

This state plan was developed in accordance with the Personal Responsibility and Work Reconciliation Act of 1996 (Public Law 104-193) and the 45 CFR Part 260, et al. TANF; Final Rule.

The Division of Public Welfare within the Guam Department of Public Health and Social Services is responsible for administering the Temporary Assistance for Needy Families (TANF) Program. Guam will accomplish this by implementing a program which conforms to the provisions of Guam's Public Assistance programs as originally funded under Title IV-A of the Social Security Act (Aid to Families with Dependent Children, Old Age Assistance, Aid to the Blind, Aid to Permanently and Totally Disabled). Guam's TANF program will continue to comply with the TANF provisions mandated by the U.S. Public Law 104-193 and the 45 CFR Part 260, et. al. TANF; Final Rule.

1. GOALS

The goals of the Guam Temporary Assistance for Needy Families(TANF) Program are to move families to self-sufficiency (to include employment and receipt of child support) within limited time frames; reduce the incidence of out-of-wedlock births with emphasis on teen births and to improve the job skills and retention rate of participants who enter the work force.

2. NEEDY FAMILIES

Guam will administer a program which serves the Territory in a uniform manner, provides benefits to needy families with (or expecting) children and provides parents and needy relative caregivers with job preparation, work opportunities and support services to enable them to leave the program and become self-sufficient.

2.1 Assistance Defined

"Assistance" is defined as cash payments and other forms of benefits provided to assist to cover a family's ongoing basic needs such as food, shelter, clothing, etc. It includes childcare, transportation and other support services for families that are not employed.

2.2 Assistance Programs

- A. TANF – is an assistance program for households with at least one work-eligible individual. This program provides a cash assistance benefit.
- B. Child Only TANF – Households who do not have a work eligible individual. Categories include Relative Caregivers, and Ineligible Adult(s) with Citizen Child(ren). This program provides a cash assistance benefit.
- C. "Non-Assistance" is defined as assistance to families that are employed such as:
 - i. Transitional Child Care (TCC) Assistance for families whose TANF was terminated due to income/employment. TCC will be funded for a period of one year.
 - ii. Transportation

- iii. Education or training including tuition assistance for the individual to complete his/her Adult High School Diploma or General Equivalency for up to one year from the time the individual's TANF was terminated.
- iv. Transitional Employment Services which encompasses job retention services or post-employment follow-up services. These services can be provided to a client who chooses to continue receiving cash assistance for an additional six months from the month effective the month cash assistance would have been terminated due to employment/income. This will allow families sufficient time to adjust and transition from unemployment to employment.

Guam will screen and identify families and individuals during the certification process who are experiencing hardship situations and/or domestic violence and exempt them from the sixty (60) month limit. Hardships include those who are aged, disabled, and those families with disabled children.

2.3 Application and Determination of Eligibility

Except in unusual circumstances, action on applications is taken within 45 calendar days. Guam will implement the Pay-for Performance Strategy in which TANF applicants will not receive their cash benefit until they meet all JOBS program work activities within a 45 day period:

1. Attend LATTE Orientation;
2. Appear for Initial Assessment with assigned Social Worker with the JOBS Program;
3. Submittal of Employment and Training contract or other forms of work verification, and
4. Reporting to their first day of work.

Guam's TANF benefits will become effective the first of the month following authorized eligibility by the Bureau of Economic Security and completion of JOBS Programs work requirements from the Division of Public Welfare. Application for cash assistance will be denied if JOBS Programs activities are not completed within a 45 calendar day period. A Notice of Action will be generated by the Bureau of Economic Security.

Guam completes a review of eligibility at least every twelve months.

2.4 Coverage and Conditions of Eligibility

Acknowledgement of Responsibilities (AOR) on the program application must be signed by the head of household as a condition to receive TANF assistance and non-assistance benefits.

This acknowledgement includes the expectations that the head of household and/or household members are responsible to meet as a condition to receive benefits as well as the sanctions that may be imposed for failing to comply with the provisions of the AOR or Individual Responsibility Plan (IRP).

A. Relationship

The dependent child must be living with a relative caregiver who is applying for benefits on the child's behalf. They must maintain a home and exercise responsibility for the care and supervision of the child. The relative caregiver relationship must be as follows:

1. Father, mother brother, or sister;
2. Grandfather or grandmother
3. Uncle or aunt;
4. Nephew or niece;
5. First cousin, first cousin once removed; or
6. Stepfather, stepmother, stepbrother or stepsister.

Relationship extends to the:

- Spouse of the listed relatives even after the marriage is terminated by death or divorce
- Degree of great-great for relatives listed in items 3 and 4; and
- Degree of great-great-great for grandparents (item 2)

Both natural and adoptive relationships may be used to establish relationship. If a child is legally adopted, natural relatives as defined in this section may apply for benefits on the child's behalf as a needy or non-needy caretaker. When the natural parent(s) of the child resides in the same household, they are required members unless otherwise ineligible or the child for whom benefits are requested has been legally adopted. The adoptive relationship determines required members. Once adopted, the adoptive parents/siblings living in the home become the required members. The natural parents/siblings are no longer required members.

Relationship to the child may extend beyond the above list upon a finding of hardship by the Bureau of Economic Security Human Services Administrator.

B. Benefits for Dependent Children Age 18

Benefits are provided to a needy and otherwise eligible child age 18 who is a full-time student in a secondary school, or in the equivalent level of vocational or technical training and who may reasonably be expected to complete the program before reaching age 19.

C. School Attendance

Guam will impose a sanction on a family that includes an adult who fails to ensure that the minor dependent children attend school.

A head of household receiving assistance who does not comply with the school attendance requirements has failed to comply with the terms of the AOR and will be sanctioned.

D. Child Support Enforcement Program

TANF and Child Only TANF caregivers are required to cooperate with the Child Support Enforcement Office (CSEO) by:

1. Providing information on the non-custodial parent(s);
2. Assisting CSEO in locating the non-custodial parent(s);
3. Assisting to establish paternity, if deemed necessary;
4. Appearing at the CSEO or court to sign papers or provide requested information;
5. Surrendering and endorsing all child support payments received after assistance is approved

E. Benefits for Pregnant Women

No cash assistance will be provided to women who are pregnant with their first child. However, if they are qualified for TANF, they will receive Medicaid coverage only, for the entire pregnancy period.

F. Benefit Payments Made Under Special Conditions

Benefit payments are made in the following situations and conditions:

1. Payments are made for the entire month to a family which met all of the eligibility conditions for any portion of the month, provided the family was eligible on the date the payment was authorized.
2. Payments for eligible child can only be given when all necessary documents are provided.

G. Denial of Benefits to Strikers

TANF benefits are denied to persons participating in a strike. Also, benefits are denied to any family for any months in which a caretaker relative with whom the child is living on the last day of such month participates in a strike. Caretaker relative means any natural or adoptive parent.

H. Prohibitions to Receipt of TANF Benefits

Benefits are denied permanently to an individual convicted under federal or local law of any felony after August 22, 1996 which has an element of the possession, use or distribution of a controlled substance.

I. Minor Parents

An unmarried minor parent must live with a natural/adoptive parent, other adult relative caregiver, or in an adult-supervised supportive living arrangement. If the minor parent meets one of the good cause exemptions set by the territory, the requirement of living with a parent, other adult relative caregiver, or in an adult supervised supportive living

arrangement does not apply. When a minor parent alleges good cause for not living with their parent(s), a social worker determines the appropriateness of the living arrangement.

Good cause includes:

1. The individual has no living parents;
2. The parent(s)' whereabouts are unknown;
3. No parent will allow the minor to reside with him or her, unless the sole reason is his or her income affects the minor's eligibility;
4. The physical or emotional health or safety of the minor or their child would be in jeopardy if they live with the minor's parents;
5. The minor has lived apart from their parent(s) for at least one year prior to the birth of their child and has not applied for TANF during that same time period; or
6. There is "good cause" for the minor not residing with their parent(s) as determined by the caseworker and approved by the Bureau of Economic Security Administrator for any other reason not listed.

A minor parent is not eligible to receive benefits unless he/she is enrolled in and attending full-time, an elementary or secondary school, vocational or technical school equivalent to a secondary school, or an approved alternative educational program (to include GED programs). Exception: a minor parent with a child under 12-weeks of age is exempt from this requirement.

J. Report of Illness/Incapacity/Disability

As a condition of receipt of benefits, any work-eligible individual claiming incapacity, disability or temporary inability to participate in work activities must submit supporting documentation as deemed appropriate by the Bureau.

2.5 Need and Amount of Benefits

A. Standard of Benefits

In accordance with the "Ratable Reduction" provision as defined in Guam's Public Assistance Eligibility and Payment Manual:

1. Adult Programs (OAA, AB and APTD) benefits will be paid at one hundred percent (100%) of the authorized amount; and
2. TANF program benefits will be paid at seventy-five percent (75%) of the authorized amount.

To determine initial eligibility, the household's gross income is compared to the basic needs standard table. If the income exceeds this amount, the case is not eligible.

To determine the payment amount, Guam will continue at the current benefit payment levels.

B. Resources

The resource eligibility limitation for Guam's TANF program is \$2,000.

Excluded Property includes:

1. One vehicle for a one (1) parent household, two vehicles for a two (2) parent household. All other vehicles shall be evaluated at the Fair Market Value (FMV) and that portion of the value that exceeds the current Supplemental Nutrition Assistance Program (SNAP) vehicle disregard shall be attributed in full toward the household's resources level, regardless of any encumbrances of the vehicles.
2. Bona fide funeral agreements for each member of the TANF unit and one (1) burial plot for each member of the TANF unit.
3. Real property/lot that the household currently owns in which they intend to build or are building a permanent home.
4. Real property that annually produces income even if only used in a seasonal basis. Such real property shall include rental homes and vacation homes. Other examples include land being used for farming, fishing boats, taxis, etc. shall be excluded as a resource, but the income will be countable income.

C. Income

The TANF household's income must not exceed the Basic Needs Standard for their household size.

The following earned incomes are not to be counted as income:

1. Earned income in-kinds;
2. Earnings from the sale of whole blood or plasma ;
3. Lump sum income (earned or unearned), but will be counted as a resource
4. Earned income of minor children below 18 year and full-time students.
5. Earned income from subsidized programs such as WIOA funded programs, AmeriCorps VISTA, etc. Other types of income, if specified by federal or local law that such income is not to be considered when applying for various types of federal assistance.

Non-recurring lump sum payments are any payment(s) received in a month, made from a source that is not likely, in the foreseeable future, to make additional lump sum payments to the applicant/recipient.

Count lump-sum payments as income in the month received if it is received or anticipated more often than once a year.

Exempt lump-sum payments received once a year or less, unless specifically listed as income. Count as a resource in the month received.

D. Disregards

The ES shall apply the following earned income disregards when determining the benefit amount for the assistance unit.

1. Work Expense Disregard
Deduct the first \$90.00 from the gross income for full-time and part-time employment.
2. Less 30 and 1/3 disregard (apply 1/3 of the remainder)
3. Child Care and Incapacitated Adult Care Disregards
Apply the dependent care disregards to the earned income for the actual child care cost for each dependent up to the maximum.
 - a. The maximum amount for dependent care of a child under age two (2) is \$200.00.
 - b. The maximum amount for dependent care of a child age two (2) and above is \$175.00.
 - c. The disregard for dependent care can be applied to the earned income for care of an incapacitated adult in the wage earner's assistance unit for the actual cost up to \$175.00.
 - d. For part-time employment, ES shall apply the disregard for dependent care at 50% level cost incurred for items indicated above.
In order to be eligible for the dependent care disregards, the recipients shall provide verification of expenses incurred.
 - e. Other disregards as provided by relevant state/local and federal law.

E. Reporting Requirements

1. Action on Change Reports

A household is required to report by the 10th of the month following the month when the household's total gross monthly income exceeds the 130% of the Federal Poverty Level gross income limit. In addition, the household is required to submit a Periodic Change Report on the sixth month of the certification period to report any changes.

The ES shall take action on all changes reported by client within ten (10) calendar days from the date the change was reported. Even if there is no change in benefit amount, the ES shall document in the casefile and provide another "Change Report" form for the household and notify of the effect of the change, if any, on the benefit amount. The ES shall also document the date a change is reported, which shall be the date the ES receives a change report form or is advised of the change over the telephone or by home visit. Restoration of lost benefits shall be provided to a household if the ES fails to take action on a change reported within the specified time frame.

Changes which will Increase Benefits

For changes which increased a household's benefits, other than changes described below, the ES shall make the change effective no later than the first benefits issued ten (10) calendar days after the date the change was reported to the agency. For example, a \$30.00 decrease in income reported on the 15th of May would increase the household's benefits for June. If the same decrease was reported on May 28, and the household's normal issuance cycle was on June 1, the household's benefits would have to be increased by July.

Verification must be obtained prior to the issuance of the monthly benefits after the change was reported. The household must provide the needed verifications within ten (10) calendar days in order for the ES to make adjustments for the following month. If the verification is submitted after the ten (10) calendar day time frame, the household's benefits will change on the second issuance month. If in these circumstances the household does not provide verification, and the ES adjusts the household's benefits to reflect the change, and subsequent verification shows that the household was actually eligible for reduced benefits, the ES shall establish a claim for the overpayment. In cases where the ES has determined that a household has refused to cooperate, the ES shall terminate the household's eligibility following the notice of adverse action.

2. Changes which will Decrease Benefits

If the household's benefit level decreases or the household becomes ineligible as a result of the change, the ES shall send a notice of action (BES Form 90-001), within ten (10) calendar days from the date the change was reported.

3. Failure to Report Changes

If the ES discovers that the household failed to report a change, and as a result, received benefits to which they are not entitled, the ES shall file a claim against the household. If the discovery is made within the certification period, the household is entitled to a notice of adverse action if the household's benefits are reduced. Individuals shall not be disqualified for failure to report a change, unless the individual is disqualified in accordance with the Administrative Disqualification Hearing procedures.

2.6 Non-Citizen Eligibility

The territory provides TANF to "qualified aliens" who arrived in the country before August 22, 1996. A qualified alien who enters the United States on or after August 22, 1996, is not eligible for a Federal means-tested public benefit for a period of five years except those immigrants who are refugees, asylees, Cuban/Haitian entrants, those granted withholding of deportation, victims of severe forms of trafficking, those who are Armed Forces veterans or on active duty including their spouses and unmarried dependent children, and certain Amerasian immigrants.

Households with children born in the United States to an ineligible alien parent or parents and meet all criteria for TANF eligibility, shall be limited to only sixty (60) months of cash benefits.

2.7 Confidentiality

Guam shall take reasonable steps as deemed necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the TANF program as mandated by federal and local law.

2.8 Applicant/Beneficiaries Rights (Administrative Appeal Process)

The document shall set forth objective criteria for the delivery of the benefits and the determinations of eligibility and for fair equitable treatment, including an explanation of how Guam will provide opportunities for clients who have been adversely affected to be heard in an administrative or appeal process.

An applicant must meet all the financial and non-financial eligibility criteria before receiving services or cash assistance. Cash assistance is provided equitably to households with adults and children in accordance Guam's need standard set for each household size.

2.9 Fair Hearing

Notification of Right to Request for a Hearing:

The household shall be informed in writing of its right to a hearing during program orientation, interviews, and when its eligibility/benefit is denied, reduced or terminated, or during a denial or delay of a replacement issuance. The household shall be informed of the method by which a hearing may be requested, and that its case may be presented by legal counsel, a relative, friend or other persons. Whenever the household expresses to the eligibility specialist (ES) that it disagrees with an action the ES shall remind the household of its right to request a fair hearing. The household shall be informed of the availability of free legal representation.

Time Period for Requesting a Fair Hearing:

The Agency shall provide a notice of adverse action to the household at least 10 calendar days prior to effective date of agency's action to terminate or reduce its benefits.

For collection of overpayment purposes, a demand letter must be provided to the household at least 30 calendar days prior to the collection action.

The household shall be allowed to request for fair hearing or any actions by the agency or loss in benefits which occurred in the prior ninety (90) days. Action by the agency shall include a denial or a request for restoration or any benefits loss more than one (1) year prior to the request. In addition, anytime within a certification period, a household may request a fair hearing to dispute its current levels of benefits.

Request for a Fair Hearing:

A request for a hearing is a clear expression, oral or written, by the household or its authorized representative that the household wants the opportunity to present its case to a higher authority. The household shall complete the appropriate "Request for a Fair Hearing" form (DPW89-2).

If it is unclear from the household's request what action the household wishes to appeal, the eligibility specialist will request the household to clarify its grievance. The right to make a request for a hearing shall not be limited or interfered with in any way.

TANF cases terminated or disqualified for non-compliance with JOBS Program work requirements will not be granted continuance of benefits pending the fair hearing decision. However, TANF cases will continue their benefits under SNAP and Medicaid.

Timely Action on Hearings:

The agency must take final administrative action whereby a fair hearing is conducted, a decision is reached, and the household is notified of the decision in writing within ninety (90) calendar days from the date of the hearing request for Financial Assistance.

Request for Postponement of Hearing:

The household may request a postponement of a hearing in writing or via phone not to exceed thirty (30) calendar days and the time limit for action on the decision may be extended for good cause as many days as the hearing is postponed.

Agency Conference:

The agency shall:

- Offer agency conferences ten (10) calendar days prior to the fair hearing scheduled date, to any household or applicant who wishes to appeal an action or contest a denial of benefits and to any household adversely affected by an agency action.
- Advise all households that use of an agency conference is optional, and that it will in no way delay or replace the fair hearing process.

The agency conference shall be attended by the Program Representative(s) such as Eligibility Specialist, Eligibility Specialist Supervisor (ESS), the household and/or its representative.

An agency conference may lead to an informal resolution of the dispute. However, a fair hearing must still be held unless the household completes and submits to the agency a "Withdrawal of Request for a Fair Hearing" form (Form 340A).

Attendance at Hearing:

The hearing shall be attended by the program representative(s) and by the household and/or its representative. The hearing may also be attended by friends or relatives of the household if the household so chooses. The hearing official shall have the authority to limit the number of persons in attendance at the hearing if space limitation exists.

If the Fair Hearing request is based on action taken on the JOBS or GETP related requirements, a representative from JOBS or GETP shall participate in the hearing.

Rights of the Household:

The household or its representative must be given an opportunity to:

- Examine all documents and records (casefile included) to be used before and at the hearing. Confidential information such as the names of individuals who have disclosed information about the household without its knowledge or the nature or status of pending criminal prosecutions must be protected from release;
- Present their case or have it presented by legal counsel or other person;
- Bring witnesses;
- Present arguments without undue interference;
- Question or refute any testimony or evidence, including an opportunity to confront and cross-examine witnesses; and
- Submit evidence to establish all pertinent facts and circumstances in the case.

Hearing Decisions:

The decision of the hearing authority shall comply with local and federal law and regulations and shall be based exclusively on evidence introduced at the hearing.

The record must be maintained for a period of one (1) year after the right to appeal has elapsed and must consist of:

- The recording of testimony and exhibits, or an official report containing the substance of what transpired at the hearing;
- All documents filed in the proceeding; and
- The recommendation or decision of the hearing officer.

This record shall also be available to the household or its representative at any reasonable time for copying and inspection.

A decision by the hearing authority shall be binding on the agency and shall:

- Summarize the facts of the case;
- Specify the reasons for the decisions; and
- Identify the supporting evidence and the pertinent local and federal regulations.

The household shall be notified in writing of:

- The decision;
- The reasons for the decision;
- The available appeal rights;
- Whether the household's benefits will be issued or terminated as decided by the hearing authority;
- That an appeal may result in a reversal of an unfavorable decision; and
- The right to pursue judicial review of an unfavorable decision and that a reversal of the decision may result in the restoration of lost benefits to the household

3. ASSESSMENTS

Families and individuals needing temporary assistance will be assessed to identify financial needs. Benefits will be granted only after an applicant meets the financial and non-financial eligibility criteria. If the applicant meets the work eligible definition, the applicant will be required to work register, during the time of interview and renewal, at the Bureau of Economic Security with the applicant's assigned Eligibility Specialist in order to meet the eligibility criteria. The recipient will then be referred to the Work Programs Section for further assessment, as needed-for work participation.

The Work Programs Section within the Department of Public Health and Social Services currently has a Memorandum of Understanding (MOU) with the American Jobs Center (AJC) Core Partners. This MOU formulated the American Jobs Center (AJC) for employment services where the agencies network services for the economically and educationally disadvantaged individuals. These services focus on developing economic self-sufficiency. The Work Programs Section will continue to be responsible to assess, evaluate and review existing resources to improve program services.

The Child Protective Services Section within the Guam Department of Public Health and Social Services will continue its program to provide intervention and support services for children who are victims of abuse and neglect.

A. Require Parents or Caretakers to Engage in Work Activity

Guam will require a parent or caretaker receiving assistance under the program to engage in a work activity once determined "Work Eligible" or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier. The Work Programs Section will collaborate with the Department of Labor and the American Jobs Center (AJC) and its System State Partners, to identify these individuals and coordinate appropriate work and/or educational activities.

45 CFR (February 5, 2008) Parts 261, 262, 263, and 265 Reauthorization of the Temporary Assistance for Needy Families (TANF) Program; Final rule defines the term "Work Eligible Individual" as:

1. An adult (or minor child Head of Household) receiving assistance under TANF or a separate state Program; or
2. A non-recipient parent living with a child receiving assistance.

However the definition excludes the following non-recipient parents:

- a. Minor parent who is not the head of household
- b. A non-citizen who is ineligible to receive assistance due to his or her immigration status, or, at state option on a case-by-case basis, a recipient of Supplemental Security Income (SSI) benefits.

In addition, the term excludes some parents, whether they are recipients or not:

A parent providing care for a disabled family member living in the home, if there is medical documentation to support the need for the parent to remain in the home to provide that care.

B. Establish Work Requirements by Category

Guam will continue to ensure that parents and caretakers receiving assistance under the program meet the work eligible definition and will engage in work activities in accordance with Section 407 of the P.L. 104-193, and the 45 CFR Part 260, Subpart C, Section 261.30; TANF; Final Rule and the JOBS Program Work Verification Plan.

1. Work Participation is required of any individual that is receiving TANF and meets the work eligible definition.
2. Teen Parent that meets the definition below; must attend an educational activity directed towards the attainment of a high school diploma or General Equivalency; in order to continue receiving assistance:
 - a. below the age of 18; and
 - b. not the head of household but is a member of the TANF household; and
 - c. is not married; and
 - d. has a minor child at least 12 weeks of age in his or her care; and
 - e. does not have a high school diploma or GED; and
 - f. resides with parent, legal guardian or adult relative or non-relative or in an adult supervised setting.
3. The Teen Parent who is the head of household and receives assistance meets the work eligible definition and therefore must participate in an allowable work activity.
4. Single parent families with child(ren) above the age of 6 – minimum of 30 average hours per week

- a. At least 25 average hours must be attributable to required core work activities. No more than five (5) of the relevant minimum hours may be attributable to any of the non-core activities such as education related to employment, high school (or equivalent), or job skills training activities. Above 25 hours per week may be attributable to non-core activities.
 - b. A single custodial parent or caretaker relative with a child under age six (6) will count as engaged in work if he/she participates for at least an average of 20 hours per week.
5. Two-parent families – combined average of 35 hours per week

Both adults in a two-parent household are required to participate in an allowable work component; unless there is a child less than 6 months of age. Then one parent will be exempted until the child reaches the age of 6 months and 1 day. The other parent who was the caretaker is now required to participate in an allowable work component. Each parent will be responsible for completing his/her required hours or face disqualification. Each parent is responsible for making up his/her own hours.

- a. At least 40 average hours must be attributable to required core work activities. No more than five (5) of the relevant minimum hours may be attributable to non-core activities.
 - b. Two-parent families – combined average of 55 hours per week, if receiving federally funded child care assistance and not caring for a disabled adult or child. No more than five (5) of the relevant minimum hours may be attributable to non-core activities.
6. Countable Core Work Activities

- a. Unsubsidized Employment;
- b. Subsidized Private & Public employment;
- c. Work Experience;
- d. On-the-Job Training;
- e. Job Search and Job readiness assistance activities are limited to six (6) weeks in the preceding 12 month period, which is equivalent to 120 hours for single parents with children below the age of six (6) and 180 hours for all others; but no more than four (4) consecutive weeks and up to six (6) weeks total in a year;
- f. Community Service Programs;
- g. Vocational Educational Training not to exceed 12 months;
- h. Providing Childcare Services to an individual who is participating in a Community Service Program.

7. Non-Core Work Activities

After an individual meets the basic level of participation, the following non-core activities may count toward the total work requirement hours of work:

- a. Job skills training directly related to employment;

- b. Education directly related to employment;
- c. Satisfactory attendance at a secondary school or in a course of study leading to a certificate of general equivalency.

Other exemptions to the work rule, such as illness or disability preventing employment or training, shall follow existing program procedures.

Single custodial parents with children under age 6 who have demonstrated inability to obtain needed childcare are not subject to sanction.

8. Training for Employment in the Eldercare Workforce

The Bureau of Economic Security, may provide, but is not limited to the following work activities: certain educational, training and employment activities intended to assist individuals obtain experience in careers in the eldercare workforce.

9. Penalties

Penalties for failing to comply with the work requirements will be imposed. The entire household will become ineligible to participate in the TANF program when any member fails to comply with the work requirements without good cause. In addition, the household member who fails to comply shall also become ineligible to participate in the Supplemental Nutrition Assistance Program (SNAP). However, the eligible children and the non-compliant parent(s) will continue to receive Medicaid assistance.

The household or the individual may not regain eligibility until the end of the disqualification period. However, when the disqualified household or individual meets exemption criterion for participation requirements, and is otherwise eligible to receive TANF, that household or individual may resume participation during the disqualification period.

The minimum disqualification periods are as follows:

First Non-compliance = 3 months
Second Non-compliance = 6 months
Third Non-compliance = Permanent

Sanctions will not be applied to volunteer/exempt participants.

The individual designated as head of the household at the time of work program violation continues to be considered head of the household and may change only at the time the household is re-certified for participation.

The disqualified member shall be ineligible to participate in TANF for the remaining period of disqualification even when that member moves and becomes head of another household.

C. Prevent Out-of-Wedlock & Teenage Pregnancies

The Department of Public Health and Social Services will continue with its existing Family Planning Project which is set up to reduce unintended, unplanned, and unwanted pregnancies. Men, women and adolescents will be provided with educational information and contraceptive devices to plan and space the birth of their children. The project provides clients comprehensive health care and takes action to prevent and reduce the incidence of out-of-wedlock pregnancies.

The Department will also continue with its Teen Parent Program to assure that teen parents stay in school and develop a personal plan toward employment and self-sufficiency.

D. Expand Teenage Pregnancy Prevention Programs to Include both Males and Females

Conduct a program designed to reach local law enforcement officials and the educational system on the problem of statutory rape so that teenage pregnancy programs may be expanded in scope to include men.

Training, outreach, and education are provided by several law enforcement agencies to include Child Protective Services. The Attorney General's Office, through the Prosecution Division's Family Abuse and Sex Crimes Unit (FASC), conducts twice-yearly training with the Guam Police Department on statutory rape. Training by prosecutors in the FASC unit is conducted with the officers on procedures within the law. The Victim-Witness Ayuda Services (VWAS), an advocacy unit within the Attorney General's Office, and Child Protective Services (CPS) conducts island-wide training at all the public elementary schools once a year about improper sexual conduct by adults and other students. CPS also provides training to school administrators on Mandatory Reporting. The adult and juvenile prosecutors within the Attorney General's Office prosecute adult and juvenile offenders of statutory rape.

3.1 Establish Income and Resource Limitations for Eligibility

The income eligibility limitation for Guam's TANF program is determined by comparing the assistance unit's monthly gross income against 185% of the Need Standard by household size as described in Section 202.3 on page B-14 of Guam's Public Assistance Manual, Part II, Chapter II, and Guam's Basic Needs Standard Table.

The resource eligibility limitation for Guam's TANF program is \$2,000 as described in Section 206.5 on page B-45 of Guam's Public Assistance Manual, Part II, Chapter II.

3.2 Treatment of Families from other States

Guam will treat families moving into the island the same as other families under the program.

3.3 Electronic Benefit Transfer Restrictions

Guam will ensure that TANF funds cannot be used in any electronic benefit transaction in any liquor store; any casino, gambling casino, or gaming establishments; or any retail

establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state of entertainment.

A list of establishment selling liquor store; any casino, gambling casino, or gaming establishments; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state of entertainment will be obtained semi-annually from the Department of Revenue and Taxation. These establishments will be informed of the requirements and signs will be posted in their facilities. Although, signs will be posted in these facilities, contracted retailers that are part of the MCC will block clients from using EBT cards in liquor stores, casinos and adult entertainment establishments.

Guam will work with the Department of Revenue and Taxation to provide these establishments with the requirements upon issuance of the business license.

Guam will work with the National Automated Clearing House Association (NACHA) to prohibit retailers from participating in Electronic Benefit Transfer (EBT). NACHA will assist states in preventing TANF funds from being accessed at ATM and POS terminals located in liquor stores, casinos and adult entertainment establishments.

Guam will work with the Electronic Benefit Transfer (EBT) processor to participate in the Merchant Category Classification (MCC) blocking. MCC is used to classify the business by the types of goods and services it provides. Transactions that originate based on the merchants MCC which are blocked will not be processed. Contracted retailers that are part of the MCC will block clients from using EBT cards in liquor stores, casinos and adult entertainment establishments.

Guam will ensure that retailers and recipients will be informed of the banned purchases/activities and also will require recipients to sign an attestation that they will not use the benefits for inappropriate transactions and if they do they could lose the benefits.

The retailers will be informed of the banned purchases/activities through public information drive like media releases in the newspaper and radio.

TANF recipients will be informed of the new requirements at the time of certification/recertification by providing them with a flyer of the banned purchases/activities and will be required to sign an attestation that they will not use the benefits for inappropriate transactions.

TANF recipients will also be informed of where they can use their Guam EBT card through the Guam's Quest Card flyer issued to clients when obtaining new/replacements Quest cards and also through public information drive.

Guam will ensure that Sec. 2113, Chapter 2 of of the Guam Code Annotated will be strictly enforced and also will work with the legislators to amend this law or introduce a bill to cover the other establishments.

Guam will ensure that TANF recipients will have an adequate access to their cash assistance and will not be charged fees by retailers. Current Quest Operating rules do not place a limit on the amount of the cashback portion of a POS transaction or Cash Only from Cash Account Transaction. Guam recipients are not charged fees with getting cash out from the retailers.

Guam will also ensure that TANF recipients will be charged minimal fees when withdrawing from ATM machines. No other fees or surcharge may be imposed on the Cardholder as a condition to accepting a card and no Surcharge maybe imposed with respect to an ATM transaction unless the Cardholder is given prior on-screen notice.

The above information will be posted in the Department of Public Health and Social Services website.

CERTIFICATIONS

Guam operates the Temporary Assistance for Needy Families (TANF) Program. The program will continue to ensure that children are cared for in safe and healthy surroundings; reduce and minimize dependence of needy parents on governmental assistance by promoting personal responsibility and work; prevent and reduce the incidence of teen pregnancies and out of wedlock pregnancies; and assist families and individuals in their achievement to self-sufficiency.

In administering and operating the program that provides Temporary Assistance for Needy Families with minor children under Title IV-A of the Social Security Act, Guam will provide the following assurances:

1. Guam will continue to operate a child support enforcement program under the Guam Department of Law under the state plan approved under Part D of Title IV of the Social Security Act.
2. Guam will continue to operate Foster Care and Adoption Assistance programs in accordance with Part E, and ensure children receiving assistance are eligible for medical assistance;
3. Guam will assure local governments and private sector organizations:
 - a. have been consulted regarding the plan and design of welfare services in Guam so that services are provided in a manner appropriate to local populations; and,
 - b. had at least 45 days to submit comments on the plan and the design of such services.
4. Guam will continue to enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the TANF program, kickbacks, and the use of political patronage.
5. Guam will continue to identify and refer victims of domestic violence for counseling and supportive services. But Guam will not waive the U.S. citizenship and qualified alien requirements; and, family cap provisions.
6. Guam will make available to the public a summary of any plan submitted under this section.
7. Guam will require an Individual Responsibility Plan (IRP) from those individuals subject to mandatory job requirements. Guam will develop a policy requiring recipients to sign an IRP within 60 days of receipt of benefits.
8. Guam does not have immediate plans to propose legislation to allow benefits for individuals who are convicted of possession, use, or distribution of a controlled substance.
9. Guam will assure cash assistance will be temporary with a 60 months lifetime limit except for families or individuals experiencing hardship situations and/or domestic violence, cash assistance will be temporary with a five (5) year lifetime limit.

10. Guam will screen and identify families and individuals during the certification process, who are experiencing hardship situations and/or domestic violence and exempt them from the 60 months lifetime limit. Hardship conditions include those who are aged, disabled, and those families with disabled children.
11. Local funds will cover costs for those exempt cases in excess of the 20% limit. Guam has no intention of providing benefits for non-exempt families or individuals.
12. Guam will promote work and self-sufficiency by working with public and community based organizations (i.e. non-profit organizations) to improve the employability of individuals by providing job preparation workshops, trainings and other allowable work activities as specified in the Federal Register, TANF Final Rule published in February 2008. Guam will provide support services such as childcare, transportation, work related and educational expenses, for families to enable parents/caretakers to participate in work activities. Guam will meet the required participation rate mandated by P.L. 104-193.
13. Determination for job readiness of a parent or caretaker which will be contingent upon the fulfillment of the following conditions:
 - a. Education, skills, and training;
 - b. Physically, mentally, and medically ready for job available;
 - c. Child Care and Transportation can be provided for.

This applies to parents and caretakers.

14. Guam will incorporate the Child Care Development Fund (CCDF) State Plan and the Support Services Plan in administering the TANF program.
15. Guam will operate an employment placement program. This is addressed and provided for by the partnership with American Jobs Center (AJC) which includes; Guam's Department of Labor (DOL) and Guam's Agency for Human Resources Development (AHRD), via a Memorandum of Understanding.
16. Guam will impose a sanction on a family that includes an adult who fails to ensure that the minor dependent children attend school.
17. Guam has no immediate intention to implement the requirement for non-custodial, non-supporting minor parents to fulfill community work obligations and/or attend parenting or money management classes.

However, Guam will continue to require non-custodial parents to provide child support as a condition of eligibility for the caretaker and child under TANF. The IV-D requirements will continue to be implemented with the TANF program.

18. Guam will not use TANF funding for beneficiaries to establish Individual Development Accounts (IDAs). This function is administered by Guam Housing and Urban Renewal Authority (GHURA) and will not be duplicated by the Division of Public Welfare,

Department of Public Health and Social Services. The IDA income, however, will not be considered for TANF eligibility.

19. Guam will not use TANF funds for the family preservation services program.
20. Suitable child care for single custodial parents with a child under the age of 6 years will continue to be made available through the JOBS Supportive Services Plan and the Child Care Development Fund (CCDF).
21. Guam's TANF benefits will become effective the first day of the month following authorized eligibility by the Division of Public Welfare, Department of Public Health and Social Services.
22. For identity and residency, include as an acceptable verification a Guam Identification Card.
23. The program no longer applies a \$50.00 disregard for Child Support Income.
24. No cash assistance will be given to women pregnant with their first child. Pregnant women, if qualified, will get Medicaid coverage instead of cash assistance for the entire pregnancy period.
25. For new applicants, unless birth of the unborn child is expected within 9 months from the date of application, that child when born will not be eligible for cash assistance. Note: Family cap is frozen at the date of application.
26. For on-going cases, no additional child(ren) shall be eligible for cash assistance.
27. Cash assistance for eligible child can only be given when all necessary documents are provided.
28. For re-open cases, no additional child(ren) shall be eligible for cash assistance.
29. Children moving back into the home may be eligible for cash assistance in cases where the child(ren) were being raised/reared by another individual and then return to live with the biological parents.
30. New household compositions through marriage or love unions shall be treated as consolidated or one household where all income in the household will be counted. This includes individuals presenting themselves as married/partners (legally or common-law). The children of each spouse/individual would make up the new household and may be eligible for cash assistance. However, no additional new births or other child(ren) shall be eligible.
31. A former TANF assistance unit may remain eligible for Medicaid for 12 months (Extended Medicaid) beginning with the month following the last TANF grant when:
 - a. Ineligibility was due to increased earnings or increased hours of employment; and
 - b. The assistance unit received a TANF grant for at least three (3) of the six (6) months preceding the extended Medicaid coverage.

- c. Member of the assistance unit remains employed during the 12 months extended Medicaid coverage.
- 32. Only basic needs will be provided to households where the only eligible members are minor children.
- 33. The eligibility of a two (2) parent household shall be based on TANF financial and non-financial criteria such as citizenship, without regard to unemployment status, work quarters or employment history.

In addition to TANF 100% funds, MOE funds for basic assistance. The TANF eligibility criteria is also used for the MOE funded basic assistance.