted pursuant to section 402.

Assistance will not be provided for minor children who are absent from the home for a period of 45 consecutive days, unless there is good cause. Good cause exists when the specified relative retains care and control of the child, and the child's return to the home is expected. Good cause also exists when a child who is absent from the home to attend school returns home during vacation periods and semester breaks, or intends to return home at the end of the school year.

For the purpose of providing emergency assistance to a child experiencing an emergency situation, good cause also exists if the requirements of the New Hampshire Emergency Assistance Program are met. The requirements of the New Hampshire Emergency Assistance Program are specified in Section 703 of the Family Assistance Manual.

Section 408(b) of the Act: INDIVIDUAL RESPONSIBILITY PLANS.--(2) CONTENTS OF PLANS.--
(A) IN GENERAL.--On the basis of the assessment made under subsection (a) with respect to an individual, the State agency, in consultation with the individual, may develop an individual responsibility plan for the individual, which...

The State develops Employability Plans as described in Section 808.21 of the Family Assistance Manual. The Employability Plan (EP) is an individual plan designed to specify the steps the participant will take toward long-term economic independence and self-sufficiency. The NHEP team member develops the EP with the individual to identify:

- Employment goals and appropriate NHEP activities for achieving the goals;
- Problems/barriers to employment and action steps for problem-resolution; and
- Assistance by NHEP, including needed support services to be authorized by NHEP.

Section 408(b) of the Act: INDIVIDUAL RESPONSIBILITY PLANS.--(2) CONTENTS OF PLANS.--
(B) TIMING.--The State agency may comply with paragraph (1) with respect to an individual--"(i) within 90 days (or, at the option of the State, 180 days) after the effective date of this part, in the case of an individual who, as of such effective date, is a recipient of aid under the State plan approved under part A (as in effect immediately before such effective date); or "(ii) within 30 days (or, at the option of the State, 90 days) after the individual is determined to be eligible for such assistance, in the case of any other individual.

The State conducts assessments within 90 days after the individual is determined to be eligible for assistance. The assessment is conducted as described in Section 808.17 of the Family Assistance Manual.

Section 1931(b)(3)(A) of the Act: APPLICATION OF PRE-WELFARE-REFORM ELIGIBILITY CRITERIA.--
"(3) OPTION TO TERMINATE MEDICAL ASSISTANCE FOR FAILURE TO MEET WORK REQUIREMENT.--
"(A) INDIVIDUALS RECEIVING CASH ASSISTANCE UNDER TANF.--

The State has not selected this option.

Section. 115 of Public Law 104-19: DENIAL OF ASSISTANCE AND BENEFITS FOR CERTAIN DRUG-RELATED CONVICTIONS. (d) LIMITATIONS.(1) STATE ELECTIONS.-- (A) OPT OUT.--A State may, by specific reference in a law enacted after the date of the enactment of this Act, exempt any or all individuals domiciled in the State from the application of subsection (a).

The State opted out of this provision in July 1997, by enactment of New Hampshire RSA 167:81-a, which exempts all individuals domiciled in the state from the application of subsection (a). Prior to July 1997, New Hampshire had no law to exempt individuals from application of subsection (a).

ATTACHMENT A

EXECUTIVE CERTIFICATIONS
October 2014

In administering and operating a program, which provides Temporary Assistance for Needy Families under Title IV-A of the Social Security Act, the State of New Hampshire certifies the following:

CHILD SUPPORT ENFORCEMENT PROGRAM

The State operates a child support enforcement program described in the State Plan under Title IV-D of the Social Security Act.

FOSTER CARE AND ADOPTION ASSISTANCE PROGRAM

The State operates a foster care and adoption assistance program described in the State Plan under Title IV-E of the Social Security Act. Children receiving foster care and adoption assistance under Title IV-E receive Medicaid under Title XIX as described in the State Plan for Title XIX.

ADMINISTRATION OF THE PROGRAM

The TANF assistance program described in this State plan is administered and supervised by the New Hampshire Department of Health and Human Services, Division of Family Assistance.

Local governments and private sector organizations were involved in developing the State's TANF program, and had an opportunity to comment as follows:

- Five informational sessions in different locations were held around the state during October 1995. Each session had two parts--an afternoon session for interested organizations and agencies, and an evening session for the general public;
- A 30-day comment period for the New Hampshire waiver was provided in October 1995;
- Comments and public hearings on HB 32, which contained the Department's enabling state legislation for welfare reform, were held in October 1995;
- Ongoing meetings were held between department staff and the New Hampshire Municipal Association to provide information and solicit comments relative to the effect of the New Hampshire Employment Program and PRWORA legislation on New Hampshire towns and cities;
- Ongoing meetings were held with representatives from New Hampshire Legal Assistance and the New Hampshire Women's Lobby;
- Presentations were made throughout 1996 to such organizations as: New Hampshire Housing Authority, Head Start, and Single Parent Program Directors.

Since New Hampshire's original TANF State Plan was developed, only changes that were mandated by federal or state law, or those which have been implemented through the rulemaking process mandated by the Administrative Procedure Act are included in this plan. The rulemaking process provides two opportunities for the public to comment on each proposed rule, first at a public hearing run by the Department, and second at a public meeting held by the Joint Legislative Committee on Administrative Rules.

The Family Assistance Advisory Council was established in 1996 to review and provide input to the original rules for TANF. This group continues to meet on a regular basis, providing review and input into proposed policy changes and Division initiatives.

In November 2014, a press release was published notifying the public of a TANF State Plan renewal, and directing the public to the NH DHHS website location for a review of the plan. An email address was included in the release for public commentary. The plan was also reviewed by the Family Assistance Advisory Council mentioned above.

EQUITABLE ACCESS TO ASSISTANCE FOR INDIAN TRIBES

The State provides each member of an Indian tribe who is domiciled in the State and not eligible for assistance under a tribal family assistance plan approved under section 412, with equitable access to the TANF assistance program described in the Plan, funded under this part attributable to funds provided by the federal government.

PROGRAM FRAUD AND ABUSE

The state continues to establish and enforce standards and procedures to prevent fraud and abuse under the fraud and abuse program in effect since September 30, 1996. State law in RSA 21-I:42-58 sets forth the 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. This law is implemented and enforced by the rules of the state personnel system.

AVAILABILITY OF STATE PLAN

A copy of the public notice, which will appear in the Union Leader and the Concord Monitor to advertise the availability of the 2014 TANF State Plan, is included as Attachment B. The updated plan remains available on the Internet at the Department of Health and Human Services website: http://www.dhhs.nh.gov/dfa/publications.htm.

STANDARDS AND PROCEDURES TO ENSURE THAT THE STATE WILL SCREEN FOR AND IDENTIFY DOMESTIC VIOLENCE

The New Hampshire Department of Health and Human Services, Division of Family Assistance (DFA), implemented the Family Violence Option (FVO) in February 2000. The FVO provides: an individualized assessment, referrals and service planning for victims of domestic violence who are requesting an extension to the 60-month lifetime limit, and/or for excused participation from mandatory work program participation requirements. Clients must participate in a FVO assessment as specified in 45 CFR 260.50-58. DFA workers trained in domestic violence issues conduct assessments and provide waivers for excused participation from mandatory work participation requirements, which can be granted for up to six months.

The Division of Family Assistance continues to work closely with the New Hampshire Coalition Against Domestic & Sexual Violence agency to develop the FVO policy and procedures. The agencies also share training resources to educate each other's staff members.

Current policy allows a TANF client to claim good cause for non-cooperation with Child Support due to emotional/physical harm to the child or parent. With the adoption of the FVO in 2000, the definition was expanded to also include domestic violence.

Another change in policy resulting from the state's adoption of the FVO relates to "acceptable" documentation for a claim of domestic violence. If an individual lacks the required documentation for a FVO or a non-cooperation with child support request, (restraining order, medical records, legal documents, statements from agency professionals, etc.), a signed sworn statement from the individual

claiming the existence of the domestic violence may be accepted as documentation for all claims of domestic violence.

For federal fiscal year 2014, DFA has granted 256 FVO waivers for an extension to the 60-month lifetime limit, and/or for excused participation from mandatory work program participation requirements.

From October 1, 2013 through September 30, 2014, DFA has granted a total of 256 FVO waivers for an extension to the 60-month lifetime limit, and/or for excused participation from mandatory work program participation requirements.

Executive Certification Signature

Date

ATTACHMENT B

PUBLIC NOTICE

Pursuant to Section 5501 of the Balanced Budget Act of 1997 and sections 402(a) and 403(a)(1)(A) of the Social Security Act, the New Hampshire Department of Health and Human Services has submitted to the Federal Government its State Plan for the Temporary Assistance for Needy Families (TANF) Program. This submission will serve the purpose of renewing New Hampshire's status as an eligible state qualifying for TANF funding.

New Hampshire's original TANF State Plan was effective October 1, 1996. This new plan incorporates all changes since the October 2011 State Plan. All changes incorporated into the current State Plan were either mandated by federal or state law, or adopted as rules pursuant to RSA 541-A. This renewal plan that will span October 1, 2014 thru December 31, 2017 was posted for 45 days for comment.

New Hampshire engages in an ongoing review process with stakeholders and the city and town welfare offices when proposing changes to administration of the TANF program, generally through the Family Assistance Advisory Council (FAAC). This Council includes representation from low-income housing providers and advocates, food pantries and soup kitchens, child and family service providers, child care and Head Start, and legal assistance. This renewal plan for October 1, 2014 thru December 31, 2017 was submitted to the FAAC on October 29, 2014. In addition, proposed rules follow a public comment requirement process, and provide a second comment period before adoption before the Joint Legislative Committee on Administrative Rules. All rule changes during the previous three years to the October 1 2014 plan followed this process.

A paid press release alerting the public to this October 1, 2014 renewal for the TANF plan was published in the *Concord Monitor* and the *Union Leader* in November 2014.

Interested persons may obtain a copy of the TANF State Plan at http://www.dhhs.nh.gov/dfa/publications.htm , and offer comments or concerns to the Division of Family Assistance at any time.

ATTACHMENT C

MAINTENANCE OF EFFORT (FFY 2013)

I. In New Hampshire, Maintenance of Effort (MOE) funds using the basic definition of a Temporary Assistance for Needy Families (TANF) client as defined in the State Plan include the following:

- TANF financial assistance grants (New Hampshire Employment Program and Family Assistance Program);
- Employment and Training Support Services, including tuition, books, supplies, fees, car repairs, employment obstacles, job readiness training, life skills training, adult basic education, and counseling;
- Electric Assistance Program provides assistance to families by providing a reduction in household electricity bills. The program is funded by ratepayer donations. The Community Action Program Belknap - Merrimack Counties is a non-profit organization that administers this statewide program;
- Administration costs associated with case management, information and referral, counseling, and related operational expense in TANF program eligibility administration and service delivery;
- Systems costs associated with TANF eligibility determination and maintenance, New HEIGHTS and Bridges.

II. The following program employs MOE funds for families with at least one child under 18 years of age, and who meet income eligibility requirements under 185% of FPG: :

- The Division of Children, Youth and Families ~~is~~ provides a short-term, non-recurring benefit that is made as a community-based service to non-delinquent children and their families in situations involving credible reports of child abuse, neglect and abandonment, where there is imminent risk of child's removal from the home, as approved in New Hampshire's Title IV-A State Plan dated September 30,1996. These services include counseling, crisis intervention, and permanent housing emergency assistance.

III. The following program employs MOE funds through the Department of Health and Human Services Child Development Bureau to families whose income does not exceed 250% FPG:

- Payments for child care services for families who are receiving TANF, transitioning off of TANF, or at risk of becoming dependent on TANF, and are working, going to school or looking for work.

IV. The following program employs MOE funds in collaboration with the NH Coalition Against Domestic & Sexual Violence (NHCDSV), for families that include at least one child under 18 years of age, and to families who are in crisis and have minimal or no access to any income or assets due to the DV/FV crisis:

- NHCDSV services include emergency shelter, the development of safety and service plans, counseling and referral. NHCDSV is prohibited from requiring and applying income eligibility standards to their services in the federal rules that govern their services: the Victims of Crime Act, and the Family Violence Prevention Services Act.

V. The following community programs are administered by New Hampshire non-profits, and are reported as TANF Maintenance of Effort. These programs meet TANF purposes one and two by ensuring children can be cared for in their own homes by helping sustain low-income families:

- Low Income Home Energy Assistance Residential Retrofit Program
  The program provides one-time analysis and installation of low-cost, energy efficient weatherization to the residences of indigent families. The Community Action Program Belknap - Merrimack Counties is a non-profit organization that administers this statewide program. Eligible Families must have at least one child under 18 years old living at the residence. Eligible families must have an annual income that is less than 185% of the federal poverty level.

- Low-Income Gas Assistance:
  The program provides assistance for heating fuel delivery to indigent families by paying for gas deliveries. The program is funded by ratepayer donations. The Community Action Program of Belknap-Merrimack County is a non-profit organization that administers this statewide program. Eligible families must have at least one child under the age of 18, and have income less than 185% of the Federal poverty level.

- Christmas for Kids provides funds for parents and foster parents to provide Christmas presents and other holiday necessities to underprivileged children. Children must be in foster care, or identified by staff as meeting poverty standards.

VI. The following programs employ MOE funds through partnership with community-based programs to prevent and reduce the incidence of out-of-wedlock pregnancies:

- After School Program (The Granite YMCA) provides safe, supervised environments where academic skills and positive values are encouraged, and opportunities for life-long personal growth. Families of all income levels may attend, the claimed MOE reflects the number of children enrolled in the program that corresponds to the percentage receiving free or reduced lunch in the Greater Manchester School District.
- Day Camp (The Granite YMCA) provides day camp programs and over-night youth camp programs to the youth of greater Manchester, through safe, supervised environments where academic and athletic skills are encouraged. Families of all income levels may attend the Day Camp, the claimed MOE reflects the number of children enrolled in the program that corresponds to the percentage receiving free or reduced lunch in the Greater Manchester School District.
- Camp Spaulding provides disadvantaged youth the opportunity to experience the positive benefits of a summer camp. All families are welcome, but families up to $60,000/yr in income are charged based on a sliding scale. Families above that level are charged the full cost of the camp. 90% of the participating families were eligible for the federal summer food program.
- Outreach Programs (Boys and Girls Club of Greater Nashua) by providing education and career development, character development, and leadership opportunities to at-risk school age youth.
- Summer Programs (Boys and Girls Club of Greater Nashua) by providing life-enhancing programs and character development experiences that provide hope and opportunities to at-risk, low-income school age children.
- After School Program (Boys and Girls Club of Greater Derry) by providing homework help, tutoring, computer training, opportunities to participate in sports and recreation, and mentoring to at-risk, low-income school age children.
- Family-Planning Clinics by providing general health and contraceptive services to low-income New Hampshire residents.

VII. The following programs employ MOE funds through partnership with community-based programs to encourage the formation and maintenance of two-parent families:

- Community Outreach Programs (The Granite YMCA): The YOU Outreach program provides a variety of prevention services including the STAY and STRIVE programs that work with middle school students at risk of dropping out of school and students that have been suspended/expelled from school. The START program provides 1st-7th graders after school services, offering a safe learning environment that focuses on stabilizing the home environment for families of these at-risk students. The program is targeted to low-income families and increases their chances of maintaining their employment and a stable home life by addressing family stressors.

- Child and Family Services Family Counseling provides therapeutic counseling for children, youth and adults, couples and families to address child behaviors, problems in school, step-family adjustment, family violence, relationship conflicts, emotional complaints, stress, self-defeating behaviors, loss and trauma and other individual and family problems.

- The Preschool Child Care Program (The Granite YMCA) by offering preschool and Kindergarten programs for children age 8 months-5 years of age, 7 AM-6 PM, helping parents to meet their financial obligations to maintain their family stability. Families must meet income eligibility standards at or below 185% of FPG.

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ATTACHMENT D

State Procedure: Determining When an Individual Has Demonstrated an Inability To Obtain Needed Child Care;
How New Hampshire Employment Program Informs Parents About the Procedure;
How New Hampshire Employment Program Informs Parents of the Right to an Administrative Appeal

New Hampshire State Law, RSA 167:77-97, regulates the New Hampshire Employment Program and Family Assistance Program. RSA 167:82 III (e) expands on the federal requirements of Sec. 261.56 (a)-(c) of 45 CFR, Section 260 to protect a parent from sanction and provide a temporary work exception when they cannot find adequate child care. New Hampshire Employment Program Administrative Rules state when a parent has good cause for non-participation for lack of adequate child care:

He-W 637.07 Good Cause. In addition to the good cause provisions of RSA 167:82,III(c)-(e), and RSA 167:82,IV (a), good cause shall exist for lack of adequate child care, (a). Good cause for lack of adequate child care shall:

(1) Apply for children under age 13; or

(2) Apply for children over age 13 but under age 18 provided the child's physical or mental condition is such that the child would cause harm to him/herself or to others without supervision;

(3) Not include instances where providers refuse to provide child care due to intentional non-payment of child care bills by the individual; and

(4) Be considered to exist when the client provides in writing the claim and the specific reasons why the claim is made that the quality of care from a provider is not adequate as described in (c)(4) below;

(b) When the NHEP client claims inadequate child care as identified in (a)(4) above, the client shall explore other child care providers and options for obtaining adequate child care;

(c) Adequate child care, as referenced in (a) above, shall be considered available from those providers who:

(1) Have openings and to whom the individual has a means of transporting the children;

(2) Are licensed or license exempt;

(3) Meet all the qualifications and requirements for providers and/or contract agencies specified in He-C 6910.18(b)-(d) and meet the definitions at RSA 170-E:2, IV or RSA 170-E:3.

(4) Provide care that is representative of the quality of child care provided to other children in the community; and

(5) Meet the household's basic requirements for child care, such as providing care during the required hours, or providing special treatment for a handicapped child if necessary;

(d) Acceptable verification for a good cause reason for non-participation with NHEP work requirements shall include, but not be limited to:

(1) Written verification from a third party pertaining to the individual's medical visits, mandated appointments or other circumstances beyond the individuals' control;

(2) Documentation indicating the individual's efforts to contact local agencies to resolve the reason for non-participation, presented on a form provided by the department; or

(3) Documentation indicating the individual's continued efforts to resolve the reason for non-participation, presented on a form provided by the department.

The state definitions requested by Sec. 261.56 (a)-(c) of 45 CFR, Part 260 for reasonable distance, appropriate child care, unsuitability of informal child care, and affordable child care are cross referenced with He-W 637.07 Good Cause as follows. Adequate child care is considered to be available when:

- The provider has openings, and the client has the ability to transport the child (*reasonable distance*);
- It is licensed or license-exempt (*appropriate child care*, *unsuitability of informal care*);
- It meets the qualifications and requirements listed in He-C 6910.18(b)-(d) (licensing and enrollment in scholarship system) (*appropriate child care*) (*unsuitability of informal care*);
- It provides care that is representative of the quality provided to other children in the community (*appropriate child care*);
- It meets the household's basic requirements for child care, such as providing care during the required hours, or providing special treatment for a handicapped child if necessary (*appropriate child care*).

The Division of Family Assistance has developed working definitions for the terms requested by Sec. 261.56(2)(b)(ii) of 45 CFR, Section 260 with the Child Development Bureau, the state administrators for the child care subsidy program.. The definitions are included in the state rules above, and helped formulate state policy. Those definitions are:

- "Appropriate child care" means the child care is open for the hours and days the parent would need child care in order to comply with work requirements; is able and willing to provide child care in order to comply with work requirements; is able and willing to provide child care services including any special needs of the child(ren); is either licensed or licensed-exempt for the appropriate age group in accordance with RSA 170E; and the care provided is representative of the quality of child care provided to other child(ren) in the community.
- "Reasonable distance" means the distance of the available child care provider from the individual's residence and then to their work activity, is not substantially greater than the distance that others living in the same town or city would travel for child care services and then to their work activity.
- "Unsuitability of informal child care" means that the child care provider is license exempt and was not able to successfully pass the background check required in RSA 170E:7 related to the state registry and criminal record check. Or the child care provider was not able to meet the conditions specified in Employment-related Child Care Program Rules HE-C 6910.20.
- "Affordable child care arrangements" ensure equal access and can be maintained without undue financial hardship to the family.

If a parent cannot meet the work requirement the New Hampshire Employment Program because they cannot obtain needed child care, New Hampshire has identified a series of steps for the staff to determine whether a parent can be temporarily excused from participation, and how they will work with a parent to identify child care to meet their needs. These procedures are:

- NHEP staff will request verification from a third party, as per our rules, He-W 637.07 (d). The staff will check for verification of consultation with the Regional Child Care Resource & Referral Agency, and the results of that consultation, and a plan for action to find child care, using an NHEP form for excused non-participation.
- NHEP staff will review the results of the consultation and visits to the available providers, and check against the four definitions outlined above to evaluate whether a parent's inability to participate is justified.

Parents are informed about this protection from sanction in NHEP Form 221, "The New Hampshire Employment Program"; and in NHEP Form 242, "The 60-Month Lifetime Limit Pamphlet"." Applicants receive these pamphlets at NHEP orientation, part of the application process. A potential participant will also consult with their NHEP Counselor about their inability to secure child care, and the Counselor has been trained regarding the procedure for claiming the work exception for lack of child care.

The participant is informed about their right to an administrative appeal in NHEP Form 810 "Notice of Rights and Responsibilities" and 811R "Your Rights and Responsibilities". These forms are provided with the Form 800, "Application For Assistance" at the end of the application interview. The Form 810 is also included with every eligibility system-generated Notice of Decision, when mailed to the TANF client.