

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF SOCIAL SERVICES

Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C. §512)
16 DE Admin. Code 3000

FINAL

ORDER

Temporary Assistance for Needy Families (TANF)

NATURE OF THE PROCEEDINGS:

Delaware Health and Social Services ("Department") / Division of Social Services initiated proceedings to amend Division of Social Service Manual (DSSM) regarding the Temporary Assistance for Needy Families (TANF), specifically, to revise the requirements of the Contract of Mutual Responsibility (CMR). The Department's proceedings to amend its regulations were initiated pursuant to 29 Delaware Code Section 10114 and its authority as prescribed by 31 Delaware Code Section 512.

The Department published its notice of proposed regulation changes pursuant to 29 Delaware Code Section 10115 in the July 2018 Delaware *Register of Regulations*, requiring written materials and suggestions from the public concerning the proposed regulations to be produced by July 31, 2018 at which time the Department would receive information, factual evidence and public comment to the said proposed changes to the regulations.

SUMMARY OF PROPOSAL

Effective for services provided on and after March 11, 2019 the Delaware Health and Social Services/Division of Social Services proposes to amend the Division of Social Services Manual sections 3009, 3013, 3013.1, 3013.2, 3014, 3014.1, 3014.2, 3015, 3015.1, 3015.2, 3016, 3016.1, 3016.2, 3017, 3017.2, 3017.2.1, 3017.2.2 regarding the Temporary Assistance for Needy Families (TANF), specifically, *to revise the requirements of the Contract of Mutual Responsibility (CMR)*.

Statutory Authority

- Social Security Act Title IV Part A—Block Grants To States For Temporary Assistance For Needy Families
- CFR Title 45 Public Welfare Subtitle B Regulations Relating To Public Welfare Chapter II-Office Of Family Assistance (Assistance Programs), Administration For Children And Families, Department Of Health And Human Services

Background

The Contract of Mutual Responsibility (CMR) is an agreement between the TANF client and DSS which sets obligations and expectations for helping the client achieve self-sufficiency. The policies define the Temporary Assistance for Needy Families (TANF) as well as the requirements of the contract and the responsibilities of TANF recipients and the Division of Social Services.

Purpose

Purpose

The purpose of this proposed regulation is to enhance the definition, provide clarity to the requirements, increase readability, and add a financial coaching orientation to the CMR.

Public Notice

In accordance with the *federal* public notice requirements established at Section 1902(a)(13)(A) of the Social Security Act and 42 CFR 447.205 and the *state* public notice requirements of Title 29, Chapter 101 of the Delaware Code, Delaware Health and Social Services (DHSS)/Division of Social Services (DSS) gives public notice and provides an open comment period for thirty (30) days to allow all stakeholders an opportunity to provide input on the proposed regulation. Comments were to have been received by 4:30 p.m. on July 31, 2018.

Fiscal Impact Statement

There is no anticipated fiscal impact to the agency as a result of this proposed change in program policy.

Summary of Comments Received with Agency Response and Explanation of Changes

Delaware Health and Social Services (DHSS)/Division of Social Services (DSS) received the following summarized observations:

Comment: Several commenters were concerned that some of the changes intended to simplify the language removed obligations of DSS workers. In addition, the substitute of some words, for example "will" to "may", changed the CMR to discretionary. For example if a family requires a change to the CMR as a reasonable accommodation.

Agency Response: DSS appreciates the perspective of the commenters on the CMR revised regulations; however, the goal of the revision is to give DSS staff clear guidance on how to develop a CMR with the client. Due to the input, DSS will amend the policy to include, "DSS will work with clients to identify barriers that may hinder compliance with the CMR requirements. DSS will provide supportive services to clients to assist in reducing identified barriers." DSS will continue to make accommodations for any client with barriers to complying with the CMR components. The CMR has always been mandatory and some of the components are discretionary; however, all TANF clients must comply with the CMR. DSS will make accommodations for any client with barriers to complying with the CMR components.

Comment: Several commenters were concerned about reasonable accommodations as there were no proposed changes to Section 3017.1 the Transitional Work Program or TWP, which is designed to allow recipients with disabilities avoid mandatory work requirements under the CMR.

Agency Response: DSS appreciates the commenters perspective regarding addressing barriers for persons with disabilities. The Transitional Work Program policy (DSSM 3017.1) outlines accommodations for compliance for individuals who have been determined unable to work in an unsubsidized employment setting by a health professional. Policy 3017.1 remains valid and was not in the initial group of amended CMR policies. DSS will continue to make accommodations for any client with barriers to complying with the CMR components.

Comment: One commenter expressed concern with the "insufficient emphasis on good cause exceptions."

Agency Response: Good Cause encapsulates a broad range of issues and circumstances DSS families experience daily. DSS does not limit the scope of good cause due to each family's unique circumstances. DSS will continue to explore issues with families to determine when barriers exist that prevent compliance. Due to input received, DSS will amend the policy to include, "DSS encourages clients to disclose any difficulties that may create barriers for meeting the CMR requirements. DSS will not impose a sanction if good cause exists." The policy that speaks to ADA accommodations is DSSM 3017.1 Transitional Work Program has yet to be revised and is still valid.

Comment: One commenter found that Section 3009 did not contain a reference to "good cause" exceptions to CMR requirements.

Agency Response: DSS is modifying 3009 to mention good cause.

Comment: One commenter raised due process and privacy concerns related to Section 3016: Requiring Substance Abuse Assessment and Treatment.

Agency Response: DSS appreciates the commenters concern about due process, and shares the commenters concerns; however, DSS is operating in an environment where there is a current opioid epidemic. The current protocol is to refer clients upon self-disclosure of a substance abuse issue to the Bridge program which provides case management, resources, and referrals to treatment providers. DSS adheres to strict confidentiality and privacy policies. DSS will take the comments under consideration.

Comment: One commenter indicated that Section 3017: Establishing Additional Contract of Mutual Responsibility Elements was vague and stated that, "it is unclear whether DSS or "other agencies" are permitted, or even encouraged, to unilaterally determine that these "other services" "may aid in self-sufficiency" and therefore be required."

Agency Response: The CMR is an agreement between DSS and the client. If during their discussion, other elements are identified, these can be added to the CMR. This allows DSS and the client to customize the contract.

Comment: One commenter questioned the value of mandatory financial coaching for families.

Agency Response: Delaware was awarded technical assistance from Prosperity Now for integrating financial coaching into the TANF program. This is a federally supported initiative. DSS, Prosperity Now, Administration for Children and Families, Delaware Department of Labor, Stand by Me, and the TANF Employment and Training vendors collaborated in developing this component. This component requires clients to attend a short information session regarding the free financial literacy services that are available to them. The goal of this component is to prepare clients as they obtain employment and may experience the benefit cliff as they transition from DSS benefits towards self-sufficiency.

DSS is pleased to provide the opportunity to receive public comments and greatly appreciates the thoughtful input given.

FINDINGS OF FACT:

The Department finds the proposed changes as set forth in the July 2018 *Register of Regulations* should be adopted with additions. The Department finds that the proposed does not require further public notice or comment under the APA because the amendments are non-substantive pursuant to 29 Del.C. §10118(c).

THEREFORE, IT IS ORDERED, that the proposed regulation to amend Division of Social Services Manual (DSSM) regarding the Temporary Assistance for Needy Families (TANF), specifically, *to revise the requirements of the Contract of Mutual Responsibility (CMR)*, is adopted and shall be final effective March 11, 2019.

1/24/19

Date of Signature

Temporary Assistance for Needy Families (TANF)

FINAL 3009

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3009 Defining the Contract of Mutual Responsibility

~~The caretaker enters into a Contract of Mutual Responsibility with DSS. The Contract will specify components such as, but not limited to, employment activities, cooperation in securing child support, school attendance requirements, family planning, parenting education classes, substance abuse treatment, and immunization requirements. The Contract is designed to be individualized to the specific needs and situation of each family. Therefore, the exact requirements within the Contract may vary from family to family. This document will be revised as the needs and the situation of the family evolve. (See DSSM 3010.2.5)~~

~~The State will ensure that services related to these provisions are available to the recipient. Additionally, other supportive services will be available (such as child care) if necessary. If the services are not available to the recipient and it is in the Contract, the recipient will not be sanctioned. The Contract will be modified to reflect that the service is unavailable at that time. For instance, if a recipient was directed to seek substance abuse treatment on an in-patient level, but a bed was not available for four months, that part of the Contract would be suspended until a bed became open for the individual.~~

~~In establishing and enforcing the Contract, the DSS worker has primary responsibility for ensuring that clients understand what is expected of them. While sanctions will be imposed for failure to meet the expectations of the Contract, the intended result of the sanction process is to convince clients of the need to cooperate. An important element of the process is "coaching" the client to transcend any barriers to meeting Contract expectations.~~

~~Under TANF, the client and worker must become partners in efforts to surmount any and all obstacles to success. While it is expected that the client verbalize any difficulties s/he may have or expect to have in meeting TANF requirements, the worker also has a duty to do whatever s/he can to elicit from the client any information needed to identify and overcome hurdles.~~

~~Coaching is without question a difficult task, given the multitude and variety of problems a client may face and the many steps along the road to self-sufficiency. Nevertheless the worker needs to embrace it as a critical element in the achievement of our welfare reform objectives.~~

~~Certainly we want TANF clients to be clear at all times about their obligation to exercise personal responsibility in exchange for benefits. When clients have a clear understanding, yet still fail to meet their obligations, workers need to respond quickly. The swiftness of our actions will demonstrate the seriousness of our intentions.~~

~~However, the ultimate goal of the sanction process should not only demonstrate how serious we are, but that we are available to help them become self-sufficient. We want clients to realize it is to their advantage to work with us and not against us.~~

~~Workers who truly understand the foundations upon which our sanction policies exist are in a better position to successfully steer clients through the welfare reform process. Keep in mind the following guidelines:~~

~~a) At every step of the way, workers should make the sanction process clear for clients; that is, explain clearly what the client's responsibilities are and what the consequences are for failure to meet these responsibilities.~~

~~b) Encourage clients to discuss any problems they face in meeting TANF requirements. Coach them in a positive way to overcome these hurdles. Offer assistance, but make it clear that the client has ultimate responsibility for meeting requirements.~~

~~c) If and when clients fall short of expectations, before taking action to apply sanctions, make sure that clients understand exactly what requirement(s) was not met and the consequences of it. This is not to say that we want workers to offer conciliation, but rather that we want workers to emphasize cause and effect. In this way clients should more readily recognize the benefits of cooperating and doing what is expected in the future.~~

~~Sanctions are not our desired result. They are a means to accomplish the goal of client cooperation.~~

The Contract of Mutual Responsibility (CMR) is an agreement between the TANF client and DSS which sets obligations and expectations for helping the client achieve self-sufficiency. The CMR is a requirement for all TANF clients.

1. **All TANF clients are required to develop a CMR with their DSS case worker. The CMR outlines the requirements that the client must fulfill to receive TANF benefits.**
 - A. The CMR encompasses three broad categories of requirements:
 - i. Self-sufficiency.
 - ii. Enhanced family functioning, and
 - iii. Teen responsibility.
 - B. The CMR is individualized to the specific needs and situations of each family.
 - C. The CMR ~~may~~ will be revised as the needs and situations of the family evolve.
2. **DSS case workers ~~shall~~ will assist clients in developing the CMR when TANF cases are opened and ~~shall~~ will monitor clients' compliance with the required CMR elements.**
 - A. DSS case workers ~~shall~~ will:
 - i. Explain to clients the CMR requirements and the penalties for non-compliance.
 - ii. Give clients the appropriate time frame to comply with each CMR element. Compliance with the CMR elements is not required to initially apply for TANF.
 - iii. Review the CMR for compliance during TANF redeterminations or during reapplication if the TANF case closed for non-compliance with the CMR.
 - iv. Identify non-compliance with CMR elements and sanction TANF cases.
 - v. Address barriers that may impede clients' compliance with CMR elements.
3. **DSS will sanction TANF cases when clients fail to comply with the CMR requirements.**
 - A. Sanctions for non-compliance with the CMR are fiscal penalties that reduce or close TANF benefits.
 - B. The intended result of the sanction process is to motivate clients to cooperate.
 - C. DSS encourages clients to disclose any difficulties ~~in~~ that may create barriers for meeting the CMR requirements. **[DSS will not impose a sanction if good cause exists.]**
 - D. A sanction will end when DSS receives proof that the TANF client is complying with the CMR requirements.
4. **DSS will ensure that supportive services related to CMR requirements are available to TANF clients.**
 - [A. DSS will work with clients to identify barriers that may hinder compliance with the CMR requirements.**
 - B. DSS will provide supportive services to clients to assist in reducing identified barriers.]**
 - [A.C.] DSS will not sanction clients if supportive services identified in the CMR are not available.**
 - [B.D.] DSS will revise the CMR to reflect when a supportive service is not available to the client.**

Related policies:

DSSM [sections 3009, 3010,] 3011, 3012, 3013, 3014, 3015, 3016, 3017[, ~~3017.1, 3017.2~~]

10 DE Reg. 706 (10/01/06)

FINAL 3013

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3013 Immunization Requirements Requiring Immunizations

~~The Division of Social Services will use the immunization schedule approved by the Advisory Committee on Immunization, the American Academy of Pediatrics, and the American Academy of Family Physicians.~~

~~Staff will use the immunization schedule as a guide to inform caretakers which immunizations are needed for their family members and when they are needed. Caretakers will have their child(ren) immunized based on the DSS-approved immunization schedule or their physician's schedule.~~

Maintaining current immunizations for TANF children is a required CMR element for all TANF clients.

- 1. TANF children are required to be immunized based on their physicians' immunization schedules.**
- 2. DSS case workers shall verify that TANF children are current on their immunizations.**
- 3. Failure to comply (without good cause) with the immunization element in the CMR will result in a sanction to the TANF case.**
 - A. The sanction will be an initial \$50.00 reduction in the household's TANF benefit amount.
 - B. This reduction increases each month by \$50.00 until there is compliance or the TANF case is closed.
 - C. The client will receive written notification of compliance requirements.
 - D. The sanction will end when DSS receives proof that the immunization schedule sequence has begun for all TANF children in the case.

FINAL 3013.1

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3013.1 Sanctions for Not Meeting Immunization Requirements

~~The fiscal sanction for failure, without good cause, to have children immunized will be an initial \$50.00 reduction in TANF benefits. This reduction will increase each month by \$50.00, either until there is compliance or the case is closed.~~

FINAL 3013.2

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3013.2 Curing Sanction Penalties

~~Sanctions will end upon receipt of proof that the immunization schedule sequence has begun.~~

FINAL 3014

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3014 Requiring Family Planning Requirements

Adults and minor parent(s) will be required to obtain family planning information from the provider of their choice. The expectation is that the adult caretaker(s) will obtain family planning information for themselves or for minors in their household. Exceptions can be made for individuals who have had surgery such as a vasectomy, hysterectomy, or a tubal ligation.

It is not the intent of DSS to verify that the individual is using family planning, but to confirm that information has been obtained. If family planning is not used and the birth of a baby is the result, the family cap provision will apply. (See section 3022).

Obtaining family planning information is a required CMR element for all TANF adults and minor parents.

- 1. TANF adults and minor parents are required to obtain family planning information from the provider of their choice.**
- 2. DSS case workers shall verify that TANF adults and minor parents obtain family planning information, but not that a particular method is being used. If family planning is not used and the birth of a baby is the result, the family cap provision will apply.**
- 3. Failure to comply (without good cause) with the family planning element in the CMR will result in a sanction to the TANF case.**
 - A. The sanction will be an initial \$50.00 reduction in the household's TANF benefit amount.
 - B. This reduction increases each month by \$50.00 until there is compliance or the TANF case is closed.
 - C. The client will receive written notification of compliance requirements.
 - D. The sanction will end when DSS receives proof that the TANF adults and any minor parents in the case obtained family planning information.

Related policies:
DSSM 3008.2

FINAL 3014.1

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

~~3014.1 Sanctions for Not Meeting Family Planning Requirements~~

~~The fiscal sanction for failure, without good cause, to obtain family planning information at the provider of their choice will be an initial \$50.00 reduction in TANF benefits. Increase this reduction each month by \$50.00, either until there is compliance or the case is closed.~~

FINAL 3014.2

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

~~3014.2 Curing Family Planning Sanction Penalties~~

~~The sanction will end when the adult and/or minor parent(s) obtains the family planning information at the provider of their choice.~~

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3015 Requiring Parenting Education Requirements

~~Adults and minor parent(s) will be required to attend parenting education classes. Once the individual has attended classes the requirement will be considered completed and will not have to be repeated unless there was a change in circumstances that makes another class beneficial.~~

~~A change in circumstance resulting in an extreme amount of stress on the family could be a reason to require the caretaker to attend more than one parent education class. Examples might include a child having extreme difficulties in school, a child exhibiting "acting out" behaviors, a family in which a member is terminally ill, or a new baby in a household where the youngest child was an adolescent.~~

~~Requiring a caretaker to take more than one parent education class should not be considered a punitive measure, but one designed to help the family cope with a stressful time or event in the life of the family.~~

~~The intent of requiring the caretakers and minor parents to attend parent education classes is that participants will complete the classes they are required to attend. Not completing the classes, without good cause, can result in the imposition of an enhanced family function sanction.~~

Completing parenting education classes is a required CMR element for all TANF adults and minor parents.

- 1. TANF adults and minor parents are required to complete DSS approved parenting education classes. Once the client completes this element, it does not have to be repeated.**
- 2. DSS case workers shall verify that TANF adults and minor parents complete parenting education classes.**
- 3. Failure to comply (without good cause) with the parenting education element in the CMR will result in a sanction to the TANF case.**
 - A. The sanction will be an initial \$50.00 reduction in the household's TANF benefit amount.
 - B. This reduction increases each month by \$50.00 until there is compliance or the TANF case is closed.
 - C. The client will receive written notification of compliance requirements.
 - D. The sanction will end when DSS receives proof that the TANF adults and any minor parents in the case attended parenting education classes.

FINAL 3015.1

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3015.1 Sanctions for Not Meeting Parenting Education Requirements

~~The fiscal sanction for failure, without good cause, to attend parenting education classes will be an initial \$50.00 reduction in TANF benefits. Increase this reduction each month by \$50.00, either until there is compliance or the case is closed.~~

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

~~3015.2 Curing Parenting Education Sanction Penalties~~

~~The sanction will end when the adult and/or minor parent(s) attend parenting education classes.~~

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3016 [~~Requiring Substance Abuse Requirements Assessment and Treatment~~ Defining the Bridge Program]

~~When staff have reason to believe that a recipient has substance abuse problems, a referral for assessment will be made. Require the recipient to attend assessment appointment and participate in treatment as determined necessary. See Administrative Notice: A-9-99 Bridge Program~~

~~[Attending a substance abuse assessment and treatment may be a required CMR element for TANF clients who exhibit substance abuse symptoms.]~~

- ~~1. TANF clients are required to attend a substance abuse assessment, treatment, or both when DSS determines it necessary.~~**
- ~~2. DSS case workers who identify a TANF client with potential substance abuse issues may add a substance abuse requirement to the client's CMR and shall verify that the client attends a substance abuse assessment or treatment.~~**
- ~~3. Failure to comply (without good cause) with the substance abuse assessment or treatment element in the CMR will result in a sanction to the TANF case.~~**
 - ~~A. The sanction will be an initial \$50.00 reduction in the household's TANF benefit amount.~~**
 - ~~B. This reduction increases each month by \$50.00 until there is compliance or the TANF case is closed.~~**
 - ~~C. The client will receive written notification of compliance requirements.~~**
 - ~~D. The sanction will end when DSS receives proof that the TANF client attended the substance abuse assessment or treatment.~~**

The Bridge Program provides services to TANF clients who are experiencing barriers to self-sufficiency.

- 1. The Bridge Program is a resource for TANF clients to address barriers such as substance abuse, mental health issues, domestic violence, and homelessness.**
 - A. The Bridge Program provides clients with specialized screening, intensive case management, and assistance with accessing services and treatment for identified barriers.**
 - B. Bridge Program services support clients in meeting their employment goals, reducing or eliminating barriers to self-sufficiency, and promoting family stability.**

2. Referrals for TANF clients to the Bridge Program may be initiated by DSS staff, TANF employment and training vendors, the Bridge Program vendor, or a client self-referral.
 - A. DSS case workers will complete the Family Development Profile screening instrument with TANF clients at intake and redetermination to identify potential barriers.
 - B. DSS case workers may refer TANF clients to the Bridge Program when:
 - i. A potential barrier is identified by the Family Development Profile;
 - ii. The DSS case worker suspects barriers exist during any client contact; or
 - iii. A client discloses the need for assistance with a barrier.
3. The Bridge Program vendor will outreach and screen referred TANF clients and will refer clients for additional services when appropriate.
4. Bridge Program services may be added as a required CMR element for TANF clients who have barriers that cause significant difficulty in complying with the TANF program requirements.
5. Bridge Program activities count toward the required employment and training participation hours for TANF clients.]

FINAL 3016.1

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3016.1 [~~Sanctions for Not Meeting Substance Abuse Requirements~~ Requiring Bridge Program Services 42 USC 608 (b)(2)(A)(v)]

~~The fiscal sanction for failure, without good cause, to attend substance abuse assessment will be an initial \$50.00 reduction in TANF benefits. Increase this reduction each month by \$50.00, either until there is compliance or the case is closed.~~

[Complying with Bridge Program services may be a required CMR element for TANF clients who may have substance abuse issues.]

1. TANF clients who may have substance abuse issues may be required to comply with the Bridge Program.
 - A. DSS case workers may add the Bridge Program element to a TANF client's CMR when:
 - i. A substance abuse issue is identified by the client's Family Development Profile;
 - ii. The potential substance abuse barrier is impeding the client's employment goals, self-sufficiency, or family stabilization; and
 - iii. The client has refused to voluntarily participate with the Bridge Program.
 - B. The Bridge Program vendor will complete a specialized screening with the TANF client and may refer the client to receive an assessment from a licensed treatment provider.
 - C. Once an assessment has been completed, the TANF client will work with DSS and the TANF vendor partners to determine if additional Bridge Program services will be a required CMR element.
2. The Bridge Program vendor will monitor and document TANF clients' Bridge participation for DSS

and the TANF employment and training vendors.

3. Failure to comply (without good cause) with the Bridge Program element in the CMR will result in a sanction to the TANF case.
 - A. The sanction will be an initial \$50.00 reduction in the household's TANF benefit amount.
 - B. This reduction increases each month by \$50.00 until there is compliance or the TANF case is closed.
 - C. The client will receive written notification of compliance requirements.
 - D. The sanction will end when DSS receives proof that the TANF client is complying with Bridge Program services.]

FINAL 3016.2

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

~~3016.2 Curing Substance Abuse Sanction Penalties~~

~~The sanction will end when the individual attends substance abuse assessment.~~

FINAL 3017

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3017 Establishing Additional CMR Contract of Mutual Responsibility Elements

~~Additional family specific CMR elements will be identified and added to a TANF household's CMR. These elements may be identified by DSS, the family, or other agencies that are involved with the family.~~

This policy applies when additional Contract of Mutual Responsibility (CMR) elements are identified and added to a TANF client's CMR.

1. Additional CMR elements refer to other services that may aid in self-sufficiency and are specified in a client's CMR.
2. DSS, the family, or other agencies that are involved with the family may identify additional CMR elements.
3. Failure to comply (without good cause) with the DSS identified elements in the CMR will result in a sanction to the TANF case.
 - A. The sanction will be an initial \$50.00 reduction in the household's TANF benefit amount.
 - B. This reduction increases each month by \$50.00 until there is compliance or the TANF case is closed.
 - C. The client will receive written notification of compliance requirements.
 - D. The sanction will end when DSS receives proof that the TANF client has met the compliance requirements.

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

3017.2 ~~Division of Social Services (DSS) Identified CMR Elements~~ Requiring Financial Coaching Orientation

~~When staff has reason to believe that the family needs other services to become self-sufficient, these services will be identified and specified in the Contract of Mutual Responsibility.~~

Completing financial coaching orientation is a required CMR element for all work mandatory TANF clients.

1. Work mandatory TANF clients are required to complete a DSS approved financial coaching orientation.

- A. The orientation informs TANF clients of available free financial coaching services.
- B. Once the client completes this element, it does not have to be repeated.

2. DSS case workers shall verify that work mandatory TANF clients complete the financial coaching orientation.

3. Failure to comply (without good cause) with the financial coaching orientation element in the CMR will result in a sanction to the TANF case.

- A. The sanction will be an initial \$50.00 reduction in the household's TANF benefit amount.
- B. This reduction increases each month by \$50.00 until there is compliance or the TANF case is closed.
- C. The client will receive written notification of compliance requirements.
- D. The sanction will end when DSS receives proof that the TANF client completed the financial coaching orientation.

13 DE Reg. 847 (12/01/09)

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

~~3017.2.1 Sanctions for Not Meeting Division of Social Services Identified CMR Elements~~

~~The sanction for failure, without good cause, to comply with DSS identified elements in the Contract of Mutual Responsibility will be an initial \$50.00 reduction in TANF benefits. This reduction increases each month by \$50.00, either until there is compliance or the case is closed. The case worker will give the client written notification of what s/he has to do to be in compliance.~~

13 DE Reg. 847 (12/01/09)

POLICY – AMENDMENT

Delaware Department of Health and Social Services
Division of Social Services
Policy and Program Development Unit

~~3017.2.2 Curing Division of Social Services Identified CMR Sanction Penalties~~

~~The sanction will end when the client has met the requirements as listed in the sanction notification.~~

13 DE Reg. 847 (12/01/09)

22 DE Reg. 773 (03/01/19) (Final)