2006 Special Session I

# Budget Bill - HB5002 (Chapter 3)



## Item 334

| | First Year - FY2007 | Second Year - FY2008 |
|---|---|---|
| **Financial Assistance for Self-Sufficiency Programs and Services (45200)** | **$338,805,406** | **$341,518,480** |
| Income Benefits (45201) | $118,698,423 | $118,698,423 |
| Child Support Supplement (45211) | $7,800,000 | $7,800,000 |
| Tanf Employment Services (45212) | $55,584,882 | $55,584,882 |
| Non-Tanf Employment Services (45213) | $2,064,925 | $2,064,925 |
| Tanf Day Care (45214) | $54,261,492 | $56,974,566 |
| Non-Tanf Day Care (45215) | $100,395,684 | $100,395,684 |
| Fund Sources: | | |
| General | $122,557,755 | $123,789,292 |
| Federal Trust | $216,247,651 | $217,729,188 |

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 and 6, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. To the extent permitted by federal law, the State Plan for Temporary Assistance for Needy Families (TANF) shall provide that the eligibility for assistance of an alien who is qualified alien (as defined in § 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law Number 104-193) shall be determined without regard to alienage.

B. Notwithstanding any other provision of state law, the Department of Social Services shall maintain a separate state program, as that term is defined by federal regulations governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. § 260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-parent families. The separate state program shall be funded by state funds and operated outside of the TANF program. Able-bodied two-parent families shall not be eligible for TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits under the separate state program provided for in this paragraph. Although various conditions and eligibility requirements may be different under the separate state program, the basic benefit payment for which two-parent families are eligible under the separate state program shall not be less than what they would have received under TANF. The Department of Social Services shall establish regulations to govern this separate state program.

C. As a condition of this appropriation, the Department of Social Services shall disregard the value of one motor vehicle per assistance unit in determining eligibility for cash assistance in the Temporary Assistance for Needy Families (TANF) program and in the separate state program for able-bodied two-parent families.

D.1. The Department of Social Services shall be authorized to make necessary changes in the State Plan for the

Temporary Assistance for Needy Families (TANF) Program to meet the federal TANF requirements, pursuant to federal Deficit Reduction Omnibus Reconciliation Act of 2005, and to minimize the Commonwealth's exposure to federal financial penalties, provided it does so in the most efficient and least costly manner.

2. No less than 30 days prior to submitting amendments to the federal government on the State Plan for the Temporary Assistance for Needy Families Program, the Commissioner of the Department of Social Services shall provide the Chairmen of the House Appropriations and Senate Finance Committees with written documentation of the proposed policy changes, including an estimate of the fiscal impact of the proposed changes and information summarizing public comment that was received on the proposed changes.

E. Out of this appropriation, $7,800,000 the first year and $7,800,000 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be used by the Department of Social Services to provide recipients of Temporary Assistance for Needy Families (TANF) cash assistance a monthly TANF supplement up to the current child support collected by the Division of Child Support Enforcement for each such recipient, less any disregard passed through to such recipient pursuant to any other provision of law. The TANF child support supplement shall be paid within two months following collection of the child support payment or payments used to determine the amount of such supplement. For purposes of determining eligibility for medical assistance services, the TANF supplement described in this paragraph shall be disregarded. In the event there are sufficient federal TANF funds to provide all other assistance required by the TANF State Plan, the Commissioner may use unobligated federal TANF block grant funds in excess of this appropriation to provide the TANF supplement described in this paragraph.

F. The Department of Social Services, in collaboration with local departments of social services, shall maintain minimum performance standards for all local departments of social services participating in the Virginia Initiative for Employment, Not Welfare (VIEW) program. The Department shall allocate VIEW funds to local departments of social services based on these performance standards and VIEW caseloads. The allocation formula shall be developed and revised in cooperation with the local social services departments and the Department of Planning and Budget.

G. A participant whose Temporary Assistance for Needy Families (TANF) financial assistance is terminated due to the receipt of 24 months of assistance as specified in § 63.2-612, Code of Virginia, or due to the closure of the TANF case prior to the completion of 24 months of TANF assistance, excluding cases closed with a sanction for noncompliance with the Virginia Initiative for Employment Not Welfare program, shall be eligible to receive employment and training assistance for up to 12 months after termination, if needed, in addition to other transitional services provided pursuant to § 63.2-611, Code of Virginia.

H. The Department of Social Services, in conjunction with the Department of Correctional Education, shall identify and apply for federal, private and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections, including but not limited to the following grant programs: Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special Improvement Projects, §1115 Social Security Demonstration Grants, and any new grant programs authorized under the federal Temporary Assistance for Needy Families (TANF) block grant program.

I. Included in this Item is funding to carry out the former responsibilities of the Virginia Council on Child Day Care and Early Childhood Programs. Nongeneral fund appropriations allocated for uses associated with the Head Start program shall not be transferred for any other use until eligible Head Start families have been fully served. Any remaining funds may be used to provide services to enrolled low-income families in accordance with federal and state requirements. Families, who are working or in education and training programs, with income at or below the poverty level, whose children are enrolled in Head Start wraparound programs paid for with the federal block grant funding in this Item shall not be required to pay fees for these wraparound services.

J. It is the intent of the General Assembly that the Department of Social Services automate day care assistance programs. The Department shall report to the Governor and the General Assembly by October 15 of each year regarding the status of such automation, system adequacy, and needed action.

K. Out of this appropriation, the Department of Social Services shall allocate $2,295,000 each year from the federal Temporary Assistance to Needy Families (TANF) block grant for employment and training and other services for hard-to-serve recipients to promote self-sufficiency.

L. Out of this appropriation, the Department of Social Services shall allocate $637,500 each year from the federal Temporary Assistance to Needy Families (TANF) block grant for employment and training services through the Centers for Employment and Training.

M. Out of the total appropriation for day care, $11,540,911 from the general fund and $51,015,773 from federal funds the first year and $11,540,911 from the general fund and $51,015,773 from federal funds the second year will support state day care programs which will be administered on a sliding scale basis to income eligible families. The sliding fee scale and eligibility criteria are to be set according to the rules and regulations of the State Board of Social Services, except that the income eligibility thresholds for day care assistance shall account for variations in the local cost of living index by metropolitan statistical areas. The Department of Social Services shall report on the sliding fee scale and eligibility criteria adopted by the Board of Social Services by December 15 of each year. The Department of Social Services shall make the necessary amendments to the Child Care and Development Funds Plan to accomplish this intent. Funds shall be targeted to families who are most in need of assistance with day care costs. Localities may exceed the standards established by the state by supplementing state funds with local funds.

N. Notwithstanding § 4-1.03 of this act, general fund and nongeneral fund appropriations for the Child Day Care Fee System At-risk and At-risk Pass-thru programs shall not be transferred to support other child day care programs or for any other purpose.

O. Included in this Item is funding in the amount of $600,000 the first year and $600,000 the second year from nongeneral funds for scholarships for students in early childhood education and related majors who plan to work in the field, or already are working in the field, whether in public schools, child care or other early childhood programs, and who enroll in a state community college or a state supported senior institution of higher education. Also included in this Item is funding in the amount of $505,000 the first year and $505,000 the second year from nongeneral funds for training of individuals in the field of early childhood education.

P. Out of appropriations in this Item shall be provided $300,000 the first year and $300,000 the second year from nongeneral funds for child care assistance provided to children in homeless and domestic violence shelters.

Q. Out of this appropriation shall be provided $350,000 the first year and $350,000 the second year from the Child Care Development Fund to contract with a network of child care resource and referral agencies to provide assistance to working parents in locating and identifying child care programs and to collect, maintain and disseminate information about child care in accordance with the 2002/2003 Child Care Development Fund Plan for Virginia.

R. Out of this appropriation, $2,141,890 the first year and $2,141,890 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be transferred to the Department of Health for the Comprehensive Health Investment Project of Virginia.

S. Out of this appropriation, $4,910,128 the first year and $4,910,128 the second year from the federal Temporary Assistance to Needy Families (TANF) grant shall be transferred to the Department of Housing and Community Development for a continuum of housing services for low-income families.