

# STATE OF KANSAS



## ***TEMPORARY ASSISTANCE FOR NEEDY FAMILIES STATE PLAN***

**Effective October 1, 2023-September 30, 2026**

***Submitted Pursuant to Public Law 104-193  
The Personal Responsibility and Work Opportunity  
Reconciliation Act of 1996***



## Kansas Temporary Assistance for Needy Families Program State Plan

The Temporary Assistance for Needy Families (TANF) program is administered by the Kansas Department for Children and Families (DCF), Family Services Division. The agency's mission is to protect children, promote healthy families and encourage personal responsibility. The agency's objectives follow:

- Strengthen families
- Safely reduce the number of children in care
- Promote employment
- Exercise responsible stewardship of public resources
- Build public/private partnerships

### **A. General Provisions**

- 1. Outline how the state intends to 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 (Section 402(A)(1)(A)(i) of the Social Security Act).***

Kansas's Temporary Assistance for Needy Families (TANF) program provides temporary cash assistance for no more than 24 months to families with children under age 18, or age 18 (up to age 19) and working toward attainment of a high school diploma or its equivalent, and pregnant women when financially eligible. A qualifying child may also be temporarily absent from the home for up to 180 days if the intent is for the child to return to the home. Cash assistance payments are made through Electronic Benefit Transfer (EBT). Eligibility for TANF is limited to families whose income is less than 30% of the Federal Poverty Level. Eligibility, benefit standards and time limits are detailed in Appendix 1.

Grandparents, aunts, uncles, cousins (relatives within the 5<sup>th</sup> degree of kinship to the dependent child) who assume primary caregiving responsibility for a child in the absence of the child's parents can qualify for TANF. These adults may receive assistance for children in their care and may choose to apply for benefits for themselves. When the non-parental caregiver receives assistance only for the children, the income and assets of the relative caregiver is not considered, and the case is not

subject to the 24-month lifetime limit. This program serves TANF purpose 1 and is funded through TANF and State Maintenance of Effort.

Adults engaged in TANF employment services activities are provided opportunities for education and training for workforce preparation and provided assistance with child care costs so that children can be cared for in a safe environment while their caregivers are participating in such activities.

Child care assistance is available to families who participate in approved work activities such as work, job search, education, or training. Furthermore, child care is offered to eligible families for up to 12 months after their TANF case is closed, with no family share deduction or minimum hours of employment, to assist families in achieving economic stability. If a new child care application is received within two months of losing TANF eligibility, a 12-month eligibility period is established with no family share deduction.

Families receiving TANF are encouraged to apply for health care coverage at the same time they apply for TANF. Families receiving cash assistance and those not receiving cash assistance can apply for the Medical Assistance program.

Families who receive TANF must cooperate with child support services to establish and enforce their child support orders.

Kansas maintains a substance abuse case management program that meets TANF purpose 2 and is funded by TANF:

- This program includes expenditures for screening, assessment, multi-disciplinary care management and individualized care coordination for TANF participants with substance use disorders. This program is designed to assist those with substance use disorders to maintain sobriety to reduce barriers to employment and increase family stability. Income of participants must fall below 30% of the Federal Poverty Level.

Kansas provides a diversion (non-recurrent) payment for qualifying families in lieu of cash assistance. It is designed to assist a family in overcoming a short-term obstacle to employment with the goal of avoiding long-term dependence. This program meets TANF purpose 1 and is funded by TANF.

**2. *Show how the State intends to require a parent or caregiver receiving assistance under the program to engage in work (defined by the State) once the State determines the parent or caregiver is ready to engage in work, or once the parent or caregiver has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier, consistent with the child care exception at 407(E)(2) (Section 402(A)(1)(A)(ii) of the Social Security Act.***

Following TANF approval, the parent or caretaker receiving assistance is assigned to a career navigator. The parent or caretaker will meet work related/self-sufficiency requirements by participating in the TANF Employment Services Program. Specific screenings and assessment tools help identify strengths and barriers to assist in the client/career navigator collaboration for work program assignment. A complete assessment is expected to occur within 90 days of the approval of TANF. Individuals who are determined to be ready for work will be assigned to appropriate activities.

Assignment to such activities is client directed and based on the individual client's skill level, situation and needs.

Additional assessments may occur within the first 12 months of TANF approval and should be initiated by the 8<sup>th</sup> month to assure their completion by month 12. Prior to terminating TANF benefits due to reaching the lifetime time limit, the career navigator will collaborate with the client to increase the likelihood barriers have been identified and addressed.

**3. *Show how the State ensures that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 407 (Section 402(A)(1)(A)(iii) of the Social Security Act).***

Kansas ensures that parents receiving TANF assistance engage in work activities by participating with TANF Employment Services. This program meets TANF purpose 2 and is funded by TANF.

TANF Employment Services provides employment preparation services to TANF cash assistance recipients and to former TANF recipients during the 12-month period following the termination of receipt of cash assistance. The goal of these services is to provide the opportunities for TANF recipients to advance in the labor market and reach self-reliance. Kansas is committed to helping TANF recipients remove employment barriers, improve their employment histories, and improve the quality of their jobs. The expectation is that adults will be engaged in full-time unsubsidized employment before their 24-month lifetime TANF time limit expires.

All adult TANF recipients must meet work requirements to continue receiving cash assistance for their family. Individuals exempt from TANF work related requirements include: a parent or other adult caretaker personally providing care for a child under the age of two months in their TANF household; a person needed to care for a disabled household member; and a person aged 16 to 18 who is not the parent of a child in the home and is pursuing attainment of a high school diploma or equivalent.

TANF recipients are placed in assignments that best address individual needs. Minimum weekly participation requirements for one-adult households are 20 hours for households with a child under the age of six and 30 hours for households with all children six and older. Minimum weekly requirements for two-parent households are 55 hours with 50 of those hours in a primary activity. One or both parents could be assigned a combined total of 35 hours per week (30 of which must be primary activities) if DCF subsidized child care is not utilized by the family. For two-adult households, the maximum assignment is 40 hours per week per individual. Applicants are required to complete a self-assessment and orientation. Each participant is expected to engage in approved work activities once the results of the initial employment assessment process indicate the participant is prepared to engage, but not later than three months after the initial receipt of TANF cash assistance.

Employment preparation services include job search, job-readiness activities, job-retention activities, education, job-skills training, case management, and work experience. Supportive services are also available to TANF recipients and former TANF recipients transitioning to employment. These services include transportation, child care and special services allowance as well as case management, contracted employment services, a work-retention payment, education and training.

Eligibility for Employment Services is limited to those families whose income is less than 30% of the Federal Poverty Level. TANF Employment Services are detailed in Appendix 2.

Minor caregivers under the age of 18 who have not received a high school diploma, or its equivalent are required to engage in appropriate educational activities.

Literacy language programs may be available for those lacking English proficiency.

Child care assistance is available to all TANF participants who engage in approved work activities.

**4. *Show how the State takes reasonable steps it 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 (Section 402(A)(1)(A)(iv) of the Social Security Act).***

According to Kansas Administrative Regulations 30-4-40, data about individuals and families receiving assistance is classified and may not be disclosed. Access to Kansas Eligibility and Enforcement System (KEES) is defined by a security role that is specific to a worker's ID, and access to information is defined and limited by worker job responsibilities.

**Information to be Safeguarded:**

- Names and addresses, including a list of recipients
- Information related to the social and economic conditions or circumstances of a particular individual, including wage information obtained from the agency administering the state unemployment compensation laws, the Social Security Administration, or the Internal Revenue Service
- Agency evaluation of information about a particular individual; and
- Medical data, including diagnosis and past history of disease or disability, concerning a particular individual.

**General Procedures Regarding Disclosure of Information:**

- Determine if the rules and guidelines in this manual section restrict or allow the disclosure of the information.
- Obtain clearance from a supervisor or area director, and/or agency attorney before disclosing information when there is doubt about the legitimacy of its disclosure.
- Temporarily restrict the disclosure of information until:
  - The records can be arranged, so as not to disclose non-requested or other privileged information.
  - Adequate supervision of the record can be provided when the request is for case record inspection or copying.
  - Required or requested clearance or consent to disclose the information has been received.
- Document in the case record what information was disclosed, to whom, and the date of disclosure.

Exception: Information disclosed to DCF employees in the performance of official duties.

**Case Information Made Available to the Participant:**

Information entered in the case record, unless already purged, is made available for inspection and copying upon request of the participant or the participant's guardians at a time mutually agreeable to the agency and client or guardian, except as set forth below:

- Case information is not disclosed over the telephone.
- Information provided by other DCF programs, such as Supplemental Nutrition Assistance Program, Rehabilitation Services, and non-medical mental health providers is not made available to the participant.
- Second party information (medical, psychiatric or investigative reports, social histories, summaries, evaluations, school records, etc.) compiled and provided by medical practitioners or non-DCF professionals/agencies and DCF summaries of these documents are not released.
- When a specific request for disclosure of second-party information is received, the participant/guardian is advised that the information must be obtained directly from the practitioner, professional or agency that compiled the information, unless the second party provides DCF with a signed written consent to disclose the information.
- The names and addresses of complainants or informants are not made available to the participant.

**Case Information Available to DCF Employees:**

Case information is disclosed to DCF employees only when the information is needed in the performance of official duties.

- Information is not disclosed over the phone, unless the caller has adequately identified himself/herself by name, DCF position and place of DCF employment.
- Information concerning a recipient is not disclosed to another DCF employee without the signed written consent of the recipient unless the purpose of such disclosure relates to the administration of a State or federally assisted program that provides assistance, in cash or in kind, or services directly to individuals on the basis of need for which the employee is responsible.
- When there is some question as to the disclosure of information to another DCF employee, the question is referred to the DCF Regional Director for clearance.

**Case Information Available to Non-DCF Employees/Sources:**

All case information is disclosed to auditors performing official auditing duties after they have adequately identified themselves by showing official identification credentials.

Information may be disclosed to non-DCF employees/sources (courts, legislators, defense attorneys, prosecuting attorneys, police offices, FBI agents, doctors, service agencies, landlords, creditors, loan agencies, relatives, news media, etc.), if such disclosure is based upon one of the following situations:

- When the participant/guardian consents to disclosure in writing and has been granted access to the information to be disclosed (Exception: information may be disclosed without written consent of the participant/guardian in emergency situations, such as death, confirmed abuse, neglect, exploitation, and accident, if disclosure is deemed to be in the best interest of the participant).
- When the disclosure of information is directly connected to the administration of DCF programs, such as establishing eligibility and providing services, which include obtaining services from non-DCF agencies/individuals through purchase or without cost.

Following are some guidelines for disclosure under this situation:

- Only that information necessary to accomplish the purpose of the disclosure is disclosed.
- Second party information is disclosed only when written, signed permission is obtained from the individual/agency who compiled and submitted the information to DCF.
- Information is disclosed to individuals or representatives of non-DCF welfare agencies or programs only when they give assurances that:
  - The confidential character of the information will be preserved.
  - The information will be used only for the purpose for which it is made available.
  - The standards of confidentiality established by the non-DCF agency/individual requesting the information must be at least equal to those established by DCF itself with regard to information by staff and the provision of office procedures regarding confidentiality. These assurances are provided when there is a service contract with DCF.
  - When disclosure concerns the intent of a participant to commit a crime, such information, and the information necessary to prevent the crime is disclosed to the appropriate authorities
  - When the disclosure is directly connected to an investigation, prosecution or civil proceeding conducted in connection with the administration of DCF programs
  - When the disclosure is authorized by a state plan/agreement developed by DCF in accordance with the federal Social Security Act or any other federal programs providing federal financial assistance and services; for example, SSI, OASDI, Title I - Department of Education, federal auditors

Rules on the disclosure of information are found in Appendix 5.

**5. Show how the State establishes goals and what action it takes to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies, and**

***what numerical goals are established for reducing the illegitimacy ratio of the State (Section 402(A)(1)(A)(v) of the Social Security Act).***

Kansas's emphasis is on preventing and reducing the incidence of out-of-wedlock pregnancies, as well as encouraging the formation and maintenance of two-parent families, particularly among teens and young adults who are less likely to be married or prepared to care for a child.

Kansas is directing TANF funds, under TANF purposes 3 and 4, to programs such as Jobs for America's Graduates – Kansas and the Kansas Alliance of Boys & Girls Clubs. Understanding individuals with a high school diploma are less likely to have children out-of-wedlock, these programs focus on keeping high-risk children in school by providing academic assistance, mentorships, and real-life skill building opportunities. Goals for these programs include 90% high school graduation rates, 80% positive outcomes (employment, enlistment in military or enrolled in higher education) after graduation, increase in school attendance and academic scores, reduction in school suspensions, increased knowledge of the benefits of sexual abstinence, and reduction in contact with the juvenile justice system.

**Sparkwheel** (formerly known as Communities in Schools of Mid-America (CIS)) partners with Kansas school districts that form the foundation for the Igniting Student and Family Success which provides a two-generational framework that address improved student outcomes by tweaking its services based on existing resources and identified gaps. Sparkwheel addresses desired outcomes referenced in the "ChildTrends" data to move the whole family forward by helping to end intergenerational poverty. Students and families are connected to appropriate and valuable community resources enabling families to progress toward a more stabilized living environment. This program is TANF funded and meets TANF purposes 1 and 2. TANF funded services are limited to families whose income is less than 200% of the Federal Poverty Level.

**Jobs for America's Graduates – Kansas (JAG-K)** helps students at risk of failing in school by providing an avenue for students to achieve academically and by assisting students in ultimately earning recognized credentials that will make it possible for them to exit school and enter post-secondary education and/or the workforce. Services provided meet TANF purpose 3 by providing intervention and improved life prospects for students who show evidence of failing, dropping out or engaging in negative behaviors that can lead to dependency, out-of-wedlock pregnancies, imprisonment, or other undesirable outcomes. Eligible participants are at risk for perpetuating a cycle of poverty due to experiencing academic, personal, environmental, or economic barriers. Through the JAG-K Transition Services program supports are provided to foster care youth within the schools to increase the likelihood these students successfully complete high school and are prepared to continue their education or enter the workforce. This program is TANF funded and meets TANF purpose 3.

**Kansas Alliance of Boys & Girls Clubs (BGCA)** provides evidence-based and informed prevention programming in three primary categories: BGCA youth development, BGCA targeted programs, and family engagement. The foremost strategy of these is the Boys & Girls Club evidence-informed youth development approach, which provides:

- Club environments that are safe, structured, fun, and inclusive
- Supportive relationships with caring adults and positive peers
- Activities that build on youth strengths and foster a sense of belonging and competence

A second strategy is intentionally engaging youth in targeted programs that are sequenced learning experiences with specific objectives for building skills and knowledge, designed to help youth achieve positive outcomes in one or more of the Boys & Girls Clubs of America Formula for Impact outcome areas: Academic success, Health & Wellness, and Good Character & Citizenship. Youth



are engaged in targeted programs based on need, interest and/or risk factors present in their lives. Targeted programs complement the less structured and recreational programming offered by clubs, ensuring youth have a well-rounded, enriching, and engaging experience.

The third strategy is family engagement. Clubs are designed to be welcoming places for family members, including parents, guardians, siblings, and extended family of youth served. Club staff engage Family members on an ongoing basis to learn about their children's needs and challenges, share ideas and progress, and connect them with resources. This program is TANF funded and meets TANF purposes 1 through 4. TANF funded services meeting TANF purposes 1 or 2 are limited to families whose income is less than 200% of the Federal Poverty Level.

Additional direct grants to the following service providers are part of the state's efforts to achieve these goals:

- Expenditures under the **Family Emergency Assistance** State Plan, which went into effect July 1995, are authorized solely under prior law, are TANF funded, and impose the following eligibility requirements and service limits:
  - **Eligibility.** Abuse, neglect, and abandonment of a child qualify as emergency situations. Similarly, situations resulting in a child being at risk of transfer of custody, an out-of-home placement or an institutional placement qualify as emergencies. In addition, the child must have lived recently with a parent or caretaker. Foster care cases qualify for emergency services. Services and assistance necessary to meet the emergent need are allowable if the assistance is not provided under Title IV-E foster care services or Title XIX Medicaid services.
  - **Allowable Services for TANF Expenditures.** The following services are provided to children and families:
    - Needs assessment and investigation
    - Shelter, foster care, kinship care, or group residential care for children
    - Emergency shelter
    - Rental assistance (up to \$400 per month for two months; also, rent deposit up to \$400)
    - Adaptation of client residence
    - Emergency utilities (up to \$500), home repair (up to \$1,000), home furnishings (up to \$1,000), clothing (up to \$250 per person)
    - Other goods and services to meet emergent family needs up to \$1,000
    - Case management, counseling, therapy, in-home intensive family services, parenting education, household management training, family support and development services, child care and respite care, and any other social services necessary to alleviate an emergent situation and maintain a child in the home.
  - **Duration of Services.** Emergency services are limited to a maximum of 364 days in a 12-month period.
- **Family Preservation Services** are intensive in-home services offered to families who are in imminent danger of having a child come into the custody of the State and removed from the home unless the family can make the changes necessary to provide the child adequate care and safety. Families must be below 244% of the Federal Poverty Level to qualify for TANF funding for Family Preservation. Services assist the family in identifying and understanding the problems

within the family that place a child at risk of out-of-home placement and assist participants in finding ways to change how the family unit functions resulting in positive outcomes. It is the expectation that the delivery of services will decrease the number of children placed in foster care and maintain intact troubled families without additional costly services. There are no work requirements for program participants. Each contracted Family Preservation agency provides Evidence Based Programs under two tiers of services. Tier One is an intensive four to six-week program with a master's-level provider. Tier Two is a three to six-month program with services from a bachelor-level case manager and a family support worker.

Examples of the services provided for family preservation include the following:

- In-home family therapy
- Individual therapy
- Case Management
- Custody supervision
- Parenting education
- Advocacy

These services are TANF funded and meet TANF purpose 1.

- The ***Family Preservation TANF program*** provides coaching and support to children and youth between the ages of seven and 18 who are exhibiting behaviors known to lead to truancy or are actively struggling to attend school. Services include mentoring, teaching coping strategies, social skills and approaches to appropriately manage family issues. The program meets TANF purpose 3 by preventing behaviors that can lead to dependency, out-of-wedlock pregnancies, imprisonment, or other negative outcomes. This program is TANF funded and meets TANF purpose 3.
- ***Healthy Families America*** is an early childhood home visitation program focused on serving children beginning at birth and continuing to age three. The purpose of this grant is to promote child and family well-being by strengthening families. Intensive home visitations are part of this program. Services are limited to families who are at risk and low income. This program is TANF funded and meets TANF purpose 4.
- ***International Rescue Committee (IRC) – Trauma Adapted Family Connections (TA-FC)*** is an evidence-based, manualized intervention that addresses trauma, helps families achieve and maintain safety and stability, and reduces the risk of child abuse and neglect. The intervention is community based, and family focused, and is based on attachment theory, neglect, trauma, and family interaction. Their Community Connections program uses 2 Gen approaches that provide child-centered, family-based programming that meets the needs of all family members. It uses different strategies to increase stability, grow social connections, decrease maltreatment risk, and moves families towards personal and family goals. These strategies are Trauma Informed Comprehensive Case Management, Trauma-Adapted Family Connections (TA-FC), and Group Support and Skill Building. This program is TANF funded and meets TANF purpose 4.
- The ***Kansas Early Head Start (KEHS)*** program provides early, continuous, intensive and comprehensive child development and family support services to families, pregnant women, and

children. Services provided include promoting healthy prenatal outcomes for pregnant women; aiding in-school readiness by enhancing children’s physical, non-medical mental and oral health, nutrition, early childhood education; financial literacy, strengthening family engagement; healthy relationship training; job skills training. These services are provided through home visits with home-based providers. KEHS grantees are required to ensure their program is supportive and nurturing of families and responds to their needs. Care given must meet the needs of the individual child and be sensitive to the cultural, linguistic, and familial needs. The KEHS program provides direct services to families with incomes below 100% of the Federal Poverty Level. Ten percent of the enrollment is reserved for children with special needs. Services to special-needs children are not limited to families with incomes below 100% of poverty. This program is TANF funded and meets TANF purpose 1 and 3.

- The overarching focus of **Kansas Preschool Pilot (KPP)** is to use research-based and intentional practices to improve the quality of the early learning experiences provided to children participating in the Kansas Early Learning program resulting in increased readiness for success as students enter kindergarten and the elementary school years. The model has four components, each of which is based upon research and evidence, and has been shown to support quality in early learning and promote later success in school.
  - Community Collaboration
  - Family Engagement
  - High Quality Early Learning Experiences
  - Successful Children

This program is TANF funded and meets TANF purpose 3.

- **KVC Behavioral Healthcare** provides services in twenty-eight counties within Kansas. Services focus on engaging at-risk families and improving social and health outcomes associated with poverty including social determinants of health, financial literacy, and social support networks. Case management and crisis stabilization services are offered to participating families to increase opportunities for families to experience positive outcomes. Their 2Generation project intends to target five known risk factors (Knowledge of Parenting, Parental Resilience, Concrete Support in Times of Need, Social Connections, and Social and Emotional Competence of Children) for children and families living in poverty and will assess and address each area that is determined to be an area of need. This program is TANF funded and meets TANF purposes 1 and 2. TANF funded services are limited to families whose income is less than 200% of the Federal Poverty Level.
- 2Generation Initiatives, effective 07/01/2024, include providers such as Connections to Success, Children’s 1<sup>st</sup>, Foster Adopt Connection, Inc., The Mirror, The Mental Health Association of South-Central Kansas (MHASCKS), and O’Connell Children’s Shelter provide programming and services to at risk youth and families across Kansas.
  - ❖ **Children’s 1<sup>st</sup>** 2Gen model impacts both parents and children who are living in poverty by means of a three-generational approach and a combination of services that are evidence-based or evidence-informed and other supports. Senior citizens serve in a “grandparent role” and will mentor, encourage, and follow families through their journey of poverty. Priority is given to families experiencing or in danger of experiencing a housing crisis and families experiencing poverty. This program is TANF funded and meets TANF purpose 1. TANF funding for this initiative is effective

07/01/2024. TANF funded services are limited to families whose income is less than 200% of the Federal Poverty Level.

- ❖ **Foster Adopt Connect, Inc.** utilizes a Kinship Navigator Program to combat intergenerational poverty by supporting relatives and kin taking placement of children who would otherwise be placed with strangers in foster care. The goal of this program is to build safety for children by meeting immediate needs of the kinship family, providing the most permanent home for children by stabilizing the kinship family, and meeting the wellbeing needs of the children by increasing kinship family's capacity. This program is TANF funded and meets TANF purpose 1. TANF funding for this initiative is effective 07/01/2024. TANF funded services are limited to families whose income is less than 200% of the Federal Poverty Level.
- ❖ **O'Connell Children's Shelter's** One Complete Solution Generations program (OCS) in addition to the evidence-based Homebuilders programming model tackles the problem of intergenerational poverty through a family focused approach that includes services for both parents and children as well as resources that will help the family as a whole to move towards economic stability. With the possibility that child maltreatment cases may occur due to poverty or homelessness, OCS seeks to work with families to prevent a potential for out-of-home placement. This program is TANF funded and meets TANF purposes 1 and 2. TANF funding for this initiative is effective 07/01/2024. TANF funded services are limited to families whose income is less than 200% of the Federal Poverty Level.
- ❖ **Connections to Success (CtS)** programming consists of five strategies and services included in the Ascend/Aspen Institute's 2 Generation approach by building social capital, provide post-secondary education/training and career pathways, provide housing assistance and other resources to meet emergencies and ongoing basic needs, strengthening early childhood development, provide support for benefits enrollment and referrals to health and mental service providers. This program is TANF funded and meets TANF purposes 2 and 4. TANF funding for this initiative is effective 07/01/2024. TANF funded services provided under TANF purpose 2 are limited to families whose income is less than 200% of the Federal Poverty Level.
- ❖ **The Mirror** provides programming and services to support the formation and maintenance of two-parent families in Kansas through healthy relationship skills training, parenting connections training, prosocial leisure, and educational activities as well as Personal and Professional Development (PPD) courses. PPD will assist unemployed and underemployed with employment, achieving financial independence and providing stable homes for their children. This program is TANF funded and meets TANF purpose 2 and 4. TANF funding for this initiative is effective 07/01/2024. TANF funded services provided under TANF purpose 2 are limited to families whose income is less than 200% of the Federal Poverty Level.
- ❖ **Mental Health Association of South-Central Kansas Inc.** uses the "Together We Can" program which focuses on familial case management, family mentoring, parental and familial education, and access to mental health/or substance use treatment. This program is TANF funded and meets TANF purpose 4. TANF funding for this initiative is effective 07/01/2024.

**6. Show how the State conducts 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 (Section 402(A)(1)(A)(vi) of the Social Security Act).**

Kansas Coalition Against Sexual & Domestic Violence (KCSDV) provides training and technical assistance to professionals working in an array of disciplines across Kansas including local rape crisis centers and local law enforcement agencies. Training topics include the definition and implications of statutory rape in Kansas. KCSDV works to increase awareness of the personal and societal impacts of sexual and domestic violence.

DCF awards TANF funded grants to domestic violence and sexual assault (DV/SA) agencies throughout the state. These agencies provide training such as Domestic Violence 101, Human Trafficking 101, Sexual Assault 101 and Stalking 101 to law enforcement and DCF staff. They also train on lethality assessments in counties following a lethality assessment protocol that involves contacting the local DV/SA agency when responding to domestic violence and sexual assault related calls. Agencies provide regular trainings to local law enforcement at police academies, and as requested, to counseling and educational systems.

DV/SA agencies make available to educational systems interactive trainings such as Friendship Bill of Rights, Love Em or Leave Em, and In Their Shoes. These activities require educators to assume the role of students to better understand the pressures and secrets adolescents may keep when in abusive relationships. The trainings, Red Flags of Abusive Personalities and Domestic Violence 101 are appropriately adapted to address individuals with disabilities and are made available to special education departments within educational systems. Agencies also facilitate discussions with school-aged children and adults of all genders in group sessions on topics including consent and sexual disrespect, statutory rape, enthusiastic yes, threats, manipulation coercion, and birth control sabotage. Birth control sabotage is a pregnancy-promoting behavior of abusive male partners; it is a method of domestic violence and is associated with unwanted pregnancy, particularly in adolescents. Agencies provide relevant information to law enforcement, educational systems, and counseling services regarding Violence Against Women Act protections so that survivors can be made aware of their rights as victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking. One DV/SA agency facilitates discussions on these topics and more during Monday Meets and Community Conversations broadcasted via Facebook to allow stateside reach.

**7. Outline how the state implements policies and procedures as necessary to prevent access to assistance provided under the State program funded under this part through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 408(a)(12), including a plan to ensure that recipients of the assistance have adequate access to their cash assistance (Section 402(A)(1)(A)(vii) of the Social Security Act).**

Cash recipients will continue to have adequate access to benefits. The current Kansas Benefits Card contractor is required to ensure access within 25 miles to any recipient and provide at least one point of access in every county. No transactions will be allowed at Merchant Category Code sites identified as restricted. ATM and POS sites would be utilized to ensure benefit access in remote areas. There is no place in Kansas where there is not adequate access for use of an Kansas

Benefits Card, however, we continually monitor if any restrictions placed on benefits adversely affect adequate access to benefits. If an access desert is identified, DCF will resolve on a case-by-case basis.

**Limitations on Use of TANF Cash Assistance.** Kansas has implemented a policy stating no TANF cash assistance may be transacted/used in any retail liquor store, casino, gaming casino, gaming establishment, jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, pari-mutuel facility, or sexually oriented business or any retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any business or retail establishment where minors under age 18 are not permitted. No TANF cash assistance benefits may be used to buy alcohol, cigarettes, tobacco products, lottery tickets, concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public or sexually oriented adult materials.

No TANF cash assistance shall be used for purchases at points of sale (POS) outside the state of Kansas. The Fraud Navigator will be utilized to block out of state points of sales transactions.

Kansas is contracting with FIS Government Payment Services and its Fraud Navigator Cash Blocking capability. The Fraud Navigator allows for identification of usage by a client and transaction blocking by establishment.

The Fraud Navigator tools are based on:

- Merchant Category Codes (MCC) (liquor stores, casino, etc.)
- ATM Terminal IDs (located in casinos, adult entertainment sites, etc.); and
- Point-of-Sale terminal IDs (liquor store located in a grocery store; the terminal located at the liquor store would be blocked).

The Fraud Navigator also allows for monitoring and reporting on benefits used for restricted transactions.

The Kansas Benefits Card Project Team regularly meets with the vendor to implement the Fraud Navigator software and enforce restrictions placed on benefits. The Kansas Benefits Card Project Team continues to identify and prioritize the best use of these newly obtained tools.

- 8. *Outline how the state ensures that recipients of assistance provided under the State program funded under this part have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and surcharges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available (Section 402(A)(1)(A)(viii) of the Social Security Act).***

ATM transactions are assessed a fee of \$1, not including the bank's ATM fee. Clients receive two free POS transactions per month. Additional POS transactions cost an additional 40 cents per

transaction. No fees are charged for a cash purchase or for cash back received while making a purchase. Clients may also purchase a money order as a cash purchase or as a separate purchase after receiving cash back from the retailer. A Kansas Benefits Card brochure is provided with each Kansas Benefits Card outlining usage, policy and fees associated with the use of the Kansas Benefits Card.

## **B. Special Provisions**

- 1. Indicate how Kansas 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 (Section 402(A)(1)(B)(i) of the Social Security Act.***

To be eligible for benefits, persons moving to Kansas from another state must have established state residency and will be treated no differently than Kansas residents. They will be eligible for the same benefits and services. Their need and payment standards will be identical to those of other Kansas residents in the same county with the same household size.

- 2. 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 (Section 402(A)(1)(B)(ii) of the Social Security Act.***

Kansas will provide TANF-funded assistance to all qualified non-citizens-per the provisions of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act, as amended (8 U.S.C. 1641), if they meet all other program eligibility. Non-excepted qualified aliens arriving on or after Aug 22, 1996, are barred from receiving TANF assistance for their first five years in the United States. Once the five-year waiting period has expired, those qualified aliens will be eligible for TANF-funded assistance. Eligible non-citizens will have eligibility and benefits determined in the same manner as citizens.

- 3. Outline the 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 (Section 402(A)(1)(B)(iii) of the Social Security Act.***

Current and former applicants/recipients or other interested persons (including vendors) who are dissatisfied with any action concerning the furnishing or denial of TANF assistance have the right to conciliation, an administrative review, a fair hearing, and a review by the State Appeals Committee. Once those avenues have been exhausted, the matter may be appealed to the district court. The appeal process is detailed below:

**Eligibility.** TANF eligibility is restricted to those families whose resources and countable income do not exceed budgetary standards. In determining countable income, consideration is given to the income of all mandatory filing unit members, including parents, stepparents, and cohabiting partners of the legally- responsible adult in the home and all children of the parents, stepparents and cohabiting partners in the home and their natural or adopted siblings (recipients receiving SSI

benefits are excluded). Other persons in a household may be included at the household's discretion if they are related by blood or marriage within the degree of relationship specified in the Kansas Economic and Employment Services Manual (KEESM) or a legal guardian, conservator, or custodian. If included, their income and resources are also considered. All school-age children, between the ages of seven and 18, must be enrolled in school, including home schooling, for the family to be eligible for assistance.

**Time Limit.** With the exception of households receiving a diversion payment, eligibility for TANF ceases once one adult in the family has received TANF cash assistance for 24 months, whether or not consecutive. Members of households receiving a diversion payment are limited to a lifetime maximum of 18 months of assistance. Cases that have closed after reaching the 24-month time limit in another state are ineligible for TANF cash assistance in Kansas, unless they meet a hardship as defined in the first four hardships listed below.

The State will provide hardship exemptions, up to a maximum of an additional 12 months, to the time limit for TANF households based on the following criteria:

1. Is a caretaker of a disabled family member living in the household
2. Has a disability that precludes employment on a long-term basis or requires substantial rehabilitation
3. Needs a time-limit extension to overcome the effects of domestic violence/sexual assault
4. Is involved with Prevention and Protection Services (PPS) and has an open social service plan verified by PPS
5. Is determined by the 24<sup>th</sup> month to have a hardship other than what is designated in criteria 1-4

**Appeal Rights/Process.** Current and former applicants/recipients, or other interested persons (including vendors) who are dissatisfied with any action concerning the furnishing or denial of TANF assistance have the right to conciliation, an administrative review, a fair hearing, and a review by the State Appeals Committee. Once those avenues have been exhausted, the matter may be appealed to the district court.

**Request for Fair Hearing.** A request for an administrative review must be made within 30 days of the agency decision.

- Every participant is informed in writing of the right to a fair hearing and the method of obtaining such a hearing on the notice of action and at the time of any subsequent action affecting social services.
- A request for a fair hearing must be submitted in writing within 30 days of the agency decision to the Administrative Hearings Section or to the local/regional office.
- The local DCF office must submit to the Administrative Hearings Section an appeal summary within 15 days of the receipt of the request. The summary must set forth the following information:
  - Identifying information, including the participant's name, address, sex, age, members of the household and telephone number
  - Name(s) and title(s) of local staff who will represent the agency at the hearing



- A concise summary stating why the participant is filing a request for a fair hearing
  - A brief chronological summary of the agency's action(s) in relationship to the participant's request for a fair hearing
  - A citation of applicable policies relied upon by the local/regional office
  - A copy of the notice sent to the participant of the decision/action in question; and
  - Copies of applicable correspondence, service plans, etc.
- Services will not be suspended, reduced, or discontinued if a fair hearing request is received prior to the effective date of action (but is subject to recovery by the agency if its action is sustained), until an initial decision of the hearing officer is rendered in the matter, unless:
    - The request for a hearing concerns the suspension of program payments to a provider
    - A change (except the matter under appeal) affecting the recipient's service eligibility status occurs while the hearing decision is pending, and the recipient fails to request a hearing after notice of the change.

In any case where action was taken without timely notice, if the recipient requests a hearing within 10 days of the mailing of the notice of the action, and the agency determines that the action resulted from other than the application of federal or State law or policy or a change in federal or State law, services shall be reinstated and continued until a decision is rendered, except as set forth above.

Recipients are promptly informed in writing if services are to be terminated pending the fair hearing decision.

- The fair hearing decision is implemented on the 18th day following the decision being mailed to the client and local/regional office, unless an application for review is filed by the participant with the State Appeal Committee within the 15-day period unless otherwise advised by counsel. The fair hearing decision shall be automatically stayed until the application for review is disposed.
  - When the hearing decision is favorable to the participant, the agency promptly makes corrective payments from the date the incorrect action was taken.
  - When the hearing decision upholds agency action, any overpayment made during the fair hearing process is recovered.

**Dismissal of Request for Fair Hearing.** A request for Dismissal of a fair hearing request is solely a function and duty of the Administrative Hearing Section. Dismissal can occur if:

- The request is received more than 30 days from the date of decision or requests for agency action.
- The request is withdrawn by the applicant.
- The request concerns the validity of a federal or State law, regulation.

- An appellant, without good cause, fails to appear (by himself/herself or by an authorized representative) at the hearings scheduled for the appellant.
- The request concerns an issue that the appellant is already raising against the agency in a court of law.

See *Kansas Administrative Regulations 30-7-64 through 30-7-79*

**Court Testimony.** If staff members are served with subpoenas or other court orders to produce records and/or testify in court concerning client information that is not authorized to be disclosed, they shall:

- Notify legal staff
- Appear with the records, subpoenas, if any, at the time and place stated in the subpoena unless otherwise instructed by a DCF attorney
- Make the following statement (after being sworn in) in response to the first material statement: “The information you seek is confidential and privileged, and I am authorized to disclose that information only upon an order from the court to do so”
- Provide the court and each attorney with a copy of the statement that also includes, the references; and
- Testify further according to the ruling and instructions of the court.

**Unauthorized Disclosure of Confidential Information.** A DCF employee who knowingly discloses confidential information concerning an applicant or recipient (present or past) in violation of the provisions set forth in this section is subject to:

- Appropriate disciplinary action (official reprimand, suspension, demotion, dismissal, etc.).
- Criminal prosecution, and if convicted, may be fined up to \$1,000 and/or sentenced to the county jail for a period not to exceed six months.

- 4. *No later than 1 year after the date of enactment of this section, 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 (Section 402(a)(1)(B)(iv) of the Social Security Act.***

Kansas opts out of the Community Service Option which requires a parent or caretaker receiving TANF assistance to participate in community service employment after receiving such assistance for a period of two months. Kansas also opts out of the Family Violence Option which allows abuse survivors a waiver from certain program requirements if compliance would place the survivor in jeopardy. Kansas will continue to count the months of assistance that could qualify for such waivers in the 24-month lifetime TANF time limit. However, individuals who need an extension of time to

overcome the effects of sexual harassment, domestic violence, sexual assault, or stalking may remain on assistance up to 36 months.

**5. Certification that the State will provide information to victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking (Section 402(7))(B) of the Social Security Act.**

**Domestic Violence Services** meets TANF purpose 1. It is a state program that ensures that applicants and potential applicants for TANF are notified of assistance made available by the State to victims of sexual harassment, survivors of domestic violence, sexual assault, or stalking by screening for, identification of, sexual harassment, domestic violence, sexual assault, or stalking:

- ES-3100 Application for Benefits contains language to inform applicants and potential applicants to disclose if they are in danger from situations of sexual harassment, domestic violence, sexual assault, or stalking. It also includes guarantees of confidentiality, at the interview stage. Eligibility staff and Employment Services staff will screen for sexual harassment, domestic violence, sexual assault, or stalking during the interview process and provide referral for local services if indicators are identified. Good cause exemption from program rules and available resources that include how their information will be kept confidential is provided.

The purpose of this program is to provide TANF funding to community partners for victims of sexual harassment, domestic violence, sexual assault, or stalking and includes outreach services. Services provided include safety planning, counseling, mentoring, mediation services, conflict resolution training, financial literacy training, responsible parenting skills, and healthy relationships training. Eligibility for TANF participants is limited to those families whose income is less than 30% of the Federal Poverty Level.

Services are provided by Catholic Charities, Inc. (Diocese of Wichita), Friends of Yates, Inc., SafeHome, Inc., The Willow Domestic Violence Center, YWCA/Center for Safety and Empowerment.

Kansas promotes the Safe at Home (SaH) Program administered by the Attorney General's Office that offers a statewide address confidentiality program to help survivors of domestic violence, sexual assault, stalking, or human trafficking who fear for their safety by providing an alternate address for people who move or are about to move to a new location unknown to their aggressors.

**Domestic Violence Training** is TANF funded and meets TANF purpose 3 and 4. The purpose of this training is to ensure that applicants and potential applicants for assistance are notified of assistance made available to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking and will ensure that all eligibility, employment services, and agency personnel responsible for administering TANF are trained in:

- The nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking
- Standards and procedures relating to the prevention of and assistance for individuals who are victims of sexual harassment and domestic violence, sexual assault, and stalking

- The methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment and domestic violence, sexual assault, and stalking

Definitions:

- **Sexual Harassment:** Type of unwelcome sexual advances, request for sexual favors, uninvited stories/fantasies, and other verbal or physical harassment of a sexual nature in the workplace, learning, or public environment. Sexual harassment does not always have to be specifically about sexual behavior or directed at a specific person. For example, negative comments about women as a group may be a form of harassment. Although sexual harassment laws do not usually cover teasing or offhand comments, these behaviors can also be upsetting and have a negative emotional effect.
- **Domestic Violence:** Pattern of coercive, controlling behavior that can include physical abuse, emotional or psychological abuse or financial abuse (using money and financial tools to exert control). Since domestic violence can include sexual assault, the two definitions can overlap
- **Sexual Assault:** Type of sexual contact or behavior that occurs without consent of the recipient. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity.
- **Stalking:** Pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking is a dangerous and can often cause severe and long-lasting emotional and psychological harm to victims. Stalking often escalates over time and can lead to domestic violence, sexual assault, and even homicide. Stalking can include frightening communications, emails electronically, direct, or indirect threats, and harassing a victim through the internet.

A comprehensive 2-tiered training has been developed and will be provided beginning March 2023.

- Tier 1 training can be accessed through the Kansas Learning and Performance Management system as an on-demand 1-hour virtual (online), self-driven course. Eligibility staff and agency personnel (as determined) must complete this training.
- Tier 2 training is an extensive one-day facilitator-led in-person or virtual training. This training must be completed by staff who provide intensive case management, such as Employment Services.

# State Maintenance-of-Effort Program

State of Kansas

Fiscal Year 2022

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1. Name of Service Program: ***Child Care Assistance for TANF Families***

2. Description of the Major Program Benefits, Services, and Activities:

Child Care is provided to TANF families as a support service to enable the adult to participate in work activities, education or training. Child care for TANF families is limited to those whose income is less than 30% of the Federal Poverty Level.

3. Purpose(s) of Benefit or Service Program:

Child Care Assistance provides financial support to families to assist with child care costs. Families must show a personal need for child care such as employment, education or training. To qualify for this program, families' income must be at or below 250% of the Federal Poverty Level at or below 85% of the state median income. The Child Care Assistance program promotes family economic self-reliance and helps children succeed in school and in life through affordable, high-quality early care and education and after School programs.

4. Program Type: This program serves TANF purpose 2

5. Total State Expenditures for the Program for the Fiscal Year: \$3,283,074

6. Total State MOE Expenditures for the Program for the Fiscal Year: \$3,283,074

7. Total Number of Families serviced with MOE Funds: 375

1. Name of Service Program: ***Child Care Assistance for Employed Families***

2. Description of the Major Program Benefits, Services, and Activities:

This program provides financial support to families to assist with child care costs. Families must show a personal need for child care such as employment, education or training. To qualify for this program, families' income must be below 250% of the Federal Poverty Level.

3. Purpose(s) of Benefit or Service Program:

The Child Care Assistance for Employed Families program promotes family economic self-reliance and helps children succeed in school and in life through affordable, high-quality early care and education and after school programs.

4. Program Type: This program serves TANF purpose 2

5. Total State Expenditures for the Program for the Fiscal Year: \$3,389,950

6. Total State MOE Expenditures for the Program for the Fiscal Year: \$3,389,950

7. Total Number of Families serviced with MOE Funds: 5,534

1. Name of Service Program: ***Family Preservation***

2. Description of the Major Program Benefits, Services, and Activities:

Family Preservation Services are intensive in-home services offered to families who are in imminent danger of having a child come into the custody of the State and removed from the home unless the family can make the changes necessary to provide the child adequate care and safety. Families must be below 244% of the Federal Poverty Level to qualify for TANF funding for Family Preservation. Services assist the family in identifying and understanding the problems within the family that place a child at risk of out-of-home placement and assist participants in finding ways to change how the family unit functions resulting in positive outcomes.

The Family Preservation TANF program provides coaching and support to children and youth between the ages of seven and 18 who are exhibiting behaviors known to lead to truancy or are actively struggling to attend school. Services include mentoring, teaching coping strategies, social skills, and approaches to appropriately manage family issues.

3. Purpose(s) of Benefit or Service Program:

The Family Preservation Services' expectation are that the delivery of services will decrease the number of children placed in foster care and maintain intact troubled families without additional costly services. There are no work requirements for program participants. Each contracted Family Preservation agency provides Evidence Based Programs under two tiers of services.

The Family Preservation TANF program prevents behaviors that can lead to dependency, out-of-wedlock pregnancies, imprisonment, or other negative outcomes.

4. Program Type: This program is operated separate from the TANF program and serves TANF purpose 1 and 3

5. Total State Expenditures for the Program for the Fiscal Year: \$3,478,939

6. Total State MOE Expenditures for the Program for the Fiscal Year: \$108,502

7. Total Number of Families serviced with MOE Funds: 19

1. Name of Service Program: ***Four-Year-Old At-Risk***

2. Description of the Major Program Benefits, Services, and Activities:

This program is available for families who meet one of the following criteria:

- The custodial parent is unmarried
- At least one parent was a teen when the child was born
- The child was referred by DCF, Prevention and Protection Services (PPS)
- At least one parent lacks a high school diploma or GED
- The child is developmentally or academically delayed, based on validated assessment
- The child has limited English proficiency

3. Purpose(s) of Benefit or Service Program:

This program provides early childhood education programs for four-year-old, at-risk children. The objectives of this program are to help preschool children acquire the tools necessary to successfully transition to kindergarten, increase parent participation during the elementary years, reduce the number of at-risk children retained in grade during their primary school years and reduce the number of at-risk children who are referred for special education evaluations. Income of eligible families falls below 130% of the Federal Poverty Level.

4. Program Type: This program is operated separate from the TANF program and serves TANF purpose 1

5. Total State Expenditures for the Program for the Fiscal Year: \$35,546,360

6. Total State MOE Expenditures under the Program for the Fiscal Year: \$21,683,280

7. Total Number of Families serviced with MOE Funds: 5,803



1. Name of Service Program: ***State Earned Income Tax Credits***

2. Description of the Major Program Benefits, Services, and Activities:

Kansas provides a State Earned Income Tax credit (EITC) to low-income families who meet the eligibility guidelines for the federal earned income tax credit. The State EITC is based on a percentage of the federal earned income tax credit.

3. Purpose(s) of Benefit or Service Program:

This tax credit serves as an incentive for adults to work and, thereby, reduce dependency on public assistance. The State claims Maintenance of Effort (MOE) from the amount of the State EITC which is refunded to families less the estimated portion that is subject to State debt setoff. EITC is limited to working families with low to moderate income level, based on Internal Revenue Service (IRS) tax rates.

4. Program Type: This program is operated separate from the TANF program and serves TANF purpose 2

5. Total State Expenditures for the Program for the Fiscal Year: \$52,660,253

6. Total State MOE Expenditures under the Program for the Fiscal Year: \$34,996,238

7. Total Number of Families serviced with MOE Funds: 77,878

**Fair and Equitable Treatment:**

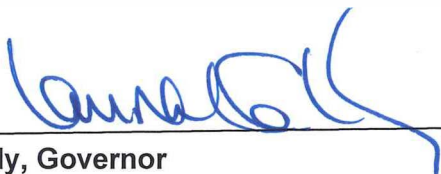
Eligibility for assistance is based on financial and non-financial factors that are the same statewide. A statewide matrix of benefit levels, as established by Kansas Administrative Regulation, are used to determine the amount of assistance for each eligible family. Eligibility guidelines and benefit levels are published in the Kansas Administrative Regulations and in the Kansas Economic and Employment Services Manual. The manual is available to the public on the internet and is available for review in DCF offices. Changes to regulations require approval of the State's Rules and Regulations Board comprised of State representatives and senators, a representative of the Kansas Department of Administration, and the Kansas Attorney General. Regulation changes are published in the *Kansas Register*, announced in an open meeting, and held in abeyance for 30 days for comment.

## ***Kansas TANF State Plan Certifications***

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I, Laura Kelly, Governor of the State of Kansas, in accordance with 45 C.F.R. 204.1, hereby certify that the Kansas TANF State Plan, effective 10/01/2023, was submitted to me for review and comment with sufficient opportunity to do the same, and the Kansas Department for Children and Families (DCF) has represented to me that the Kansas TANF State Plan provides the following:

1. The State will supervise the program under part A in all political subdivisions. Kansas Department for Children and Families is the agency responsible for supervising and administering the program;
2. Local governments and private sector organizations:
  - (a) Have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and
  - (b) Have had at least 45 days to submit comments on the plan and the design of such services; the 45-comment period ended on November 19, 2023;
3. During the fiscal year, the State will operate a Child Support Enforcement program under the State plan approved under part D;
4. During the fiscal year, the State will operate a Foster Care and Adoption Assistance program in accordance with part E, and certify that the State will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance under the Title XIX State Plan;
5. Each member of an Indian tribe, who is domiciled in the State and is not eligible for assistance under a Tribal Family Assistance Plan approved under Section 412, will be assured equitable access to assistance under this plan;
6. The State has established and is enforcing standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State program, kickbacks, and the use of political patronage;
7. The state will make available to the public a summary of the State plan; and
8. Section 402 (a)(8) of the Social Security Act- Kansas has established and is enforcing standards and procedures to:
  - (i) ensure that applicants and potential applicants for assistance under the State program funded under this part are notified of assistance made available by the State to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking;
  - (ii) ensure that case workers and other agency personnel responsible for administering the State program funded under this part are trained in:
    - (I) the nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking;
    - (II) State standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment, or survivors of domestic violence, sexual assault, or stalking; and
    - (I) Methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment, domestic violence, sexual assault, or stalking.



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Laura Kelly, Governor

10.14.24

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Date

## **Appendix 1: TANF Cash Assistance Eligibility, Benefits, and Time Limits**

- **Drug-related Felonies.** Any person convicted on or after July 1, 2013, of a State or federal felony offense, which includes an element of the offense of manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog is ineligible for TANF for five years from the date of the conviction for a first offense. Second offenses occurring after July 1, 2013, are ineligible for TANF for their lifetime.
  
- **Drug Testing.** The Kansas legislature passed legislation mandating suspicion-based drug testing for applicants and recipients when there appears to be unlawful use of a controlled substance or controlled substance analog. This statute was implemented on July 1, 2014. The definition of a controlled substance and the list of such substances is defined in K.S.A. 65-4105 and 65-4107. The definition of a controlled substance analog is that which is intended for human consumption, has a chemical structure of which is substantially similar to the chemical structure of a controlled substance and that has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to a controlled substance. Penalties for those who test positive for unlawful use of a controlled substance or controlled substance analog are:
  - For first failures, the individual is required to participate in substance abuse treatment and a skills-training course. Failure to enroll in substance abuse treatment and skills training will result in ineligibility for the individual until such time cooperation occurs.
  - For second failures, there is one year of ineligibility, and the individual must undergo substance abuse treatment and a skills-training course.
  - For third or subsequent failures, there is lifetime ineligibility for TANF assistance for the individual.
  - Penalties for refusals to test are:
    1. Individuals who refuse to submit to drug testing will be ineligible for TANF for six months for the first refusal.
    2. For second refusals, the individual will be ineligible for TANF for 12 months.
    3. For third refusals, there is lifetime ineligibility for TANF.

To regain eligibility after a refusal, an individual must complete drug testing and skills training.

- **Fraud.** Adults who are found to have committed fraud, either through an administration disqualification hearing or by a court of appropriate jurisdiction, or who have signed either a waiver of right to an administrative disqualification hearing or a disqualification consent agreement in cases referred for prosecution, render themselves and all adult household members ineligible to participate in TANF and child care for their lifetime. Households that fail to cooperate in a fraud investigation are ineligible for assistance until cooperation occurs.

- **Temporary Absence.** A child or caretaker who remains part of a household but is, or expected to be, out of the home for 180 consecutive days or less, will, if otherwise eligible, qualify to receive assistance. Individuals out of the home for more than 180 days may remain eligible for assistance if the individual meets good cause requirements as determined by the TANF program manager.

**Benefit Determination.** Cash payments for persons in their own home are based on standardized allowances for basic needs, such as food, clothing, utilities, household and personal needs and shelter. The amount of direct cash assistance paid to a family is based on the difference between the need standard and countable income. The financial criteria are applicable for both State and federal funding. Changes to income and resource guidelines or the need standards are announced in the Kansas Register with a 30-day period for public comment.

- **Income and Resources.** Certain income and resources are exempt for all assistance plan members, including:
  - The home in which the family resides
  - Household assets of less than \$2,750
  - Educational accounts for minors (529 plans)
  - Vehicles where exempt by policy (i.e., used for employment, seeking employment, education or training, or to produce income)
  - Household equipment and furnishings in use, personal effects, and tools in use
  - Earnings of children
  - \$90 plus 60% of adult recipient's earnings
  - Funds in an individual development account (IDA) earmarked for the purpose of post-secondary education, first-time home purchase, business capitalization (as the above are defined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996), and/or assistive technology
  - Certain annuities when payments are being paid out and counted as income

- **Benefit Structure.** A percentage reduction of the shelter allowance is included in the standard for persons in shared living arrangements. The following table reflects the maximum need and payment standards:

Family Size	Rural County	High Cost Rural County	High Population Counties	High Cost High Population Counties
<b><i>Non-shared Living Arrangements</i></b>				
1	\$224	\$229	\$241	\$267
2	\$309	\$314	\$326	\$352
3	\$386	\$391	\$403	\$429
4	\$454	\$459	\$471	\$497
5 +	Add \$61 for each additional person			
<b><i>Shared Living Arrangements</i></b>				
1	\$168	\$170	\$175	\$186
2	\$263	\$265	\$271	\$284
3	\$349	\$352	\$359	\$375
4	\$421	\$425	\$432	\$449
5 +	Add \$61 for each additional person			

- **Child Care Disregards.** Child care disregards can be claimed for the month of application when an eligible working family has already incurred an expense. The State collects no data on the type of child care providers used in these very limited situations. Child care disregards can also be claimed when the cost of the child care exceeds the State's standard rate for the cost of child care. During the period of applicant job search and following approval of assistance, the State pays child care expenses directly and has data available on the types of child care providers used.

**Appendix 2: TANF Employment Services**

Per Kansas statute, the role of TANF Employment Services is to enable the agency to conduct work program case management services to TANF recipients in a timely manner and in full accordance with state law and agency policy.

The definition of work, support services, transitional services, and the consequences for failing work requirements follow. Work activities listed in Section 407 are included in the State's definition of work which can be found in the Work Verification Plan. Program rules specify staff must engage all participants in an activity that best addresses the client's barriers/strengths. Staff performance is evaluated based on compliance with this requirement. Management reports to monitor this compliance have been developed. Participants who do not comply with their assigned work activities are sanctioned as described below.

**Definition of Work.** The following activities meet the State's definition of work that are used for federal participation:

- Unsubsidized Employment means full-or part-time employment in the public or private sector that is not subsidized by TANF or any other public program.
- Subsidized Public Employment means employment in the public sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual.
- Subsidized Private Employment means employment in the private sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual.
- Work Experience means a work activity, performed in return for welfare, that provides an individual with an opportunity to acquire the general skills, knowledge, and work habits necessary to obtain employment (Displacement policies and procedures are detailed in Appendix 3.)
- On-the-Job Training means training in the public or private sector that is given to a paid employee while he or she is engaged in productive work and that provides knowledge and skills essential to the full and adequate performance of the job (Displacement policies and procedures are detailed in Appendix 3.)
- Vocational Education means organized educational programs that are directly related to the preparation of individuals for employment in current or emerging occupations.
- Job Search/Job-readiness means the act of seeking or obtaining employment, preparation to seek or obtain employment, including life skills training, and substance abuse treatment, mental health treatment, or rehabilitation activities.
- Job-skills Training Directly Related to Employment means training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace.

Individuals can receive financial assistance through the state to acquire the skills necessary to provide direct care in a long-term care facility, or in other occupations related to elder care.

- Education-related to Employment means education related to a specific occupation, job, or job offer for clients who have not received a high school diploma or a certificate of high school equivalency.

- Secondary School Attendance means regular attendance, in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to a certificate of general equivalence.

**Support Services.** The following support services are available to persons who are engaged in work or work activities:

- Transportation Assistance. The amount of payment is based on individual need.
- Special Services Allowance. This allowance is used to obtain goods and services needed for employment or participation in a work activity. This includes, but is not limited to, a vehicle purchase, uniforms, tools and car repair.
- Relocation Allowance. Up to \$2000 is available to pay rent, deposits and moving costs when the move is to accept a verified offer of employment.
- Mentor. One-on-one support for generalized life management and parenting skills as well as work adjustment services.
- Education/Job Skills Training/Vocational Education Costs. This includes funding for tuition, books, fees, mandatory supplies and uniforms for approved plans.
- The total of the above support services may not exceed \$5,000 per TANF client each 12-month period without the approval of the ES Program Administrator or their designee on a case-by-case basis.
- Employment Services. These are case management and contracted job retention services necessary to help an individual retain employment.
- Contracted Employment Services. This is used to provide additional or more intensive education, training and job retention services with contacted providers. Payment for these services shall be made according to the amount authorized in the agreement between the agency and the provider and are not included in the \$5,000 limit.
- Work Retention Payment. These payments are issued as follows:
  - A \$100 support payment is issued on the client's EBT account after documentation has been received that the TANF benefits have ended due to employment, and the client is eligible for transitional services or the Work Incentive Payment.
  - A \$300 support payment is issued on the client's EBT account after documentation has been received showing that they have worked 90 consecutive days from the close of the TANF benefits without a break of more than two working days.

- Child Care. All persons who receive cash assistance may receive child care assistance if needed for employment, education or training.
- Work Incentive Payments: Effective Jan. 1, 2009, incentive payments are given to participants, who would otherwise become ineligible for TANF due to excess earned income, during the first five months of their employment. For the Work Incentive Payment, the gross income limit is set at the Kansas Family Median Income of \$64,521 (2021). The Work Incentive Payment will continue to count towards the time limit.

**Transitional Services.** TANF offers persons leaving cash assistance the following transitional services for up to 12 months:

- Transportation assistance if employed
- Special Services Allowance (to purchase goods and services necessary for employment)
- Case management services
- Contracted employment services (job retention services necessary to help an individual retain employment)
- All persons who receive cash assistance or who meet the income-eligibility guidelines of the child care assistance program may receive child care assistance if needed for employment, education or training. For those not receiving cash assistance, the amount of child care assistance is determined based on income.

In addition, if a client who lost TANF eligibility submits a new application for child care within the first two months, the minimum hours of employment would not apply, and if financially eligible (income less than 250% of the federal poverty level), a 12-month period of eligibility with no family share deductions is established.

**Failure to Meet Program Requirements.** If a parent refuses to comply with the work activities outlined in their self-sufficiency plan or with child support enforcement requirements without good cause, the entire family loses all TANF assistance. Penalties are applied in a tiered manner. The first non-cooperation renders the household ineligible for three months; the second penalty, six months; the third penalty, one year; and the fourth and subsequent penalty, 10 years. To regain TANF eligibility (first, second and third penalties), the adult must serve the minimum penalty period, reapply for benefits, and complete both the self-assessment and the on-line tutorial. To regain eligibility when benefits are terminated due to noncooperation with child support enforcement requirements, the adult must serve the minimum penalty period and cooperate with Child Support Services prior to submitting a new application for benefits. If the adult has served the minimum penalty period, but has not established cooperation with Child Support Services, the agency will allow 10 days for the adult to comply.

To ensure that sanctions and determinations of ineligibility are applied uniformly and appropriately, the following guidelines are applied in all instances of work program and child support enforcement noncooperation:



- There is documented evidence that the person was made aware of the specific participation requirement.
- There is documented evidence that the person was informed of the consequences for failing to meet the specific expectations.
- The expectations are realistic for the person to complete.
- At the point noncooperation is reported or discovered, the DCF Economic and Employment Services (EES) worker contacts DCF Prevention and Protection Services (PPS) to determine if there is any child welfare activity that might support good cause for the parent's failure to meet requirements. If good cause is not established, the EES supervisor reviews the case circumstances before the worker can take final action to apply the penalty.

**Good Cause Criteria.** An individual is deemed to have good cause for failure to meet work-related requirements if the individual presents the following verification:

- The person was exempt at the time of the failure.
- There was no bona fide offer of employment or training.
- The person was incapable of performing the work or training.
- The work or training was dangerous or hazardous according to Occupational Safety and Health Administration (OSHA) standards.
- The payment offered for employment was less than the federal minimum wage.
- Child care or adult day care for an incapacitated family member living in the home was necessary for an individual to participate, such care was not available, and the agency failed to provide such care.
- The total daily commuting time exceeded two hours or the community standard, whichever is longer, not including the transporting of a child to and from a child care facility.
- The failure occurred during the two-month postpartum period following pregnancy termination.
- The person was a victim of family violence whereby compliance with program requirements would increase risk of harm for the individual or children in the home; and/or
- The single custodial parent was unable to obtain needed child care for a child under six due to one or more of the following reasons:
  - Unavailability of appropriate child care within a reasonable distance from the individual's home or work site.
    1. Appropriate Child Care: A regulated facility that meets or exceeds minimum licensing and registration regulations. A non-regulated, legally exempt provider who has completed a Health and Safety Standards Check List CC-1631 and maintains a facility that meets or exceeds minimum standards.
    2. Reasonable Distance: Total daily transport time to and from home to the child care provider does not exceed two hours or the community standard, whichever is longer.
  - Unavailability or unsuitability of informal child care by a relative or under other arrangements; care for which DCF would not enter into a provider agreement, including a relative who is

unwilling to care for child, age inappropriateness, or documentation of family services/protective services case histories.

- Unavailability of appropriate and affordable formal child care arrangements (and the agency fails to provide such care); the family has sufficient income or assistance through the child care assistance program to pay the costs of care.

The procedure for determining the unavailability of appropriate child care is based on client self-declaration. DCF requests the help of the appropriate local child care resource and referral network to verify the unavailability of appropriate child care and explores the clients' options with them when it seems prudent to do so.

### **Appendix 3: Work Experience and On-the-Job Training Work Displacement Policy**

DCF is responsible for resolving displacement complaints arising as a result of a TANF recipient's participation at a DCF work experience site or on-the-job (OJT) training placement by DCF. DCF provides a notice regarding employees' non-displacement rights to all workplaces that utilize work experience and OJT participants and notifies the workplace that the notice is to be posted in locations where currently employed staff may review them.

**Grievance Procedures.** Many private employers have established their own employment related grievance procedures, and these procedures are utilized when available. If the employer's procedures do not lead to satisfactory results for the complainant, or if the employer has not developed an employee grievance process, the following grievance procedures are utilized:

- **Step 1:** The complainant may file a written grievance with the DCF Employment and Training Programs Deputy Director or designee, requesting an informal resolution, or the complainant may file a written grievance directly to the designated State Hearing Officer. The written grievance shall contain the following information and shall be filed with either the DCF Employment and Training Programs Deputy Director or designee if an informal resolution is desired or with a qualified State hearing agency if desiring a formal resolution within 30 working days of the occurrence complained of:
  - Date of occurrence
  - Place of occurrence
  - Time of occurrence
  - Names of witnesses to the occurrence
  - Narrative of occurrence
  - Previous training counseling and discipline related to the occurrence
  - Whether a grievance was pursued through the private employer, and if so, the result and documentation of the result

If the written grievance is filed with the DCF Employment and Training Programs Deputy Director or designee, the local office has 14 days from the date the written grievance is received to investigate and provide a written decision to the complainant and responder. If the written grievance is filed with the qualified hearing agency, the grievance will follow the same procedures utilized in Step 2 below.

- **Step 2:** If the decision reached by the DCF Employment and Training Programs Deputy Director or designee fails to meet the complainant's satisfaction, the complainant has five days from the receipt of the DCF Employment and Training Programs Deputy Director's or designee's decision to request an impartial hearing to appeal the DCF Employment and Training Programs Deputy Director's or designee's decision. The DCF Employment and Training Programs Deputy Director or designee must ensure that an impartial hearing is conducted by a qualified State Hearing Officer within a reasonable amount of time not to exceed 60 days.

If the complainant decides to bypass the informal resolution and desires formal resolution, as stated in Step 1, the grievance must be filed with a qualified State hearing agency within 30 days of occurrence, containing the information outlined in Step 1, and the complainant must receive a hearing within 60 days from the date the complaint is filed.

The State hearing agency will schedule a hearing within 45 days of the receipt of the written grievance or appeal. The complainant and respondent shall receive written notice of the hearing date at least 10 days prior to the hearing. This written notice shall contain the date, time, and place of hearing. The hearing shall occur on the record, and the complainant and respondent will have the opportunity to present evidence, bring witnesses, cross examine witnesses, be represented by counsel, and receive a written final decision.

The complainant may request a continuance of the hearing for up to 10-days, but in no instance shall the hearing exceed the 60-day requirement from the original filing of the grievance or the appeal.

The written final decision of the impartial hearing board shall contain findings of fact, supporting evidence and conclusions of law. This written decision shall be issued within 25 days from the hearing date, and in no instance, can exceed 90 days from the date of the originally filed grievance or appeal.

- **Appeals to the Secretary of Labor:** Should the decision of the State issued through the qualified hearing board fail to satisfactorily resolve the grievance, the complainant can appeal the State decision to the Office of Administrative Law Judges, U.S. Department of Labor, Vanguard Building, Room 600, 1111 20th St. NW, Washington, D.C. 20036.

This appeal must be filed with the Office of Administrative Law Judges within 20 days of receipt of the State's final decision. The complainant shall send copies of the appeal to the Assistant Secretary for Employment and Training, U.S. Department of Labor, 200 Constitution Ave. NW, Washington, D.C. 20210 and to the Assistant Secretary for Family Support, Department of Health and Human Services, 330 C Street, S.W., Washington, D.C. 20201. The appeal must contain the following:

- The full name, address, and telephone number of the complainant
- The provisions of the statute or regulations believed to have been violated
- A copy of the original complaint filed by the complainant with the State
- A copy of the State's findings and decision regarding the appellant's complaint