

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Re: Welfare Subgroup Meeting (DOB, SSN) (3 pages)	00/00/0000	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Diana Fortuna
OA/Box Number: 12023

FOLDER TITLE:

Welfare Reform Implementation Subgp 2
Welfare Reform Implementation Subgp 2

2018-0525-S

ry2246

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

WELFARE REFORM IMPLEMENTATION GROUP

Agenda for 3/18/97

3:00-4:00

I. Introductions

II. Update on Welfare to Work Initiatives

- Corporations, Non-Profits, Faith Communities
- Federal Government Hiring

III. Request for Agency Ideas for Welfare to Work for Events, Executive Actions

- Respond by 3/25

IV. Implementation Issues

- Technical corrections bill
- Legal immigrants:
 - Outreach — FS one pager
 - Disability naturalization regulation
 - Interim verification
 - Hmong — advocates
 - 40 quarters trial run — ok
 - Non-covered employment ~~circled and crossed out~~
- Medicaid:
 - "Bucket"
 - \$500 Medicaid administrative funds
 - First of month/gap — discussed w/ bucket
- Food Stamps:
 - USDA waivers 40 states — 2/3 exempt, 1/3
 - Tracking food stamp work requirement cutoffs
- TANF:
 - Plan certifications
 - Interstate tracking
- Child Support:
 - Reports
 - Possible radio address
- Abstinence education report
- FLSA
- Other Issues?

SSA Report on LI
Type II -

- California Request
- Tribes
- NY?? ~~yes, ASD, 80, 5-w~~
- Wash FS

V. Next meeting: Tuesday, April 8th, OEOB Room 211 at 2:30

February 12, 1997

**ADMINISTRATION FOR CHILDREN AND FAMILIES
WELFARE REFORM REGULATIONS**

REGULATION **PROPOSED PUBLICATION DATE**

TITLE I - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

Work Requirements (NPRM)+	6/97
Penalties/Admin. Costs (NPRM)+	6/97
Data Collection and Reporting for States & Tribes (NPRM)+	6/97
Methodology for Determining Child Poverty (NPRM)	7/97
Illegitimacy Bonus (NPRM)	8/97
High Performance Bonus (NPRM)	8/97
Tribal Program Requirements (NPRM)	9/97
Omnibus Conforming Regulation (Final Rule)	3/98

TITLE III - CHILD SUPPORT ENFORCEMENT

ADP Funding Limitation (NPRM)	4/97
State Directory of New Hires (NPRM)	5/97
Grants to States for Access and Visitation Programs (NPRM)	6/97
State Laws Concerning Paternity Establishment (NPRM)	7/97
Automated Data Processing Requirements (NPRM)	8/97
State Case Registry and Expansion of FPLS (NPRM)	10/97
Omnibus Child Support Conforming Regulation (Final Rule)	1/98
Child Support Enforcement for Tribes (NPRM)	2/98

TITLE VI - CHILD CARE

Child Care Program (NPRM)	3/97
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+ The first three title I NPRMs may be published as one NPRM

MAR 4 1997

TO : Ms. Diana Fortuna
Domestic Policy Council Staff

SUBJECT: Results of Testing Phase of Quarters of Coverage
History System (Your Oral Request, 2/25/97)--
INFORMATION

At the recent welfare reform implementation meeting, you asked for information on the output from the pilot phase of the quarters of coverage (QC) system, specifically the quarters identified for the requests.

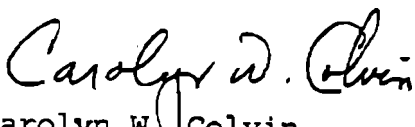
During the pilot phase, 4,439 requests were processed; a request equals a quarter of coverage history for a Social Security number. These numbers can be for noncitizens, their spouses or parents. Results:

40 QCs or more	8.6 percent
30-39 QCs	7.2 percent
20-29 QCs	11.3 percent
10-19 QCs	10.3 percent
01-09 QCs	15.8 percent
No QCs	46.7 percent

It is important to remember that since these are individual requests they do not represent all the noncitizens who meet the 40 QC requirement. States are responsible for combining the appropriate histories in order to credit the noncitizen with the total.

As States complete the necessary agreement and software changes, we will be able to provide additional data on the numbers of quarters identified.

If you would like to discuss this, please call me at
(410) 965-4512.

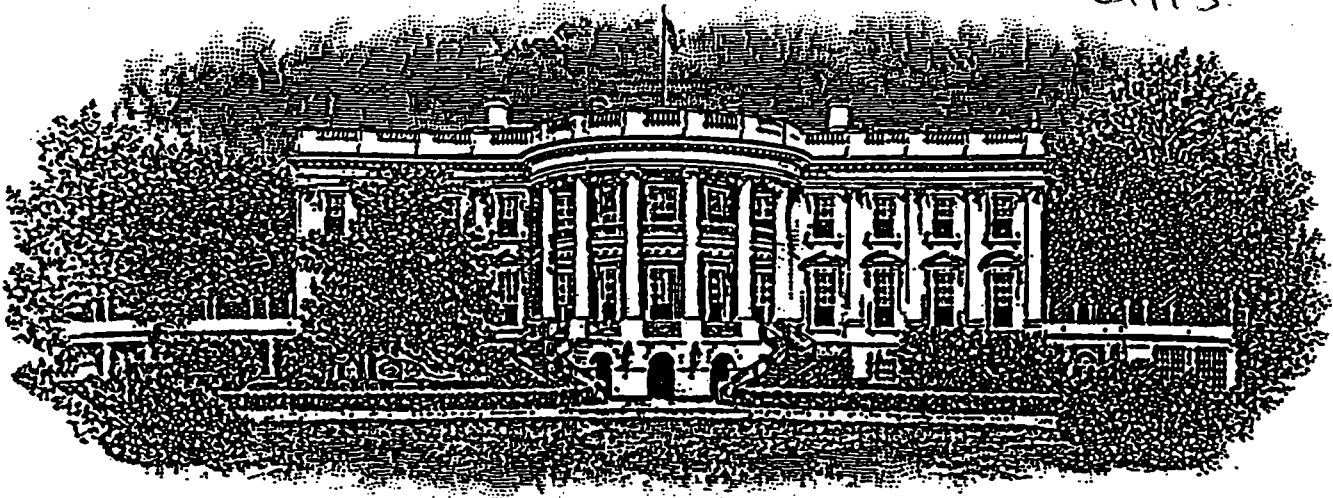

Carolyn W. Colvin

cc:
Mr. Dyer
Mr. Coyne
Mr. Fried
Ms. Chesser
Ms. Warden

(sent 5:45pm)

The White House

Here is this
list if WAVES
calls.



DOMESTIC POLICY

FACSIMILE TRANSMISSION COVER SHEET

TO: WAVES

FAX NUMBER: 5-5349

TELEPHONE NUMBER: _____

FROM: Diana Fortuna

TELEPHONE NUMBER: 6-5570

PAGES (INCLUDING COVER): 4

COMMENTS: Please clear.

Withdrawal/Redaction Marker

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EVENT: Welfare Subgroup Meeting

DATE: MARCH 18

TIME: 3:00pm in rm 211

SPONSORING OFFICE:

LAST NAME	FIRST NAME	DOB	SSN
ROBINSON	REGGIE		
KHARFEN	MICHAEL		
LEONARD	PAUL		
LOMBARDI	JOAN		
PUGH	MARGARET		
ROSSELLI	GLEN		
COMPSON	MICHAEL		
ALLEGRA	FRAN		
MOSS	RANDOLPH		
JONES	KEVIN ROBERT		
JACOBS	LISALYN		
BROWN	ELIZABETH		
BACH	ROBERT		
COLVIN	CAROLYN		
CHESSER	JUDY		
EIGEN	BARRY		
COYNE	BRIAN		
BLACKMAN	DIANE		
DONNELLY	GLENNA		
DALY	WILLIAM		
MOCKO	MADELINE		
ROSEWATER	ANN		
SEGAL	ANN		
MONAHAN	JOHN		
MERKOWITZ	JEFF		
MOORE	JUDY		

(b)(6)

[001]

HAYASHI

BOURDETTE
BUENO
MATHIS
TATES-MACIA
JACKSON
CARLSON
FOLEY
THIEL
ONEIL
OLIVER
WEINTRAUB
LEVIN
BROWN
LEONARD
RATLIFF
OGDEN
STRACK
ACHESON
MORIN
HICKMAN
JACOBS
IVERY
PHILLIPS
DALY
WILLIAMS
LIU
WEINSTEIN

ADAMS
DUZOR
CAMPBELL
GREGRICH

SKY
KOH
WERNER
NEILSEN
DURAND
BARBAGALLO
WILLIAMS
STORRS
COH
CEJA

DENNIS

MARY
IRENE
HELEN
CHERYL
YVETTE
STEVEN
ARTHUR
MARGARET
BARBARA
RETHA
JON
JESSICA
CYNTHIA LEE
PAUL
GERRI
DAVID
BARBARA
ELEANOR
MARK WILLIAM
BILL
LISA
JAMES
WEBSTER
WILLIAM
DANIEL D.
LIN
SAMARA

LINDA
DEIRDRE
LINDA
JOHN

TED
LUCY
URSULA
DAVID
ANNA
ANN
DANIEL
MACK
LUCY
PAUL

(b)(6)

BROWN
PORTEE
HUNKER

MARGUERITTE
SHERYL
JEFFREY

(b)(6)

NAME	TITLE	AGENCY	PHONE NUMBER	FAX NUMBER
Barbara Strack	Spec. Asst.	INS	514-3242	305-0134
Lisa Brown	Attorney Advisor	DOJ - OLC	514-3658	514-0563
Randy Moss	Dep. Asst. AG	DOJ/OLC	514-3745	514-0563
FRAN ALLEGRA	DEP. ASSOCIATE AG	DOJ	514-2987	514-1724
Dan Williams	Special Assistant	HHS/OS	680-7409	680-6562
Samara Weinstein	Special Assistant	HHS/ACF	401-6953	401-4678
Cheryl Jaks. Macias	Depl. Secy for Congressional	USDA	720-7095	720-8077
Yvette Jackson	Dep. Adm. Off. ^{For Ext. Prog.}	USDA	703-305-2026	703-305-2458
Lyn Huggen		WH - NPC		
Deirdre Dozon	Office Director Ad. Exec. Dir.	HCFA	410-786-4626	410-786-3252
Wendy Taylor	Policy Analyst	OMB	395-7316	395-6974
Lisa SCOBBS	SR. COUNSEL	OPD/DOJ	514-3824	514-5715
Stephen Warnath	White House ^{White House} Policy Analyst	White House	456-5576	456-7028
Mike Compson	Economist	Treasury	622-2351	622-1294
Debby Gershtein	Prog. Analyst	HUD	708-524213	708-4481
Judy Chessier	Deputy Commissioner	SSA	202-358-6030	202-358-6074
John Morahan	IGA - HHS	HHS	202-690-6060	202-690-5672
Elisabeth Stock	White House Fellow	OVP	202-456-7871	
Gene Bueno	Deputy Assistant Secretary for Legislation	HHS	202-690-6786	202-690-6351
Stacy Dean	Program Examiner	OMB	(2) 395-7762	395-0851
Margaret Pugh	Special Asst	HHS - ACF	401-6944	401-4678

[illegible]

WELFARE REFORM IMPLEMENTATION GROUP

Agenda for 2/25/97

- Testimony on Hill technical corrections
- Legal immigration strategy group/budget proposals
- FLSA process update
- Non-covered employment
- Status of 40 quarters trial run
- System for interstate tracking
- Medicaid first of month/gap
- Abstinence education report
- Interim verification guidance
- Disability naturalization reg, guidance update
- \$500 million Medicaid eligibility funds
- All/none
- Bucket
- Hmong
- 6 month deadlines; status of food stamp cutoffs
- Updates on TANF plan certifications, USDA waivers
- HHS progress on state plan report
- Other issues agencies want to raise
- NGA/APWA/NCSL meetings suspended for now
- Next meeting in 3 weeks: Tuesday, March 18 at 3pm

* Bruce/Elene on technicals etc
 * CASA - ASPE + HCFA
 * Draft guid abstinence education

educator - early 1/10
 this MC - Lyn, Wendy

* Call Nicky or Bonnie re bucket + 1st of mo
 * Call Monahan re all/none

glitch fixed; 120/400 didn't get it; still just pilot states

Report on recs > 5yr limit; options; w/gw states; due 2/22
 USDA? Htg to USDA end of April; Hill knows

1. FPB

2. Don't deny pending verfic.
 while Htg for docs

3. Enter US by 8/22 vs.
 qual aliens on 8/22

4pm

Child spt incentives due 3/1 - close
 - SF w/gw P-puf-based
 700 testimony, so before then
 Calif hunt
 getting paper term

* 3 state demo
40 Q - 100/2000
rejected

* Technical bill - H71 - floating
* Federal public ben mty
* mty w/ Fed - faith, health, disadv, & p

WELFARE REFORM IMPLEMENTATION GROUP

Agenda for 2/4/97

- go live Friday
- must sign agreement

Budget rollout (issues like bucket?) - mty on legal imm fix

- Interim verification guidance process - public b - due Monday - Fed pub ben still
- Means-tested benefit process - Fed reg, DOT to agencies

- Disability naturalization reg, guidance update

- \$500 million Medicaid eligibility funds

- Updates on TANF plan certifications, USDA waivers

- HHS progress on report on state plans Not it

- Washington food stamps request - 1944 law; still pending

- State plans for legal immigrants under TANF/Medicaid/SSBG ---all/none

- Charitable choice update

- Child care Q&A done

- Non-covered employment

- Veterans' widow/widower for SSI legal immigrants

- Admin costs under TANF? - help going, early summer

- Interstate tracking of time limits? - relates - working on it (vs USDA ??) - WRA had one

- Hmong - (Dennis) OKK No; 6C algo; VA ??

- * Any 6 month deadlines coming up? Feb 22 report - state systems

- Other issues agencies want to raise

- FYI: Meeting with NGA, NCSL, APWA tomorrow

- Next meeting in 2 weeks: Tuesday, February 18 at 3pm

What are state legislatures doing?

~~What are state legislatures doing?~~

* Reporting requirement illegals - maybe apply to partic ags: HUD, HHS/TANF,

def of 'know' tight
DLC opening
consulting w/ ag counsels

Sup terms -
interest to fix

non-cov
3000-1900

*FS - ndw still for ~~image~~
 *Look @ NGA - regl mtd notes for idend
 *Oprtas memo / MTB
 *Friday MTB - 2pm
 *Nicky H - NA/min
 *Coma issue
 *Hmong - VA or Pentagon make them vets for this purpose alone
 *Steve

WELFARE REFORM IMPLEMENTATION GROUP
Agenda for 1/21/97

1. **Interim verification guidance**
 - overall status, timing *battered alien tough next wk*
 - Definition of means-tested benefit: separate rollout? *afford deference*
 - Definition of Federal public benefit and relationship to affidavit of support *has implies state def*
defines mean-tested
2. **Medicaid manual: done**
3. **Bifurcation/definition of assistance: paper imminent?**
4. **Cost neutrality for child support pass-through waivers: OMB**
5. **Disability naturalization reg; oath accommodations** *Feb. 1*
6. **Progress on \$500 million Medicaid eligibility funds; OMB**
7. **Reaction to SSA paper on 40 quarters?**
8. **HHS on status of TANF plan certifications**
9. **USDA on food stamp waivers** *Locke; M.D. has EST; saying no; can do it themselves*
10. **Status of Washington food stamps request**
11. **HHS on state plans for legal immigrants under TANF/Medicaid/SSBG (related to all/none)** *APNA end of Feb.*
12. **Medicaid bucket** *Disabled ban; leg fix; otherwise clutching*
13. **Charitable choice**
14. **Medicaid first of month** *also ducking head*

NGA - Emily

BR: like sch unfr. OG: pub/pnv cc part.

1. SOTU *cc/cr punish/reward - states acc'table*
2. NGA *Churcho, non-N go?*
3. Leg
4. 4 yrs
5. 6 mo strat.

LH: Asset dev - IDA microent (SBA?)
 JM: mod state leg - state leg
 BR: DOT init / ISTEA - BR

*Emily - met med @ 1 w to w

WELFARE REFORM INTERGOVERNMENTAL MEETING

January 22, 1997

o Reactions to completed items:

- o Q&As
- o Medicaid emergency redetermination reg ✓
- o Food Stamp waiver instructions
- o Technical corrections package

o Status Reports/Updates:

- o Discussions on Medicaid \$500 million - notice in Feb: goal
- o SSA 40 quarters process
- o Timing of notices to legal aliens on SSI
- o Interim verification guidance
- o Disability naturalization regulation/outreach
- o Medicaid manual - SMPA letter: emerg red, waiver
- o Maintenance of effort
- o State actions on TANF/Medicaid/SSBG options
- o Child support waiver cost neutrality

o Other issues ^{New G+A} TANF certification

→ *New cc Q - HHS

*No Fed def of notice - prefer

Welf to work: still want more info

- not just \$3.36 -
- what happ'd w/ CEO's

~EB

2/5?

[Susan
Sherr
Johns]

Tribes

[Monahan
Samara
Sally
Bill
Estrack
Yvette
LeRoy
Keith
Emily]

Samara
~~FAST~~ *state*
~~Education~~ *3 scheduled next time*
~~TANF~~ *plans*
~~regional~~ *regional*
WELFARE REFORM IMPLEMENTATION GROUP
Agenda for 1/7/97

- * Emily re privatiz. + call her
- * Fine
- * NBA
- * OMB - call Laura + Nicky re 7500m
- * Randy - educ verfic? - eliminate

1. Interim verification guidance
 - *break out / do earlier* *advocacy g ps - described fully; helpful input*
 - Definition of means-tested benefit
 - Definition of Federal public benefit *affid.*
 - agency comments *Hegman*
 - timeline *when recirc - end of wk - short for*
2. Manual: align w/interim verification guidance
3. To be released: Q&A's, Medicaid emergency redetermination rule *@ Fed Reg; Memo roll out*
4. Timing on use of state maintenance of effort dollars/bifurcation issue *Olivia to BR*
5. In-kind benefits/time limits issue?
6. Cost neutrality for child support pass-through waivers - *press OMB (Richard)*
7. Disability naturalization reg - *w/uz - interim final*
8. \$500 million in Medicaid eligibility funds
9. SSA verification system on 40 quarters slipping? - *No. Feb - gave us guidance*
10. Teen pregnancy, domestic violence status *done, gd. - internal jrgg - proscript*
11. Process for renegotiating cost neutrality of individual waivers *stat rpt - Feb event?*
12. Non-covered 40 quarters: opinion done? *deferring exemption g ps - gd shape*
13. Affidavit of support done? *FS: lead time - 7/1*
14. Outreach to nursing homes/institutions *negot'g w/OMB*

Reports:

1. HHS re TANF state plan status - *26/39: 3 ready to go for Friday - am Morning*
2. USDA re food stamp waivers *9/17 - roughly 2 wks*
3. State plans for legal immigrants under TANF/Medicaid/SSBG

Pending decisions:

1. SSI children
2. All/none decision
3. Medicaid bucket

Wash - Gary Locke - weird proposal

- MTRB
- D. Bobo

*no list of prog?
 OMB - Jack*

*FS: lead time - 7/1
 negot'g w/OMB
 doing a letter to new states
 1/3 no waiver req'd
 1/3 so minor, drop
 1/3 an issue*

STATE AND FEDERAL WELFARE REFORM GROUP

December 4, 1996

MA letter in Dec.

Agenda

1. Cost neutrality and waivers - states think indy trans MA from 1996 - let Cong intent?
2. Guidance to states on food stamp work requirement waivers
3. Distribution of \$500 million in Medicaid funds - Base - equal amt - gen. match
↳ has OMB circulars cash flow issue - Above: allocation → OK
4. Reports on planned meetings (HHS-APWA on TANF administration issues; HHS on regs; welfare to work initiative)
Thurs Consult admin cost
5. Unresolved issues
6. Other items

① * Bruce nbs to mt w/ them: E Powell nny

Next mtg?

② * Ed, Labor, Hsg in IS mtg
- Labor - Rewrite Reg, & time limits, str

- Speech	
- Labor	
- Gettings	
- Brussard	

③ ** Q+A's - Oct 23

④ ** Tech Corrections -
(* Child Spt waivers ?? - no dec.)

⑤ * Want CSE update \$400m this yr.
(had gd conv.)
- guidance for states
that no state legislation

Not getting to: health pillar

WELFARE REFORM IMPLEMENTATION GROUP
Agenda for 12/17/96

~~Jan 17/97~~

I. Immediate Issues

- a) Technicals -- went to Hill on 12/16
- b) HHS 10/23 Q and A: OMB to report on status -- *Send out # end of wk.*
- c) SSA notice to Legal immigrants: cleared
- d) Medicaid: Emergency Redetermination Rule -- *conf call 450m cost;*
\$500M distribution -- *DF on Chris*
clearance on the manual (not here yet?) -- *Thurs COB*
100 hour rule change (here?) -- *still @ HHS*
- e) HHS IV-D waiver issue: HHS draft plan here; budget implications?
Conn letter held up
- f) all-or-none: next steps? --
- g) prenatal care for illegals
- h) non-covered 40 quarters: DOJ update on timing of opinion

III. January 1 issues

- a) Verification: DOJ Guidance -- *on track? except 2 suppl programs*
- b) Disability Reg: INS to issue interim final by late December
- c) Means Tested Benefits: SSA Counsel signoff -- last step before DOJ;
has OMB done list of programs? -- *Disadvantaged list??*
TBA to Ken
- d) New affidavit from INS -- draft by mid Dec. *Statutory deadline: 12/29*
hr adv draft
- e) Teen Pregnancy Report -- HHS to brief WH this week
- f) Statutory Rape -- *DOJ* nearly done; *briefing this week?*
"distilling" - will make A
- g) SSBG option on immigrants -- *done*

*Don. Violence - legal
...
...
...*

IV. Pending Decisions

- a) Medicaid Bucket -- legal interpretation settled?
- b) SSI kids

Sciama - APWA
not plane

mon
Ann
SRich

Dal

②

Bird

F

~~NeStop~~

Mac

Summary of Requests to Waive Section 824

*Ohio not using their waiver
(+ Texas?)*

Approved as Requested (9) - VA, AL, HI, GA, OK, MN, TN, AZ, AR

Approved in Part , Pending in Part (13) - IL, WV, KY, WA, RI, PA, LA, TX, CO, SC, OH, NJ, MT

Pending (12) - NY, VT, MD, DC, ND, MO, CA, NV, SD, ME, NC, UT

Definition of Terms

Approved - An exemption was approved for all listed areas in the State agency's request.

Pending - This term refers to waiver requests which are still in the evaluation process, or waiver requests which could not be approved based on the data originally submitted with the request, but which may be approved upon receipt of additional data or justification from the State agency.

Approved in Part, Pending in Part - This refers to two situations. In one situation, a request to exempt some of the specified areas was approved while the a determination regarding the areas was deferred; or situations in which the State agency submitted requests for different areas at different times, usually based on different statutory provisions, with the being approved the most recent request in the evaluation process.

Notes

In OH, WV, LA, RI and PA exemptions were granted only for those areas specifically designated as Labor Surplus Areas (LSAs) by the Department of Labor although the affected State agencies had requested exemptions for the entire counties (or parishes) within which the designated LSAs were located.

When State agencies request additions to or modifications of currently approved waivers State requests may be reclassified from "approved as requested" to "approved in part, pending in part."

WELFARE REFORM IMPLEMENTATION GROUP
Agenda for 12/10/96

I. Systems Discussion (OIRA)

II. Immediate Issues

- a) Technicals: Should be cleared today; to Hill tomorrow?

- Talking points done? Rollout plan? - *Don't forget*
- outstanding issue: Cuban/Haitians

- b) HHS 10/23 Q and A: Is it finally cleared?

- c) SSA notice to Legal immigrants: in clearance

- d) TANF State Plan issues: discussion of NY/NJ notifications and reaction

- e) Medicaid: Emergency Redetermination Rule
\$500M distribution - *Fed Reg notice - Jan*
clearance on the manual - *Friday*
100 hour rule change

- f) HHS IV-D waiver issue: Proposal shortly from HHS?

- g) alert on NCSL roundtable

- h) prenatal care for illegals -- Warnath/DOJ update

- i) *non-cov 40 & → is imp. for people - June - DOJ to issue opinion*

III. January 1 issues

- a) Verification: DOJ Guidance

- b) Disability Reg: INS to issue interim final by *late* December - *Comm. mtg Fri*

- c) Means Tested Benefits: HHS Counsel to get letter to DOJ

- Discussion of how to issue *DOJ done?*
- age to list prog, No OMB *Not add: mand disc; TANF &*

- d) Notification to states of SSBG option on immigrants

- HHS to present today *end of wk; will be like MA*

- e) New affidavit from INS -- draft by mid Dec. Statutory deadline: 12/29

- f) Teen Pregnancy Report -- HHS to brief WH next week - *Monday*

- g) Statutory Rape -- DOJ nearly done *BLICK - lya to coord.*

IV. Pending Decisions

- a) Medicaid Bucket -- is this definitely on the options list?

- b) SSI kids

→ 2/97 HHS report status of state TANF systems APWA surveyed states
→ Gramm implem?

** Call Pauline*

** Pauline*

** share HCFA \$500m paper w/gang, incl OMB HHS*

** Maddy call calla.m. re Q & A's*

** Bucket w/ Secy Thurs - call Monahan*

** Pauline - cc HCFA clearances*

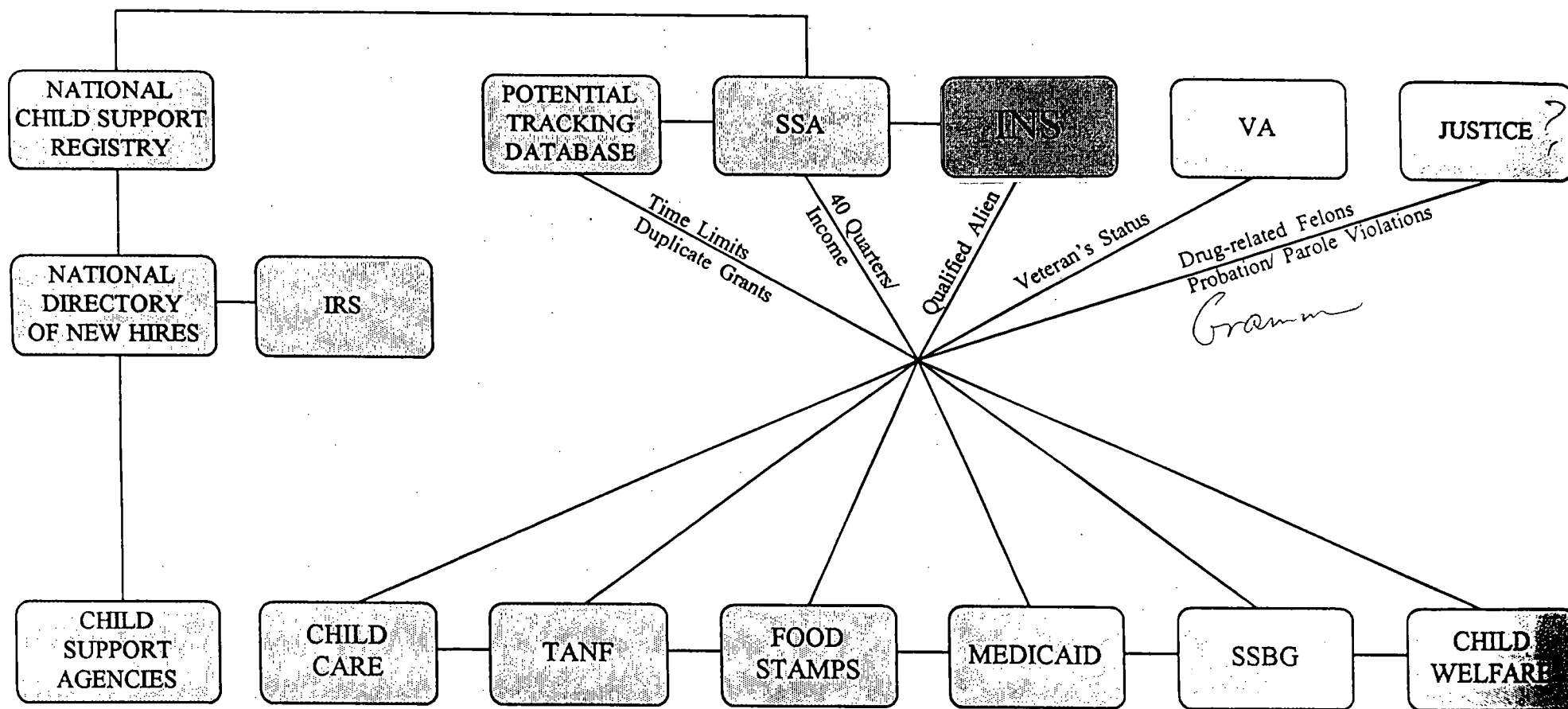
** Richard - what is 45 day reg*

** OMB to attend roundtable → penalty **

- Elena prenatal - dubre

all done

ADDITIONAL INFORMATION NEEDED BY BENEFIT PROGRAMS UNDER WELFARE REFORM



Public Assistance Client Tracking System Considered Alternatives/PRWORA Requirements MATRIX

Section
106 (a)(2)

Other TANF Requirements

Functional Requirements Considered Alternatives	5-Year Limit	Duplicate Grants	Indian Exem 50% Unemployment	Ready for Work 24 Month Req.	Fraud 10-Year Limit	Fugitive Felons	Probation/Parole Violators	Drug Related Felons	Not Qualified Aliens	Qualified Aliens			Federal Reporting Requirements	Food & Cons. Service		Other TANF Requirements
										Refugees/ Asylees	Certain perm. Residents	Veterans & Active Duty		Work Require 8 Months Ben. W/in 36 Mons.		
1.1 Client Self-Declaration State Operated	C	C		C	C	C	C	C		C	C	C		C		
2.1 State to State ACF Operated	S	S		S	S	S	S	S		S	S	S		S		
2.2 State to State Vendor Operated	S	S		S	S	S	S	S		S	S	S		S		
2.3 State to State SSA Operated	S	S		S	S	S	S	S		S	S	S		S		
2.4 State to State FCS/HCFA Operated	S	S		S	S	S	S	S		S	S	S		S		
2.5 State to State State Operated	S	S		S	S	S	S	S		S	S	S		S		
3.1 Regional Center ACF Operated	R	R		R	R	R	R	R		R	R	R		R		
3.2 Regional Center Vendor Operated	R	R		R	R	R	R	R		R	R	R		R		
3.3 Regional Center SSA Operated	R	R		R	R	R	R	R		R	R	R		R		
3.4 Regional Center FCS/HCFA Operated	R	R		R	R	R	R	R		R	R	R		R		
3.5 Regional Center State Operated	R	R		R	R	R	R	R		R	R	R		R		
4.1 Central Data Base ACF Operated	N	N		N	N	N	N	N		N	N	N		N		
4.2 Central Data Base Vendor Operated	N	N		N	N	N	N	N		N	N	N		N		
4.3 Central Data Base SSA Operated	N	N		N	N	N	N	N		N	N	N		N		
4.4 Central Data Base FCS/HCFA Operated	N	N		N	N	N	N	N		N	N	N		N		
4.5 Central Data Base State Operated	N	N		N	N	N	N	N		N	N	N		N		

Legend: C=Client Reported - No verification except for existing State verification procedures
 S=Verification on a State-by-State basis depending on networking capability to other State and Federal databases
 R=Verification on a regional basis depending on networking capability to other State and Federal databases
 N=Verification on a National basis depending on networking capability to other State and Federal databases

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
BLOCK GRANTS FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) (Title I)	
ADMINISTRATIVE CAP	A state's use of TANF funds for administrative activities is capped at 15 percent. Information technology and computerization for tracking and monitoring recipients is not included in the cap. (Sec. 103)
PRIVACY	State plans shall outline how the state intends to take steps to restrict the use and disclosure of information about TANF recipients. However, the safeguards shall not prevent the state agency from furnishing information to law enforcement agencies. (Sec. 103)
APD REQUIREMENTS	States are no longer required to submit an Advanced Planning Document (APD). (Sec. 103)
DATA COLLECTION AND REPORTS	States must collect monthly, and report to the Secretary of Health and Human Services on a quarterly basis, disaggregated information on families receiving assistance under the TANF, including: family's county of residence; whether a family member is disabled; ages of family members; number of family members and relation of each to the youngest child; employment status and earnings; marital status of adults; race and educational status of adults; race and educational status of each child; if the family receives subsidized housing; medical assistance under Medicaid; food stamps; subsidized child care; amount of assistance (child care and food stamp) received; number of months assistance received; if adults participated in work and the hours spent in education, subsidized private sector employment, unsubsidized employment, public sector employment, work experience, community service, job search, job skills or on-the-job training, or vocational education; any amount of unearned income, the citizenship of members of the family; and, from a sample of closed cases, if the family left the program due to employment, marriage, sanctions, state policy, or the time limit. (Sec. 103)
	States are also required to submit reports on: use of federal funds to cover administrative costs and overhead; state expenditures on programs for needy families; the number of noncustodial parents in work activities; and, the total amount spent for providing transitional services to a family. (Sec. 103)
	Sampling -- States may use scientifically acceptable sampling methods approved by the Secretary to submit estimates. The Secretary may develop and implement procedures for verifying the quality of data submitted by states. (Sec. 103)

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
REPORT ON DATA PROCESSING	By Feb. 22, 1997, the Secretary is required to prepare and submit to Congress a report on: (1) the status of the automated data processing systems operated by the states to assist management in administering state IV-A programs, and (2) what would be required to establish a system capable of both tracking participants in public programs over time and checking case records of the states to determine whether individuals are participating in public programs of two or more states. (Sec. 106)
OUTCOME MEASURES	Not later than 1 year after the date of the enactment (Aug. 22, 1996), the Secretary, in consultation with the National Governors' Association and the American Public Welfare Association, must develop a formula for measuring state performance. (Sec. 103) Requires by September 30, 1998 reporting of outcome measures that differ from those in current law. (Sec. 107)
CONTRACTING	States are allowed to contract with "charitable, religious, or private organizations" to provide services under TANF. Contracting does not exempt states from data collection and reporting requirements, regardless of the systems capacity of such organizations. Contracting organizations are subject to audits as are other contractors. (Sec. 104)
PENALTIES	Most penalties (including failure to report) are effective the later of July 1, 1997 or 6 months after the secretary receives a state plan. <u>Failing to report</u> -- If the Secretary determines that a state has not, within 1 month after the end of a fiscal quarter, submitted the report required for the quarter, the Secretary shall reduce the grant for the immediately succeeding fiscal year by an amount equal to 4 percent of the state family assistance grant. If the report is submitted by the state before the end of the fiscal quarter that immediately succeeds the fiscal quarter for which the report was required the Secretary shall rescind the penalty imposed on a state. (Sec. 103) <u>IEVS</u> -- The Act proscribes a two percent penalty for failure to participate in the Income and Eligibility Verification System (IEVS). The Secretary shall reduce the grant for the immediately succeeding fiscal year by an amount no more than two percent of the state family grant. (Sec. 103).
TRIBES	Tribes are subject to all of the data collection and reporting requirements as imposed upon states under TANF (Sec. 103)

Overview of Information Systems Provisions in the

PROGRAMS	PROVISIONS
CHALLENGES	Prohibitions to providing cash assistance that will require new complex interfaces include: • Five year life-time time limit • Fugitive felons • Felony drug convictions • Probation and parole violators • Individuals who have misrepresented residence in order to receive benefits for 10 years • Work participation rate requirement • Family cap at state option • Deeming and denial of legal non citizens • Duplicate participation (intrastate and interstate) • Teen parent information • School attendance • Relationship to youngest child • Unemployment on tribal reservations • Maintenance of Medicaid and IV-E eligibility under AFDC rules.
SUPPLEMENTAL SECURITY INCOME (Title II)	Requires Commissioner of Social Security Administration to furnish enforcement officers with current address, social security number and photographs of individuals receiving SSI benefits who are fugitive felons or probation and parole violators. (Sec. 202) Requires Commissioner to enter into agreements with interested state and local incarceration institutions whereby the institution will provide names, social security numbers, and other vital statistics to SSA to assist it in prohibiting SSI payments to prisoners. The Commissioner will pay institutions a "finders fee" for those inmates who become ineligible for SSI benefits as a result of the reporting. (Sec 203) Requires the Commissioner to submit to Congress by August 22, 1997 a report on the feasibility and cost of establishing a system for courts to furnish information regarding court orders and state and local incarceration institutions to furnish information by means of an electronic or similar data exchange system. (Sec. 203)
CHILD SUPPORT (Title III)	
FUNDING AND TIME FRAMES	(NOTE: P.L. 104-35 extended the October 1, 1995 certification deadline for child support single statewide automated data processing and information retrieval systems until October 1, 1997.) PRWORA extends the deadline for enhanced 90 percent funding for two years, but caps the total amount each state may receive at what was approved in states' advanced planning documents (APDs) as of September 30, 1995. (Sec. 344)

American Public Welfare Association
810 First St. NE Suite 500
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Contact: Bob Reeg
202/682-0100 FAX: 202/289-6555
breeg@apwa.org
11/26/96
Page 3

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
NEW CHILD SUPPORT INFORMATION SYSTEMS	The total funding amount allowed nationally for future changes to state child support information systems is \$400 million, available at an 80 percent matching rate. The date for implementing these new information systems requirements was moved from October 1, 1999 to October 1, 2000, except that this date will be extended by one day for every day that regulations are issued late. The related regulations are due Aug. 22, 1998. (Sec. 344) States' statewide systems must (1) control and account for public funds, (2) maintain good reporting data, (3) calculate performance indicators, and (4) maintain data integrity and security by 10/1/00. (Sec. 344) States must implement state case registries (or linked local registries) for (1) IV-D cases, including all IV-D payment records, and (2) all support orders established or modified in the state after 10/1/98. The law specifically requires information exchanges with the new hire directory in IV-D cases (by 5/1/98), federal case registry of orders, the Federal Parent Locator Service, the IV-A program and the Medicaid agency, and contains general language regarding other intrastate and interstate information exchanges. Changes to the statewide automated system are required by 10/1/00. (Sec. 311) States must establish a state disbursement unit (or linked local unit if cost effective) to collect and disburse collections by 10/1/98 (or 10/1/99 for states processing non-IV-D orders through local courts). States may use a private contractor or enter into a regional cooperative agreement to operate the unit. Also, by 10/1/00 it must also send employers withholding notices and orders (including electronically), monitor missed payments, and initiate enforcement activities. (Sec. 312, Sec. 314) States must operate new hire directories that are linked to the national new hire directory by 10/1/97, or by 10/1/98 if the state has an existing directory. It must conduct automated matches with case registry by 5/1/98 and include employer data within 5 days of receipt, transmit new hire data to national directory in 3 days of entry, transmit quarterly extracts of wages and unemployment reports to national director, and monitor employer compliance. (Sec. 313). The Secretary is required to establish within the Federal Parent Locator Service (FPLS) a federal case registry of child support orders and a national directory of new hires. (Sec. 316).

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
CHILD SUPPORT PROVISIONS WITH MAJOR SYSTEMS IMPLICATIONS	Systems will have to be reprogrammed to comply with the new distribution rules, including any state decisions to change state policy regarding passing through the \$50 disregard; conflicting dates are in the law regarding this effective date; Sec. 302 is effective 10/1/96; Sec. 103 is effective 7/1/96, or earlier at state option. (Sec. 302, Sec. 103 (for changes to the IV-A disregard))
	Many of the expanded interfaces with locator sources have systems implications, including the possibility of needing additional interfaces and/or having the ability to accept information from other public and private agencies (i.e., utility and cable companies, financial institutions, credit bureaus, and motor vehicle and law enforcement networks), as well as having the capacity to generate and monitor compliance with subpoena requests. The locator provisions are effective upon enactment, unless state law changes are required. (Sec. 315, Sec. 317, Sec. 325, Sec. 352, Sec. 372).
	Many of the new enforcement procedures may have systems implications for accepting and/or sharing information, keeping records, generating documents, and identifying certain cases. New procedures states must implement include seizing lump sums from various sources such as from workers' and unemployment compensation, lottery winnings, judgments, and settlements; placing liens on property; settling fraudulent transfers; suspending licenses; reporting arrears to credit bureaus, and certifying cases subject to passport revocation due to \$5000 arrearages. (Sec. 325, Sec. 364, Sec. 367, Sec. 368, Sec. 370, Sec. 372)
	Other child support provisions that may have systems implications are listed below. The effective date of these provisions is 10/1/96 unless state law changes are required or otherwise noted below.
	States must have privacy safeguards by 10/1/97 for information where a protective order has been entered or if release may result in harm and provide IV-D applicants and parties to IV-D cases with notices of proceedings and copies of orders by 10/1/97. (Sec. 303)
	Cooperation requirements in establishing paternity (Secs. 103, 333 for IV-D changes; IV-A changes are effective 7/1/97 or earlier at state option)

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
	New paternity-related procedures, including procedures for voluntary acknowledgment of paternity (Sec. 331, effective upon enactment unless state law changes are required) and procedures for contested paternity establishment and new 90 percent paternity establishment percentage . (Sec. 325, Sec. 331, Sec. 341)
	Administrative modifications to orders in which states must have administrative procedures to change payees and increase monthly payments on arrears and paternity and support proceedings must have statewide jurisdiction . (Sec. 325)
	New reporting, reviews and audits . (Sec. 342)
	OCSE must establish uniform data definitions and collect new data on (1) the number of IV-A cases that became ineligible and received child support during the month, (2) current support and arrears, (3) unpaid support, (4) former Medicaid cases. States must use revised federal data definitions and include new requirements in information submitted to OCSE for the annual report to Congress for FY 1997. (Sec. 343, Sec. 346).
	Order review and adjustment procedures , including the options to review orders on a case-by-case basis, apply cost-of-living adjustments (now conducted in one state - Minnesota), or conduct automated reviews. (Sec. 351).
	New medical support requirements that all IV-D orders include health care coverage, with a notice to employer to enroll the child in the absent parent's health plan. The law also includes new transitional Medicaid requirements . (Sec. 382, Sec. 103, Sec. 104).
	Interstate and international procedures , including adopting UIFSA by 1/1/98, electing to electronically request interstate enforcement without a case transfer, use new enforcement procedures across state lines, and accept requests from foreign countries, keeping records, and using new interstate forms. (Sec. 321, Sec. 322, Sec. 323, Sec. 324, Sec. 371)
	Giving states the authority to seek work orders for noncustodial parents in arrears and requiring related data reporting. (Sec. 365, Sec. 103)

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
RESTRICTING WELFARE AND PUBLIC BENEFITS FOR ALIENS (Title IV) CHILD PROTECTION (Title V) REPORTING SACWIS DEADLINE CHILD CARE (Title VI) ADMINISTRATIVE COSTS	New optional provisions allowing states to use food stamp eligibility to enforce custodial and noncustodial parents' cooperation with IV-D agencies and allowing states to use an income deduction of child support payments for food stamp eligibility. (Sec. 1020, Sec. 1031, Sec. 1032) Requires states and the Social Security Administration to report names and addresses of individuals the state or SSA knows are unlawfully in the United States to the Immigration and Naturalization Service (INS) at least four times annually. (Sec. 404). PRWORA makes no changes to reporting requirements under the Adoption and Foster Care Analysis and Reporting System (AFCARS) and the National Child Abuse and Neglect Data System (NCANDS). Extends deadline for the Statewide Automated Child Welfare Information System (SACWIS) enhanced funding match for one year, from October 1, 1996 to October 1, 1997. (Sec. 502) Not more than 5 percent of the aggregate amount of funds available to the state to carryout child care may be expended for administrative costs incurred. The term administrative costs shall not include the costs of providing direct services. A state shall ensure that a substantial portion of the amounts available to the state to carryout activities shall be used to provide assistance to low-income working families other than families receiving public assistance. The Secretary shall issue regulations to further define administrative costs. (Sec. 605)

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
REPORTS	Quarterly Reports: States must collect information monthly and submit information quarterly on the following data elements: family income; county of residence; gender, race and age of children receiving assistance; whether the family includes only one parent; sources of family income (including employment, IV-A cash assistance, housing assistance, food stamp assistance, and other assistance programs); the number of months the family has received benefits; the type of child care in which the child was enrolled; whether the child care provider was a relative; the cost of child care for families; and the average hours per week of care. The Secretary may disapprove the information collected if the state uses a sampling method. (Sec. 611) Biannual Reports: Starting no later than December 31, 1997, states must collect information on the following data elements and submit information every six months: the number of child care providers that received funding; the monthly cost of child care services and the subsidy cost portion; the number of payments made to providers through vouchers, contracts, cash and disregards under public benefit programs, listed by the type of child care services provided; the manner in which consumer education information was provided to parents; and the total number of unduplicated children and families served. (Sec. 611).
ELECTRONIC BENEFIT TRANSFER	EBT provisions are contained in three sections of PRWORA:
TANF PROVISION	encourages states to use EBT to deliver the new TANF grant to clients and specifically allows the use of the IV-A block grant to implement EBT
FOOD STAMP PROVISIONS	Requires states to implement an EBT system not later than October 1, 2002, unless the Secretary provides a waiver for a state agency that faces unusual barriers to implementation. Each state is encouraged to implement a system "as-soon-as practicable."
	Changes prior federal law requiring EBT implementation to be cost neutral in any one year to allowing cost-neutrality to be determined over the life of the EBT system.
	Allows states to charge for replacement cards by reducing benefits. Requires states to ensure security of benefits, e.g., use PINs or include optional photographs of household members on EBT cards.

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
REGULATION E EXEMPTION FOOD STAMPS (Title VIII) INFORMATION SYSTEMS FOOD STAMP PROVISIONS WITH SYSTEM IMPACTS	Requires states to implement measures to differentiate between allowable and prohibited food stamp items "to the extent practicable" (i.e., by using scanning devices); these measures must be implemented by Aug. 22, 1998. The law does not provide for federal reimbursement to states for retailer equipment costs. The Secretary must consult with the Federal Reserve Board before issuing regulation or interpretations of regulations related to these provisions. Includes a Sense of Congress that states should operate EBT systems that are compatible with those of other states. (Sec. 825) Exempts state- and locally-administered EBT programs, including both food stamps and cash assistance, from Regulation E of the Electronic Funds Transfer Act. PRWORA requires that EBT rules issued by USDA regarding state liability for lost benefits be similar to rules used in the coupon-based system. (Sec. 891, Sec. 907) Makes state participation in the Income and Employment Verification System (IEVS) and the Statewide Alien Verification System (SAVE) optional (Sec. 840) Eligibility and Benefit Determination - Numerous changes in eligibility and benefit determination include: eliminating the scheduled removal of the excess shelter expense cap and replacing it with a gradually increasing cap; elimination of separate household status for children under 21; counting of income of students at age 20 and older; freezing the vehicle allowance at \$4,600; freezing the standard income deduction at the FY '95 level; denial of the earned income deduction for non-timely reporting and for income earned in work supplementation/support programs; and extension of deeming period for sponsored legal aliens. (Sec. 809, Sec. 810). Bans on Benefits - New provisions deny benefits to legal immigrants, non-custodial parents in arrears for child support or custodial parents who do not cooperate with the child support agency (at state option) and fugitive felons. Recipients who apply fraudulently for duplicate benefits (more than one state, identity, etc.) are disqualified for 10 years. (Title IV, Sec. 820, Sec. 821, Sec. 822, Sec. 823)

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
MEDICAID MEDICAID CHANGES WITH SYSTEMS IMPLICATIONS ELIGIBILITY	Work Requirements - Able-bodied recipients aged 18-50 with no dependents who, in the preceding 36 months, have received benefits for more than three months and have not participated in any work or work-related activity for 20 hours per week (averaged monthly) will be ineligible for benefits. Those who 'cure' their ineligibility by working for at least a month, and who subsequently lose their jobs, are eligible for another three months' benefits without working, limited to one occasion during the three year period. (Sec. 824) Simplified Food Stamp Program - States may qualify for a simplified Food Stamp program, in which benefit rules for households receiving both cash and food stamps conform. The law also provides for waiver authority to conform the non-cash caseload to these rules. Depending on USDA's interpretation of its waiver authority, states choosing this option may end up with two different sets of rules for the Food Stamp Program. (Sec. 854). Previously, individuals eligible for AFDC (Title IV-A) automatically received Medicaid coverage. Under PRWORA, to determine Medicaid eligibility, states are required to use income and resource standards and methodologies contained in a state's AFDC state plan on July 16, 1996. States will be required to establish a new medical assistance only (MAO) category which uses the income and resources standards and methodologies of the old AFDC state plan. This could require states to maintain a dual-eligibility determination system. (Sec. 103) Individuals whose eligibility ends because of increased child support collections continue to receive four months of TMA (Sec. 103). States with IV-A waivers of Medicaid eligibility provisions can continue to operate under those rules permanently. If they do so, states may want to permanently modify their systems (Sec. 103). The law appropriates \$500 million from FY 1997-FY 2000 for administrative costs for implementing the eligibility provisions. (Sec. 103)

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193)**

PROGRAMS	PROVISIONS
TRACKING	States continue to be required to track income for purposes of transitional medical assistance (TMA) for one year after the individual leaves welfare due to increased earnings. PRWORA continues current reporting requirements.
IMMIGRANT WAIVERS	States who elect to deny Medicaid to legal immigrants will need to modify their systems to accommodate that change (TITLE IV).



AMERICAN PUBLIC WELFARE ASSOCIATION

**Overview of Information Systems Provisions
in the
Personal Responsibility and Work Opportunity
Reconciliation Act
(P.L. 104-193)**

NOVEMBER 26, 1996

NEW INFORMATION SYSTEM REQUIREMENTS IN PRWORA

HEALTH AND HUMAN SERVICES

ACF/TANF

Title I, Section 106 Report on Data Processing. HHS is required to report on the status of automated data processing systems operated in the states and what would be required to establish a system capable of tracking participants over time and checking case records of States to determine whether individuals are participating in programs in more than one state.

ACF/OCSE

Title III requires the creation of a number of new databases at the State and Federal level:

- State Directory of New Hires (sec. 313)
- State Case Registry (sec. 311)
- Statewide automated Child Support systems (sec. 344)
- National Directory of New Hires (sec. 316)
- National Case Registry (sec. 316)
- State Disbursement Unit (sec. 312, 314)

HCFA/MEDICAID

Title I, section 103 appropriates \$500 million from FY 1997-FY 2000 for administrative costs for implementing new Medicaid eligibility provisions. States do not have to spend this money on information systems per se, but we expect that many will choose to do so.

AGRICULTURE

EBT

Title VIII, Section 825 requires states to implement an EBT system not later than October 1, 2002 unless the Secretary provides a waiver.

OFFICE OF INTERGOVERNMENTAL AFFAIRS
DEPARTMENT OF HEALTH AND HUMAN SERVICES
200 Independence Avenue, SW
Room 630F
Washington, DC 20201



FAX COVER SHEET

DATE:

TO: Diana F.
Emily B.

PHONE:
FAX:

FROM: John Monahan
Director

PHONE: (202) 690-6060
FAX: (202) 690-5672

RE:

CC:

Number of pages including cover sheet:

Message:

Attached is the timetable HCFA is
proposing to clear materials to
States in December.

MEDICAID WELFARE REFORM SCHEDULES FOR DECEMBER ISSUANCES

December 3, 1996

1. Final State Medicaid Manual

Comments on Draft Manual Due to Medicaid Bur., HCFA	12/4/96
To HCFA Steering Committee and Administrator	12/10/96
To Department	12/13/96
To White House and OMB	12/16/96
Issuance to States	12/18/96

2. Regulation on Redeterminations

To HCFA Administrator and Department	12/5/96
To White House and OMB	12/10/96
Publication	12/18/96

3. Regulation on 100-Hour Rule

Draft to ACF (Children's Bureau)	12/9/96
To HCFA and Department	12/10/96
To White House and OMB	12/13/96
Publication	12/20/96

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

10-Dec-1996 10:34am

TO: (See Below)

FROM: Diana M. Fortuna
 Domestic Policy Council

SUBJECT: RE: Agenda for 3:00

Sorry to add to the agenda, Jeremy, since I know you are trying to close it down to zero prior to 12/20, but I would add the following:

1. HHS thinks that there is still a policy decision to be made on how to revise budget neutrality for waivers w/IV-D features. Does this make sense, OMB? Monahan says they'll have a proposal to present soon.
2. HCFA is looking to clear 3 things in the next week or so: emergency reg on extending eligibility redeterminations; revised state Medicaid manual; and something on the 100-hour rule.
3. HCFA \$500m distribution: probably worth a quick update; I think it's getting resolved 
4. technical corrections rollout -- with states, advocates; how to make them feel they got an alert
5. mention NCSL roundtable on Friday and just describe for people
6. should talk about prenatal care for illegals/Sen. Kennedy letter to AG; community providers pushing us as they try to find a way to stop Wilson from cutting off state-only program; not clear there is one; Kennedy wrote Reno saying it could be in AG order on emergency programs, but this is means-tested Medical, not subsidized charity care, so not clear what's possible legally. Warnath had meeting on it this morning w/DOJ, HHS, OMB, community providers.
7. Doesn't HHS now have to go back and renegotiate all the cost neutrality provisions in the waivers now that there is a decision rule? Do they have a process for this?

Question to OMB: Is fixing SSI/Medicaid bucket really on OMB options list, or is it getting lost?

WELFARE IMPLEMENTATION SUBGROUP

Agenda for 11/26/96

General Discussion Items

Systems: Postponed till 12/10

Regs: Review Revised Agency Timelines

Reports: Review Revised Lists of Agency Reports

Issues

USDA -- 18-50 guidance: decision made, when does guidance go out?

SSA -- Non covered employment: how handle
end of June, but doc mid Dec.

Medicaid -- \$500M: how did states react to proposal?

ACF/OMB -- 10/23 Q and A: can HHS release #1,2,3,5? Rest done by 12/4

- Richard ckg w/Keith as to OK

Technicals -- Should be done by mid-end of next week

Waiver Cost Neutrality -- how get decision out?

Verification -- has draft guidance been circulated? *1st of yr.*

Disability Reg -- still going to make mid Dec goal?

Means Tested -- DOJ still waiting for agency letters
comments by other ags by COB next
so to DOJ next wk; how to roll out

New affidavit -- is it available for review?

TANF Plan issues -- NJ/NY/Cal -- Emily reviewing with HHS Leg

All or None -- under discussion

SSA naturalization notices -- when, who sending? *Carolyn to Bob*

SSA Notice to Legal immigrants -- when available for review

Feb.

SSBG State option -- HHS: how will it work?

Decisions Pending

SSI Kids

SSI/Medicaid Bucket

What happ'd w/ Fri prenatal - also AB order -

→ Neg homes

Cyn
① 1/1/97 - Teen Pregnancy strategy implement
HHS expects to meet

② Start Rape - 1/1/97 DOJ

③ 1/3/97 - Dom Viol -
Pres Dir deadline
DOJ has per

HHS

2/23 - Data Processing Rpt.

SSA - 2/22/97 - SSI

Colvin will send me

3/97 - Ely on aliens

HHS - 12/30 - Refugees

asylees to self-suff.

Nat directive

late Dec? - JBA

operational issues

now int final

** INS don't want even their brochure in SSA envelope*

next time!

→ 3³⁰ - Daily (1³⁰?)
→ 12/3
→ WTW now wklly

OUTSTANDING ISSUES (TOP TEN PLUS ONE)

1. HHS Q/A's from 10/23

- OMB reviewing - commitment to HHS is to get answer Mon or Tues

2. Technicals

- Report due next week; in OMB circulation
- WH to review hot issues - Friday meeting - see attached list

3. Administrative Decisions with Budget Implications -- In Process

- SSI Kids
 - Food Stamps 18-50's
 - Cost Neutrality Waivers/Transitional Medicaid
- due Friday!!

4. Medicaid Manual

- HCFA hopes to hand out next week as initial draft and begin consultation
- WH/OMB to review/decide by Monday whether any issues need to be pulled before circulating draft

5. Medicaid "Bucket" Issue

- Final options for legal review by WHC and HHS Counsel
- By early next week, need agreement on whether should be in legislative package

6. Means Tested Benefits

- Counsels are still communicating among themselves; letter to DOJ anticipated
- DOJ turnaround should be rapid
- Decision could be by Thanksgiving; could be wrapped into broader verification

7. TANF Plan Issues

- 6 states with one month cushion on front end; two months on back end
- California - assurances acceptable on state spending??
- NY/NJ problems - are we OK with their approach

8. Medicaid - \$500 million

- HCFA paper circulated
- are we comfortable with their targeting approach rather than straight formula?

9. Medicaid Waiver (b)/(d) issue

- are we OK with option #3?
- WH, OMB to confer, answer needed on Monday a.m.

10. "All or None" Issue

- are we OK with "all"?
- WH, OMB to confer, answer needed on Monday a.m.

11. Medicaid – TANF eligibility linkages

- WH/OMB to review HHS paper on general approach
- get back to HHS on comfort level

Other

Disability Reg

Cuban/Haitians

TECHNICALS

1. Strategy

- generally need to consider release strategy, timing, format, etc.

2. Issues

- Move administering agency for contingency fund from Treasury to HHS
- Title XX transfer – eliminates 2 for 1 CCDBG requirement (p.4)
- drops 20% voc. ed clarification
- allows penalties to be less than 5 percent (p.9)
- including spending on aliens in MOE (p. 10–11)
- no state child poverty reports until three months after regs (p. 20)
- reporting requirements between January and July (p.25)
- add Medicare to programs even non-qualified alien can get (p.41)
- fixing the "bucket issue" by technical amendment (pp 42–43)
- Cuban/Haitian fix (pp 43–44)
- add 40 quarters exception to Federal means tested benefits (SSA p. 34)
- SSA: no technical on non-covered quarters (is that OK?)
- limit deeming of spouses to when living together (SSA p. 36)
- privacy issue: allows SSA to reveal spouse/parent quarters (p. 42)
- religiously affiliated organizations (DOJ 1–6)
- interstate immigrants – add constitutionality (DOJ 6–8)
- limit Gramm to crimes post enactment (DOJ 8–10)

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

18-Nov-1996 11:01am

TO: (See Below)

FROM: Jeremy D. Benami
 Domestic Policy Council

SUBJECT: welfare recap

Here's where I think we are on the various items we need to respond on to HHS this week:

1. Q/A from 10/23 -- KEITH: I just sent over to you some edits from HHS to their draft from last week. I had told John your staff would be working with the ACF and ASMB folks today and tomorrow with the goal of signing off early this week.
2. MEDICAID issues: Please check the following summary:
 - (b)/(d) waiver issue -- I think we are all OK with HHS option #3. I will give them the go-ahead on that this morning
 - all-or-none issue -- I sense a sea change in our view on this issue. I will let HHS know that they do not have the go-ahead to go with the "all" answer. We should regroup by phone on this this morning
 - Medicaid Manual -- we need to let them know by Tues a.m. if there is anything we want them to pull out of the manual before the meetings this week with the states. DIANA: can you check in with OMB and get back directly to Sally
 - Paper on \$500M and on TANF/Medicaid eligibility: same as manual. Need to let HHS know if we have any objections to their approach. DIANA: can you coordinate with OMB and get back to Sally directly?
3. TANF state plan issues
 - Six states with minor timing issues: unless Keith/Elena Diana/Emily get back to me this morning with a significant problem on their proposal, I would like to give them the goahead to proceed on the six states with minor TANF timing issues

- NY/NJ/CAL -- bigger issues; everyone should read this paper closely, and I will schedule a conversation on this for Wednesday.

4. Technicals

I will call Rich this morning. I will tell him our general framework on timing: i.e., won't be done this week; will try to get something out by next week -- LRD in charge, but I will give him a few big comments like drop the bucket, drop the change in penalties, and drop the Title XX transfer. After that, I will tell him, his staff needs to work through LRD. Goal is to have at least a small package up there next week.

PLEASE LET ME KNOW IF THERE ARE ANY PROBLEMS WITH THE TIMETABLES AND ASSIGNMENTS ABOVE.. THANKS, JEREMY

Distribution:

TO: Keith J. Fontenot
TO: Diana M. Fortuna
TO: Barbara E. Washington
TO: Emily Bromberg
TO: Elena Kagan

CC: Kenneth S. Apfel
CC: Pauline M. Abernathy

WELFARE REFORM IMPLEMENTATION ISSUES LIST
11/12/96

Nov. 26

Next Mtg - Systems - Laura
- Reports - 3+6 mo rpts
- Agencies - new reg. timelines

ISSUE	PRODUCT	WHO	NEXT STEP
USDA			
1. 18-50 Waiver guidance	Draft waiver guidance	USDA	Pending Decision
SSA			
1. Children issue	Guidance to field on new definition	SSA, OMB, DPC	Pending Decision will m3s 11/22 - 2 versions
2. SSI POMS including 40 quarters	Send new POMS to the field	SSA	DONE. Thank you.
3. Letter to SSI kids			Changes made. Mailed?
4. "Non-covered employment"	SSA will start legal admin issues		SSA Counsel was to consult with DOJ. Status?
5. Who does disability determinations for Medicaid purposes?	Legal Immigrant Notice →		Issue flagged last time by SSA. Next step?
HHS Medicaid			John M
1. Medicaid waiver issue (section 1931)-- (b)/(d) issue	Guidance to states Friday: status rpt	HCFA, DPC, OMB	1 - Calif waiver?? 2 - All or none Budget?? 3 - \$500 m 4 - TANF/Medicaid??
2. Medicaid state options for legal immigrants losing SSI	Guidance to states	Elena, HHS, DPC	Elena, HHS held meeting: need update Elena wants to talk

→ New issue missed it

* ~~Brown~~ * ~~Monahan~~ mtg: waiver, bucket, alert re \$500, euh mch fast track
* ~~Pauline~~ - SSI
* ~~Elena~~ - bucket
* ~~Ann Donovan~~ -
* ~~bucket~~ - states, # people
* ~~Monahan~~
* Notices out - timing vs decision - Nov 12-22
JBA - Systems for next time

Education to schools?

3. Medicaid: Eligibility for children losing SSI	Advise states, advocates about our process for assuring coverage wherever possible	SSA, HCFA, DPC <i>Did report</i>	HCFA TO REPORT ON 11/12 on plans for outreach to groups/states
4. Medicaid: Use of \$500m enhanced match	Manual issuance in December <i>JM: next WK mtg - States may not be happy</i>	HCFA	Draft notice for comment to states in mid-November?
Monitor TANF vs. Medicaid eligibility systems: fast track options?	Guidance to states <i>Fri item</i>	HCFA	Is HCFA working on this?
HHS - ACE			
1. State questions for Wednesday meeting	Written answers to questions	HHS	HHS was to have provided written answers by 11/7. Status?
2. Technical amendments	Report from Secretary to Congress on 11/22	HHS coordinating <i>Haskins</i> <i>all agencies exc</i> <i>DOJ have done it</i>	Briefing upcoming. All agencies have their comments in?
3. Mechanics of 1/97 state option on SSBG	Guidance memo? <i>all or nothing</i>	HHS to identify options	HHS to report 11/12
4. Cost neutrality for existing waivers	New agreements with states		Decision pending
5. Timing of cash flow to states for TANF ("Circulars question") and apportionment <i>Does A-87 apply?</i>		HHS, OMB	Did HHS, OMB, states meet on this? <i>Mtg left unclear -</i>

JBA to set up mtg

6. Timing question -- Of \$ and time limits <i>MYNT</i>	HHS answer	<i>Kevin deciding this wk</i>	HHS looking at issue - to brief WH on options. When?
Monitor Performance Fund proposal	Joint proposal from HHS and the intergov groups due one year after enactment		HHS and groups have discussed a cooperative process
IMMIGRATION			
1. Verification: Veterans exemption	VA guidance on verifying vet status/DOD guidance on verifying active duty	Molly Brostrom/VA/DOD	Final comments by 11/13. Final version at 11/19 ²⁶ meeting.
2. Verification: Refugee/Asylee guidance	INS guidance to field on verifying status	INS	Paper by first week of Nov. for SSI and FS to use? <i>-Here</i>
3. Verification: Guidance to other programs	Directive/Guidance memo from AG on verification		Once above steps done - by end of year have memo from AG; draft by mid-November
4. Disability Regulation	Final rule in December	INS working with OIRA, agencies	<i>INS met HHS, SSA - on medical back @ INS</i>
5. Nursing Home Response Team			INS AND SSA AND HCFA AND HUD TO REPORT ON IDEAS AT NOV. 12 MTG. Then meeting with imm and serv provider advocates to brainstorm

*IRBA to set up mtg
advocates wk after
next*

*DF to do list
of health/disab
advocates*

*SSA not ready
HCFA not ready*

*Some regions have teams - hi
Give list to advocates
Do @ next level*

6. "Means Tested"	Government-wide definition of means tested must be developed ASAP - format and dissemination TBD	HHS, Educ + 1 go letter to the counsels	Discussions among general counsels ongoing -- status?
7. Affidavit of Sponsorship	Develop new affidavit and address process issues	INS	Draft available for review in early Nov?
8. Applicability to Cuban/Haitian entrants		NSC	Status report?
Monitor Treaty issues	Draft AG determination by end of year	INS and DOJ/OPD	
Monitor Reporting of Illegal Immigrants	Quarterly reports from states to INS	INS	INS putting issue memo together; options. Needs till November.
Exemptions for battered spouses	Analysis of possible Administration actions	DOJ/HHS	Two agencies to report on policy issues raised by new language

→ Nat l yfo

→ Legal Imm Notice

→ SSRB State Option

- Leg action

- Revised list of opts

Status of Selected Welfare Reform Implementation Items

Done:

Presidential directive on naturalization
Delay in food stamp cuts (waiver and legislation)
AG order on services for which legal/illegals are eligible
Guidance from USDA on how to interpret 40 quarters
Notices to children on SSI who must be reevaluated
Guidelines for waiver of food stamp work requirement
USDA approved 3(?) waivers of food stamp work requirement
HHS certified 18 state TANF plans as complete
Decision on interpretation of "1931(b) vs. (d)" Medicaid question
Estimate of state maintenance of effort under TANF (about to be released)

Partially Done or Working On:

Reg exempting certain disabled people from naturalization testing requirements
Notices to legal immigrants on SSI (will go out Jan-Feb)
Revision of waiver cost neutrality (food stamp/Medicaid decision made)
Guidance on what state waivers are inconsistent with law
High performance bonus for states under TANF (not due till summer)
Teen pregnancy report/strategy due Jan. 1
Statutory rape report due Jan. 1
Distribution of \$500 million in Medicaid eligibility funds
Interim verification system

Not Done:

Definition of means-tested benefit
Definition of childhood disability
Technical Corrections package
Decision on "all or none" option for legal immigrants on Medicaid/SSI/TANF
Decision on Medicaid "bucket" issue for legal aliens losing SSI

WAIVER REQUESTS - SECTION 824 OF PRWORA (ABAWDS)

STATE	TYPE	DATE RECEIVED	NUMBER OF COUNTIES, CITIES OR OTHER AREAS	DISPOSITION
Louisiana	Unemployment greater than 10 percent	10/29/96	12	Approved 11/14/96
Oregon	General waiver from ABAWD provisions	10/18/96	Statewide	Withdrawn
Illinois	Unemployment greater than 10 percent Unemployment 20 percent above the national average.	11/13/96 (Draft via fax)	11 based on unemployment greater than 10 percent. 35 based on unemployment 20 percent above the national average.	Pending The portion of the waiver regarding unemployment in excess of 20 percent of the national average will not be approved at this time.
New Jersey	Unemployment greater than 10 percent	11/15/96	22	Pending

Virginia	Unemployment greater than 10 percent	11/15/96	9	Pending
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West VA

Washington

OFFICE OF PROGRAMS AND POLICY
REPORTS MANDATED BY THE WELFARE REFORM LEGISLATION

I. DETAILED STATUS REPORT

DATE: November 25, 1996

TITLE/DESCRIPTION	DATE DUE/ DUE TO	PROJECTED DATE TO OEO/COSS	CURRENT STATUS AND/OR REASON FOR DELAY	REVISED DATE TO OEO/COSS
② <u>Report on Changes to Childhood Supplemental Security Income (SSI) -- (P.L. 104-193, Section 211(3))</u>--Requires the Commissioner of Social Security to report to Congress on its progress in implementing the changes in the SSI disabled children's provisions. (LEAD: DCP/OD)	1-Time 2/22/97 Due To Congress	TBD	Final decisions have not yet been made regarding key issues of what the evaluation standard will be and whether denied individuals will be offered statutory benefit continuation.	
<u>Report on Individuals Unlawfully in the United States--(P.L. 104-193, Section 404)</u>--Requires the Commissioner of Social Security to furnish the name, address, and other identifying information to the Immigration and Naturalization Service (INS) of any individuals that SSA knows is unlawfully in the United States. (LEAD: DCP/OPS)	Quarterly 3/31/97 6/30/97 9/30/97 12/31/97 Due to INS	TBD	Because the Office of Program Support has been unable to get INS to focus on implementation of this provision, SSA has been unable to take any steps toward implementation.	
② <u>Report on the Supplemental Security Income (SSI) --(P.L. 104-193, Section 231)</u>--Requires the Commissioner of Social Security to report annually to the President and Congress regarding the SSI program. (LEAD: OACT/INPUT: DCP/ORES/OPBP)	Annual 5/30/97 Due to Congress	TBD		

OPTIONAL FORM 95 (7-90)

FAX TRANSMITTAL

of pages **2**

To <i>Bruce Blackmon</i>	From <i>Mark Vaden</i>
Dept./Agency <i>OPBP</i>	Phone # <i>57205</i>
Fax # <i>58582</i>	Fax # <i>59063</i>

NSN 7540-01-317-7368

5039-101

GENERAL SERVICES ADMINISTRATION

② = Due within 3-6 months to Congress

Nov. 25, 1996

3:03PM

No. 8298 P. 1/2

TITLE/DESCRIPTION	DATE DUE/ DUE TO	PROJECTED DATE TO OEO/COSS	CURRENT STATUS AND/OR REASON FOR DELAY	REVISED DATE TO OEO/COSS
<u>Study of Other Potential Improvements in the Collection of Information Respecting Public Inmates--(P.L. 104-193, Section 203(b))</u> --Requires the Commissioner of Social Security to conduct a study and report on the feasibility of prisoner reporting by the courts and correctional facilities for purposes of carrying out the suspension of benefits. (LEAD: DCP/OPBP)	1-Time 8/22/97	TBD	Due to Congress	
<u>Prototype of Counterfeit-Resistant Social Security Card--(P.L. 104-193, Section 111(b))</u> --Requires the Commissioner of Social Security to conduct a study and issue a report to Congress on different methods of improving the Social Security card application process along with a facsimile of the prototype counterfeit-resistant Social Security card. (LEAD: DCP/OPOL)	1-Time 8/22/97	6/1/97	Due To Congress	A Steering Committee of Deputy Associate Commissioners from across SSA has been formed to oversee the study. On 10/16/96, DCP and DCLC representatives met with David Podoff (Senate Finance Committee) to discuss SSA's plans for providing a comprehensive approach to the study; and the Agency's commitment to submitting a timely and thorough report.
<u>Study of Other Potential Improvements in the Collection of Information Respecting Public Inmates (List of Institutions)--(P.L. 104-193, Section 203(c))</u> --Requires the Commissioner of Social Security to provide Congress with a list of institutions that are, and are not, providing information on SSI recipients. (LEAD: DCP/OPBP)	1-Time 10/1/98	TBD	Due To Congress	

11/26/96

HCFA REGULATIONS AND REPORTS

Regulations

1. Redetermination Regulation - Target Date 12/16/96

To maintain federal matching while eligibility redeterminations are made

2. 100-Hour Rule Regulation - Target Date 12/20/96

To assist in making possible the closest possible link between TANF and Medicaid

3. Modification of Medically Needy Regulations - Target Date 1/17/97

To allow easier eligibility for immigrants who lose SSI

Reports

None

plus \$500 m - Dec 1996 -
prob won't make it

Proposed Welfare Reform Regulations
and Estimated Publication Dates

Title I -- Temporary Assistance for Needy Families

→ TANF Program Requirements
(Date uncertain)

→ Work Requirements
3/97

Tribal Program Requirements
3/97

Audits/Penalties and Corrective Action
1/97

Data Collection and Reporting for States and Tribes
3/97

Methodology for Determining Child Poverty
2/97

Illegitimacy Rate Reduction Bonus
3/97

High Performance Bonus
4/97

Omnibus Conforming Regulation
10/97

Is this big slippage?

- RGA asking for more time

Title III -- Child Support Enforcement

State Directory of New Hires
1/97

State Case Registry and Expansion of FPLS
6/97

State Laws Concerning Paternity Establishment
1/97

Automated Data Processing Requirements
8/97

ADP Funding Limitation
1/97

Grants to States for Access and Visitation Programs
3/97

Omnibus Conforming Regulation
10/97

Title VI -- Child Care

Child Care Program
12/96

OFFICE OF INTERGOVERNMENTAL AFFAIRS
DEPARTMENT OF HEALTH AND HUMAN SERVICES
200 Independence Avenue, SW
Room 630F
Washington, DC 20201



FAX COVER SHEET

DATE:

TO: *Jeremy Ben Ami*

PHONE:
FAX:

FROM: John Monahan
Director

PHONE: (202) 690-6060
FAX: (202) 690-5672

RE:

CC:

Number of pages including cover sheet:

Message:

Here is an updated version of the As+As document which reflect additional edits by Public Affairs + others. Pls. share with ~~others~~ who are reviewing this document.

NGA/APWA/NCSL Questions
October 23, 1996

- Q1. "Breakdown of TANF Block Grant Allocation: States have requested a breakdown of the TANF Block Grant allocation detailing the AFDC, AFDC Administration (including child support share), JOBS and Emergency Assistance estimated and the base year it represents."

Answer:

Please see table at attachment A. State Family Assistance Grants were computed based on amounts "required to be paid" to States for various fiscal years. These amounts consisted of claims by States for Federal reimbursement of expenditures for AFDC benefits, administration, the development costs for Family Assistance Management Information Systems (FAMIS), Emergency Assistance (EA) and JOBS, as specified in the new section 403(a)(1) of the Social Security Act (under section 103 of Public Law 104-193). The statute excludes IV-A child care from the grant calculation formula.

Grant Calculation

The annual SFAG amount for each State is the greatest of:

- (A) the average of FY 1992-1994 payments;
- (B) FY 1994 payments, plus 85 percent of the additional EA expenditures between FY 1994 and FY 1995, for States with approved EA plan amendments in FY 1994 or FY 1995; or
- (C) FY 1995 payments.

In calculating payment amounts for each fiscal year, ACF followed the statutory language in section 403(a)(1)(C)(i), which defines the amounts "required to be paid" to States. Federal obligations (grant awards) were used for the JOBS program, as specified in the statute.

The following items were summed for each Fiscal Year:

- 1. Federal Share of Maintenance Assistance Payments (line 9, Section A of the ACF-231);
- 2. Federal Share of Emergency Assistance Expenditures (line 4, Section B of the ACF-231);
- 3. Federal Share of FAMIS Expenditures (line 4, Section C of the ACF-231);

4. Federal Share of Administrative Expenditures
(line 13, Section F of the ACF-231); and

5. JOBS grant awards issued by ACF

Amounts reported on the ACF-231 include expenditures made by States in prior quarters and prior fiscal years that were not previously claimed. Amounts used for the Federal share of AFDC benefits were not reduced by the Federal share of child support collections or the recovery of AFDC overpayments. (see section 403(a)(1)(C)(i)(I)).

In addition, section 403(a)(1)(B)(ii)(II) of the Social Security Act provides for an upward adjustment to FY 1994 payments for States that had an Emergency Assistance plan amendment approved during either FY 1994 or FY 1995.

Forty-two States had EA plan amendments approved by ACF during FY 1994 or FY 1995. ACF interpreted the statutory language to include all plan amendments approved in FY 1994 or FY 1995 relating to the EA program, regardless of the content of the amendment or the type of services offered by the State. For 39 of these 42 States, FY 1994 payments were increased by 85% of the amount by which the FY 1995 Federal share of EA expenditures exceeded the FY 1994 Federal share of EA expenditures. The other 3 States with EA plan amendments (Indiana, DC, and West Virginia) did not get an adjustment because their EA expenditures decreased between FY 1994 and FY 1995.

The statute specifies that in calculating the EA adjustment, ACF use FY 1995 data consisting of "information which was reported by the States and estimates made by the States" (see Section 403(a)(1)(D)(iii)(I)). ACF used actual expenditures reported by the State for each quarter to the extent it was available as of the statutory date. The EA data for FY 1995 consisted of reported actual expenditures for the first and second quarter of FY 1995.

The data originally provided to Congress by ACF and used by Hill staff in drafting the welfare reform legislation used State-estimated expenditures for the third quarter of FY 1995 for all States. ACF subsequently revised the third quarter data, using reported actual expenditures if ACF had received the third quarter ACF-231 expenditure report from the State by August 11, 1995. Because the statute sets a deadline of August 11, 1995 for this information, ACF will not revise the EA adjustment for actual expenditures reported after August 11, 1995. In order not to disadvantage States due to this change in the data, for States where actual third quarter expenditures were less than estimated expenditures ACF had

provided to Congress, the higher estimated amount was used in the calculations.

The use of FY 1995 third quarter estimates as of August 11, 1995 applies only to the upward EA adjustment to FY 1994 payments. This is consistent with section 403(a)(1)(D)(iii)(I).

For States that did not submit a third quarter ACF-231 expenditure report by August 11, 1995, ACF used State-estimated expenditures for the third quarter of FY 1995. ACF used State-estimated expenditures for the fourth quarter of FY 1995 for all States.

For AFDC, EA, administration and FAMIS, FY 1995 expenditures were computed by annualizing three quarters of actual reported expenditures (as specified in Section 403(a)(1)(B)(iii)). For JOBS, the full obligations for fiscal year 1995 were used.

Data Sources

The JOBS grant awards included State obligations and deobligations taken by ACF after the close of the fiscal year. Obligation numbers are used because States have two years to expend JOBS funds, and therefore the financial reports for JOBS expenditures in past fiscal years may not have been complete.

Revisions to expenditure reports filed by States after the specified dates will not affect the grant computation formula. Similarly, any deferrals or disallowances taken by ACF against reported expenditures will not affect a State's SFAG grant amount.

ACF will shortly be making available to States more detailed information used to calculate SFAG annual allocations.

- Q2. "Estimates of State Maintenance of Effort: Please provide states with the state MOE requirements for TANF in FY 1997? How will state MOE be calculated when the state opts into the TANF block after the start of the federal fiscal year?"

Answer:

Please see the table at attachment B for the first part of the question. The attachment includes the TANF MOE table, listing each State's MOE requirement at the 75 and 80 percent levels.

The Personal Responsibility and Work Opportunity

Reconciliation Act of 1996 (PRWORA) requires States to maintain a certain level of "historic state expenditures" under the Temporary Assistance to Needy Families (TANF) program. For those States that do not maintain this level of State spending, the statute directs ACF to reduce the State Family Assistance Grant (SFAG) (section 409(a)(7)(A)).

MOE Calculation

Section 409(a)(7)(B)(iii) of PRWORA defines "historic State expenditures" used to determine State MOE requirements as the FY 1994 State expenditures under parts IV-A and IV-F of the Social Security Act.

Consistent with the statute, ACF calculated State MOE levels by using the FY 1994 State Share of expenditures for AFDC benefits, administration, FAMIS, Emergency Assistance (EA), IV-A child care (AFDC/JOBS, Transitional and At-Risk Child Care programs) and the Job Opportunities and Basic Skills Training (JOBS) program. Unlike the statutory language for the calculation of each State's annual SFAG amount (Section 403(a)(1)(C)), the statute includes State expenditures for IV-A child care programs in the MOE calculation. In addition, the statute directs ACF to use JOBS expenditures in calculating MOE (unlike the SFAG grant calculation formula where the statute directs ACF to use JOBS obligation data).

ACF calculated each State's expenditures for FY 1994 using the same data sources that were used in calculating each State's SFAG grant amount. Although the statute does not specify the dates of the data to be used in calculating MOE, ACF used data as of the date in section 403(a)(1)(D)(ii) of the statute in order to be consistent with the way the statute directs us to calculate States' SFAG amounts. In calculating State MOE levels, ACF used expenditure data as of April 28, 1995.

The expenditure data were taken from the ACF-231 "Aid to Families With Dependent Children Program Financial Report" for the AFDC, EA, and IV-A child care program and the ACF-331, "Job Opportunities and Basic Skills Training Program Financial Report."

The State shares of expenditure amounts were calculated by deducting the Federal share of expenditures from the Total Expenditures Eligible for FFP. Amounts also include any expenditures made by States in prior quarters and prior fiscal years that were claimed by States in FY 1994. ACF's calculation of SFAG grant amounts also used prior quarter and prior fiscal year expenditures. Thus, ACF's calculation of MOE levels mirrors the method for calculating the SFAG grant

amounts.

Consistent with section 409(a)(7)(iii), State MOE levels may be revised to account for expenditures made by States on behalf of Tribes. The statute does not authorize other revisions.

Alternate Calculation

Section 409(a)(7)(B)(iii) defines State MOE levels as the lesser of two amounts. The first amount, calculated using FY 1994 State expenditures as described above, was the basis for the State MOE levels calculated by ACF. The second amount was not used as the basis for the MOE calculations because it equalled or exceeded this amount.

1997 Determinations

For FY 1997, we will permit States to prorate their MOE requirement based on the number of days in FY 1997 the State operates a TANF program. "Qualified state expenditures" made on and after the date the State begins operation of the TANF program will count towards meeting the prorated MOE requirement.

A State may not use expenditures made in prior fiscal years or, in the case of FY 1997, expenditures made prior to the date the State implements the TANF program, to meet its MOE requirement.

ACF will shortly be making available to States more detailed information used to calculate FY 1994 MOE levels.

- Q3. "When Does a TANF Dollar Become a TANF Dollar?: Does the lifetime time limit or prohibitions begin -- on the date of implementation or the date that the first TANF dollar is spent on the client? Can a state phase in implementation of these provisions? How is the six-month penalty clock calculated--from the date of submission, the date of implementation or the date when the first TANF dollar is spent on a client case? Can states spend their own MOE and not be subject to the requirements of the TANF program?"

Answer:

Answer still being developed.

- Q4. "Draw Down of TANF and Child Care Block Grant: How much of the TANF or child care mandatory funds will states be permitted to draw down in any one quarter? Can the state retain the federal dollars in the state treasury and use those funds for rainy day loan funds, micro-enterprise development, etc.?"

Answer:

OMB has directed HHS to observe the following limitations regarding State draw down of TANF funds:

"For any fiscal quarter, a State may receive grants of no more than 30 percent of its State Family Assistance Grant amount, as defined by the Section 403(a)(1)(b) of the Social Security Act, as amended by P.L. 104-193. For any three contiguous or non-contiguous fiscal quarters in a fiscal year, a State may receive grants of no more than 80 percent of its State Family Assistance Grant amount. Of the amounts granted to a State for a fiscal quarter, a State may draw down up to 35 percent of the grant in the first month of that fiscal quarter, and up to 70 percent in the first two months of that quarter, without the Department notifying OMB. OMB should be notified 10 days in advance of the Department allowing grants to be drawn down more rapidly."

Thus, HHS may allow for exceptions in the event States have programmatic needs for grant amounts that exceed OMB's restrictions.

At this time, HHS is still holding discussions with OMB regarding State draw-down of Mandatory and Matching child care funds.

States cannot bank TANF or child care block grant funds in their State treasuries. The Cash Management Improvement Act applies for the TANF and child care programs. Under the statute, States must minimize the time period between the drawdown of funds and their immediate cash needs in accordance with their CMIA agreements with the Department of the Treasury. Further, States may use block grant funds only in accordance with purposes of the legislation for the TANF and Child Care Block Grant programs.

HHS will be assisting the Treasury Department as it works with States to develop formal CMIA agreements in the TANF program.

- Q5. "Concerning Teen Parents: Is a teen living in an adult supervised setting considered a head of household for the

purpose of the time limit? If a teen is living at home with a parent whose lifetime time limit has expired, is the teen considered to be a head of household for the purpose of the time limit?"

Answer:

Teen parents living at home

Section 408(a)(7) of the Social Security Act prohibits a State from using block grant funds for a family that includes an adult who has received assistance (under any State program funded under the block grant that is attributable to Federal funds) for 60 months after such State program starts, whether or not the months are consecutive. Therefore, a teen parent living at home with an adult parent whose lifetime limit has expired is not eligible for more TANF benefits, if the State has determined the eligible family as including the adult parent.

Teen parents living in adult-supervised settings

Under the statute, teen parents are generally expected to be living at home with their parents. Under section 408(a)(5), teen parents not living at home must live with other adult relatives or in other adult-supervised settings, such as second-chance homes. States are encouraged to establish second-chance homes and other appropriate adult-supervised living arrangements for teen parents who need them.

Teen parents as heads of household

With respect to the first question, teen parents are separately subject to the time limit only if they are heads of households. Thus, the answer depends on how the State defines head of household. A State may choose to define head of household such that any teen parent not living with his or her parent is a head of household, regardless of the teen's living arrangement.

Alternatively, the State could define head of household such that a teen parent living in an adult-supervised setting (or in a particular type of supervised setting) is not a head of household. In these latter cases, the teen parents would not be subject to the time clock for so long as they lived in the adult-supervised setting, such as a second-chance home.

Q6. "Calculating the TANF Block Grant: If a state received its TANF allocation after the start of the Federal fiscal year, how is the grant calculated for AFDC, AFDC administrative costs, JOBS and Emergency Assistance? How will obligations vs. expenditures be calculated?"

Answer:

Not counting child care funds provided pursuant to the new section 418 of the Social Security Act, States receiving their TANF allocation after October 1, 1996 will receive three types of grant awards from ACF to cover their 1997 IV-A and IV-F expenditures. In addition, they will receive grant awards with respect to IV-A and IV-F expenditures made in years prior to FY 1997.

1) In FY 1997, States will receive reimbursement of the Federal share of expenditures made by the State in FY 1997 under its AFDC (including AFDC program and administrative expenditures, but excluding child care) and EA programs up until the TANF date. They will also receive reimbursement of AFDC and EA expenditures made prior to FY 1997, but claimed during FY 1997. However, the SFAG calculations for FY 1997 will only reflect those AFDC and EA expenditures made in FY 1997; claims in FY 1997 for prior-year expenditures will be excluded for purpose of these calculations.

2) FY 1997 JOBS grant awards will be issued to cover State obligations made from a State's FY 1997 JOBS allotment before the TANF date, i.e., the date the TANF program is implemented. (State expenditures made to liquidate these obligations will not affect a State's FY 1997 SFAG calculation.)

3) A State's SFAG payment for FY 1997 will equal all or a portion of its SFAG annual amount. ACF will compute the amount of a State's SFAG payment as the lesser of: (a) the State's annual SFAG amount prorated by the number of days starting with the date of receipt of a State plan (or, under certain scenarios¹, a later implementation date), and ending

¹ The policy guidance provided to States on October 25, 1996, addressed the effective dates for program requirements and funding calculations within a State under three different scenarios. Under that guidance (in scenario b), States which had not provided a 45-day comment period on their plan could submit an otherwise complete plan to the Secretary. If they implemented their program immediately upon completion of the comment period, the date of plan submission would be the effective date used in calculating the prorated SFAG amount. If they chose to delay implementation of their TANF program, the delayed implementation date was deemed to be the date of plan receipt, and the prorated SFAG amount would be

on September 30, 1997, or (b) the State's annual SFAG amount (if any) minus State AFDC and EA expenditures and JOBS obligations made in FY 1997 up until the date the State implements the TANF program, as determined in 1), above. (For the JOBS program, ACF believes that the intent of the legislation was to base reimbursement of JOBS costs on obligations. This parallels the computation of SFAGs in section 403(a)).

In addition, States will also receive payment for the Federal share of expenditures made prior to FY 1997 under its AFDC, EA and Child Care programs which are claimed in FY 1997. Such claims will not impact a State's SFAG amount.

ACF will be issuing a Program Instruction shortly that will provide details on the Federal payments for AFDC, EA, JOBS and child care expenditures for States transitioning to the TANF program in FY 1997.

determined based on that latter date.

ACF has subsequently received additional questions about delays in implementation and may issue further guidance in this area.

Edits to question 4

Drawdown of TANF and Child Care Block grant: How much of the TANF or child care mandatory funds will states be permitted to draw down in any one quarter? Can the state retain the federal dollars in the state treasury and use those funds for rainy day loan funds, micro-enterprise development, etc.?

Delete the first three paragraphs, and insert in their place

The statute calls for the allocation of TANF grants across the year to be based on need. If States seek to receive significantly more than a fourth of the funds in any quarter (over 30%), a programmatic explanation is needed. The Executive Branch is in the process of developing similar rules of thumb for child care.

The drawdown of funds is generally expected to be even across quarters and the fiscal year. States should provide programmatic reasons when requesting to receive cash more quickly. States cannot bank . . .

Before the last paragraph, insert:

States may set up loan funds as long as the use of loan is consistent with section 404 of the Social Security Act. However, Federal funds could not be drawn down prior to disbursing loans.

Here are OMB's edits to Question 6. Let me know if there is any problem....

Edits to question 6:

A State's SFAG payment for FY 1997 will equal all or a portion of its SFAG annual amount. ACF will compute the amount of a State's SFAG payment as the lesser of two formulas

(a) the State's annual SFAG amount prorated by the number of days covered by TANF funding in 1997. If the State plans to implement TANF as soon as the plan is determined to be complete, funding will start either from the date of receipt of a State plan. If the State plans a later implementation date, TANF funding will start as of that, ~~or, at the State's option, from a later implementation date, and ending on September 30, 1997~~. In the case of States receiving funding based on the date their plan is received, this calculation will be adjusted by the amount of Title IV-A expenditures and JOBS obligations covering that period. This process ensures that States do not lose funding because of the comment period while also ensuring that States do not receive funding from both TANF and AFDC/JOBS for the same expenditures.

or

b) the State's annual SFAG amount minus State AFDC and EA expenditures and JOBS obligations made in FY 1997 up until the date the State implements the TANF program, as determined in 1), above. (For the JOBS program, ACF believes that the intent of the legislation was to base reimbursement of JOBS costs on obligations. This parallels the computation of SFAGs in section 403(a)).

OFFICE OF INTERGOVERNMENTAL AFFAIRS
DEPARTMENT OF HEALTH AND HUMAN SERVICES
200 Independence Avenue, SW
Room 630F
Washington, DC 20201



FAX COVER SHEET

DATE: 12/6/96

TO: Emily Bromberg
Liliana Fortuna

PHONE:
FAX:

FROM: John Monahan
Director

PHONE: (202) 690-6060
FAX: (202) 690-5672

RE:

CC:

Number of pages including cover sheet: 4

Message:

The attached document is what we
propose to send out on Monday,
December 9th. Please phone

—
669-1930 Lyn
—
h 638-6153

Comments for Norm

**Temporary Assistance for Needy Families
Program Instruction**

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Family Assistance
Washington, DC 20447

No. TANF-ACF-PI-

Date

DRAFT

DRAFT

DRAFT

TO: State agencies administering the Temporary Assistance for Needy Families program, under Title I of P.L. 104-193, and other interested parties.

SUBJECT: MAINTENANCE OF EFFORT REQUIREMENTS

REFERENCES: Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law # 104-193

BACKGROUND: P.L. 104-193 replaces the Aid to Families with Dependent Children program (including Emergency Assistance) and Job Opportunities and Basic Skills (JOBS) program with the Temporary Assistance for Needy Families (TANF) Program and establishes a maintenance of effort requirement for State expenditures in the new program.

POLICY: The attached guidance explains the maintenance of effort requirements for State expenditures under the TANF program, outlines statutory penalties for failure to meet those requirements, and specifies State-by-State maintenance of effort expenditure levels.

Norman L. Thompson
Director
Office of Program Support

Lavinia Limón
Director
Office of Family Assistance

DRAFT

DRAFT

MAINTENANCE OF EFFORT REQUIREMENTS

P.L. 104-193 replaces the Aid to Families with Dependent Children (including Emergency Assistance) program and JOBS program with the Temporary Assistance for Needy Families (TANF) program and establishes a maintenance of effort requirement for State expenditures in the new program. In this guidance, section references are to the Social Security Act, as amended by P.L. 104-193, unless otherwise noted.

Need for Guidance on Maintenance of Effort

P.L. 104-193 requires States to maintain certain levels of State expenditures in the TANF program each fiscal year. Failure to maintain the specified levels of State spending will result in a penalty which ACF will deduct from the State Family Assistance Grant (SFAG). This program instruction describes the maintenance of effort requirements under the TANF program, outlines statutory penalties for failure to meet those requirements, and provides specific State-by-State maintenance of effort expenditure levels. ACF will carefully monitor State maintenance of effort expenditures and enforce the penalties as specified in the statute. This program instruction contains information which States need to make plans for expending State funds at the required maintenance of effort levels.

The Maintenance of Effort Requirement for the TANF Program

Section 409(a)(7) of the Social Security Act as amended by PRWORA, provides for a dollar-for-dollar offset against a State's State Family Assistance Grant (SFAG) to the extent that "qualified State expenditures" to, or on behalf of, "eligible families" in the immediately preceding fiscal year are less than a percentage of "historic State expenditures."

"Historic State expenditures" means expenditures by the State for FY 1994 under Title IV, parts A (AFDC, Emergency Assistance and the repealed child care programs under Part A) and F (JOBS), as in effect during FY 1994.

If a State meets the work program participation requirements in section 407(a) for a fiscal year, its qualified State expenditures in that fiscal year must equal at least 75 percent of historic State expenditures in order to avoid a penalty under section 409 (a)(7). If a State falls to meet the work program participation requirements in a fiscal year, its qualified State expenditures must equal at least 80 percent of historic State expenditures in order to avoid a penalty under 409(a)(7).

Attached is a table which shows the historic State expenditures for FY 1994 and the maintenance of effort requirements at the 75 percent and 80 percent levels. The historic State expenditures were computed using the same data sources for FY 1994 that ACF used in determining State Family Assistance Grant amounts and Mandatory Child Care grant amounts. Specifically, we used the State share of expenditures for AFDC, Emergency Assistance, AFDC/JOBS, and Transitional and At-Risk Child Care programs as reported on the ACF-231 as of April 28, 1995. We also included the State share of JOBS expenditures reported on the ACF-331 as of April 28, 1995.

STATE MAINTENANCE OF EFFORT LEVELS REQUIRED UNDER P.L. 104-193

State	FY 1994 State	MAINTENANCE OF EFFORT (MOE):	
	Expenditures 1/	75% MOE Level 2/	80% MOE Level 3/
Alabama	\$62,285,491	\$39,214,118	\$41,828,393
Alaska	65,258,536	48,942,402	52,205,229
Arizona	126,703,568	95,027,676	101,362,854
Arkansas	27,785,269	20,838,952	22,228,216
California	3,643,207,905	2,732,405,929	2,914,566,324
Colorado	110,494,527	82,870,886	89,395,622
Connecticut	244,581,409	183,421,057	195,649,127
Delaware	29,028,092	21,771,069	23,222,474
District of Columbia	93,931,934	70,448,951	75,145,547
Florida	494,558,734	370,919,051	395,648,987
Georgia	231,158,038	173,368,527	184,926,429
Hawaii	97,308,840	72,981,480	77,846,912
Idaho	18,238,307	13,678,730	14,590,646
Illinois	672,027,393	429,020,522	457,821,890
Indiana	151,388,637	113,824,978	121,093,310
Iowa	82,617,696	61,983,271	66,094,156
Kansas	82,332,751	61,748,583	65,866,201
Kentucky	89,891,312	67,418,484	71,913,050
Louisiana	73,886,837	55,415,128	59,109,470
Maine	50,370,048	37,777,538	40,288,038
Maryland	235,953,925	175,965,444	188,763,140
Massachusetts	478,596,697	358,847,523	382,877,358
Michigan	624,691,187	468,518,375	499,752,934
Minnesota	239,660,347	179,745,260	191,728,278
Mississippi	28,965,744	21,724,309	23,172,595
Missouri	160,161,033	120,120,775	128,128,826
Montana	20,919,224	15,589,418	16,735,379
Nebraska	38,628,845	28,971,484	30,902,918
Nevada	33,985,152	25,488,864	27,188,122
New Hampshire	42,820,131	32,115,098	34,258,105
New Jersey	405,274,008	303,855,508	324,219,208
New Mexico	49,833,908	37,450,431	39,947,128
New York	2,281,080,388	1,710,785,290	1,824,848,309
North Carolina	205,587,684	154,175,763	164,454,147
North Dakota	10,000,000	7,500,000	8,000,000

STATES WITH SUBMITTED TANF STATE PLANS

as of 11/19/96 1:30 p.m.

Source: U.S. Dept. of Health & Human Services/Administration for Children & Families

states submitted: 35
states certified: 11
states pending: 24

Tribes/territories submitted: 1
Tribes/territories certified: 0
Tribes/territories pending: 1

<u>state</u>	<u>submission date</u>	<u>certified complete</u>
Wisconsin	8/22/96	9/30/96 1
Michigan	8/27/96	9/30/96 2
Ohio	9/19/96	11/1/96 3
Florida	9/20/96	10/8/96 4
Vermont	9/20/96	11/18/96 5
Massachusetts	9/23/96	
Maryland	9/27/96	
Oregon	9/27/96	11/1/96 6
Arizona	9/30/96	11/1/96 7
Kentucky	9/30/96	11/18/96 8
Maine	9/30/96	
Oklahoma	9/30/96	11/1/96 9
Tennessee	9/30/96	
Utah	9/30/96	
Alabama	10/1/96	
Connecticut	10/1/96	
Indiana	10/1/96	11/1/96 10
7 Kansas	10/1/96	
Louisiana	10/1/96	
Mississippi	10/1/96	
Missouri	10/1/96	
16 Nebraska	10/1/96	
New Hampshire	10/1/96	11/12/96 11
15 South Dakota	10/1/96	
14 Texas	10/1/96	
13 California	10/9/96	
South Carolina	10/12/96	
New Jersey	10/15/96	
Wyoming	10/16/96	
New York	10/17/96	
12 Nevada	10/18/96	
North Carolina	10/18/96	
Montana	11/1/96	
Georgia	11/15/96	
Iowa	11/15/96	

FS Waivers:
 NJ
 LA
 VA
 WV - not approvable

<u>Tribes/territories</u>	<u>submission date</u>	<u>certified complete</u>
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Red Cliff Band of Lake
Superior Chippewas (WI)

10/2/96

**PROJECTED PUBLICATION DATES
FOOD STAMP PROGRAM AND SPECIAL NUTRITION PROGRAM
WELFARE REFORM REGULATIONS**

Title	Proposed Rule	Final Rule
Food Stamp Recipient Claim Establishment and Collection Standards	05/01/97	02/01/98
Nondiscretionary Provisions	05/26/97*	02/26/98
Retailer Integrity, Fraud Reduction and Penalties	06/13/97	03/13/98
Welfare Reform and Regulatory Review/Program Management	06/27/97	03/27/98
Electronic Benefit Transfer (EBT) Welfare Reform Provisions	06/27/97	03/27/98
State Flexibility and Certification Provisions	07/04/97	04/07/98
Personal Responsibility Provisions	07/11/97	04/11/98
Work Provisions	07/11/97	04/11/98
Simplified Program	07/31/97	04/30/98
→ Child and Adult Care Food Program	12/31/96	07/01/97

*Interim Rule

*Send to Stacey Dean, OMB
Return to Diana Fortune*