

**HUMAN SERVICES DEPARTMENT[441]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 239B.4, the Department of Human Services proposes to amend Chapter 47, “Diversion Initiatives,” Iowa Administrative Code.

These amendments update language to match current practice. These amendments clarify:

• The designation of the Bureau of Refugee Services (BRS) as a distinct area, similar to that of an Iowa Workforce Development (IWD) area. This area designation will make family self-sufficiency grant (FSSG) payments more accessible for refugee clients served by BRS. BRS serves approximately 2 percent of the total population of PROMISE JOBS individuals.

- When overpayments for FSSG are allowable.
- The issuance of family self-sufficiency grant payments.
- The evaluation of family self-sufficiency grants.

Any interested person may make written comments on the proposed amendments on or before August 27, 2013. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 239B.4.

The following amendments are proposed.

ITEM 1. Amend **441—Chapter 47, Division II preamble**, as follows:

DIVISION II  
FAMILY SELF-SUFFICIENCY GRANTS PROGRAM

PREAMBLE

These rules define and structure the family self-sufficiency grants (FSSG) program provided through the PROMISE JOBS ~~service delivery regions~~ programs. The purpose of the FSSG program is to provide immediate and short-term assistance to PROMISE JOBS participant families which will remove barriers related to obtaining or retaining employment. Removing the barriers to self-sufficiency might reduce the length of time a family is dependent on the family investment program (FIP). Family self-sufficiency grants shall be available for payment to families or on behalf of specific families.

ITEM 2. Amend rule 441—47.21(239B) as follows:

**441—47.21(239B) Definitions.**

*“Appropriate responsible administrator” means:*

1. For the bureau of refugee services (BRS), the administrator of the department service area with the oversight for the bureau of refugee services, or the administrator’s designee.

2. For Iowa workforce development (IWD), the administrator of the department of workforce development’s division of workforce development center administration, or the administrator’s designee.

“Bureau of refugee services” or “BRS” means a unit of the department of human services that provides PROMISE JOBS services to refugees.

“Candidate” means anyone expressing an interest in the family self-sufficiency grants program.

“Department” means the Iowa department of human services.

“Department division administrator” means the administrator of the department of human services division of financial, health and work supports adult, children and family services, or the administrator’s designee.

~~“Department of workforce development” means the agency that develops and administers employment, placement and training services in Iowa, often referred to as Iowa workforce development, or IWD.~~

“Family” means “assistance unit” as defined at rule 441—40.21(239B).

“Family investment program” or “FIP” means the cash grant program provided by 441—Chapters 40 and 41, designed to sustain Iowa families.

“Family self-sufficiency grants” means the payments made to specific PROMISE JOBS participants, to vendors on behalf of specific PROMISE JOBS participants, or for services to specific PROMISE JOBS participants.

“Immediate, short-term assistance” means that assistance provided under this division shall be authorized upon determination of need and that it shall not occur on a regular basis.

~~“Iowa workforce development (IWD) division administrator” means the administrator of the department of workforce development’s division of workforce development center administration, or the administrator’s designee.~~

“Iowa workforce development (IWD)” means the agency that develops and administers employment, placement and training services in Iowa and is contracted by the department to administer PROMISE JOBS services statewide.

~~“Local plan for family self-sufficiency grants” means the written policies and procedures for administering the grants for families as set forth in the plan developed by the PROMISE JOBS IWD service delivery region area or BRS as described in rule 441—47.26(239B). The local plan shall be approved by the Iowa workforce development division administrator.~~

“Participant” means anyone receiving assistance under this division.

“PROMISE JOBS agreement” means the agreement between the division of adult, children and family services and the division of field support regarding delivery of PROMISE JOBS services to refugees.

“PROMISE JOBS contract” means the agreement between the department and Iowa workforce development regarding delivery of PROMISE JOBS services.

“PROMISE JOBS participant” means any person receiving services through PROMISE JOBS. A PROMISE JOBS participant must be a member of an eligible FIP household.

~~“PROMISE JOBS IWD service delivery regions area” means the PROMISE JOBS service delivery entities which correspond to the 15 Iowa workforce development regions service delivery areas designated to provide PROMISE JOBS services.~~

“Promoting independence and self-sufficiency through employment, job opportunities, and basic skills (PROMISE JOBS) program” means the department’s work and training program as described in 441—Chapter 93.

ITEM 3. Amend rule 441—47.22(239B) as follows:

**441—47.22(239B) Availability of the family self-sufficiency grants program.** The family self-sufficiency grants program shall be available statewide in each of the 15 PROMISE JOBS service delivery regions. Under the PROMISE JOBS contract, Iowa workforce development (IWD) shall allocate the funds available for authorization to each of the service delivery regions based on the allocation standards used for PROMISE JOBS service delivery purposes. The department actually retains the funds which are released through the PROMISE JOBS expense allowance authorization system.

47.22(1) The program shall be available for use by the IWD service delivery areas. Under the PROMISE JOBS contract, Iowa workforce development (IWD) shall allocate the funds available for authorization to each of the service delivery areas based on the allocation standards used for PROMISE JOBS service delivery purposes.

47.22(2) The program shall be available for use by the bureau of refugee services (BRS) for PROMISE JOBS participants who are refugees as delineated in the PROMISE JOBS agreement.

47.22(3) The division of funds between IWD and BRS will be negotiated based on the number of PROMISE JOBS families receiving services from each agency and history of use.

47.22(4) The department retains the funds which are released through the PROMISE JOBS expense allowance authorization system.

ITEM 4. Amend subrule 47.24(2) as follows:

47.24(2) *Types of assistance.* ~~Family self-sufficiency grants are PROMISE JOBS benefits and shall be authorized through the PROMISE JOBS expense allowance system. The PROMISE JOBS service delivery region~~ The department, in conjunction with IWD and BRS, shall have discretion to determine those barriers to self-sufficiency which can be considered for family self-sufficiency grants such as, but not limited to, auto maintenance or repair, licensing fees, child care, and referral to other resources, including those necessary to address questions of domestic violence. ~~Warrants may be issued to the participants, to a vendor, or for support services provided to the family. The PROMISE JOBS service delivery region shall have discretion in determining method of payment in each case, based on circumstances and needs of the family.~~ The IWD service delivery areas and BRS shall have the opportunity to adjust the list of approvable barriers to self-sufficiency based on local resources and circumstances. These adjustments shall be approved by the division administrator and the appropriate responsible administrator prior to implementation.

ITEM 5. Adopt the following **new** subrule 47.24(7):

47.24(7) *Issuing payments.* Family self-sufficiency grants are PROMISE JOBS benefits and shall be authorized through the PROMISE JOBS expense allowance system. Warrants may be issued to the participants or to a vendor for support services provided to the family. The division administrator in conjunction with the appropriate responsible administrator shall have discretion in determining method of payment. The IWD service delivery area or BRS shall have the opportunity to adjust these payment options in an individual case based on circumstances and needs of the family with the approval of the division administrator and the appropriate responsible administrator prior to implementation.

ITEM 6. Amend subrule 47.25(1) as follows:

47.25(1) *Application elements.* Each ~~PROMISE JOBS IWD service delivery region~~ area shall establish ~~an use the established~~ application form to be completed by the PROMISE JOBS participant and the PROMISE JOBS worker when the participant asks to be a candidate for a family self-sufficiency grant. The application form shall contain the following elements:

- a. An explanation of family self-sufficiency grants and the expectations of the program.
- b. Identification of the family and the person representing the family.
- c. A clear description of the barrier to self-sufficiency to be considered.
- d. Demonstration of how removing the barrier is related to retaining or obtaining employment, meeting the criteria from rule 441—47.24(239B).
- e. Demonstration of why the other department, PROMISE JOBS, or community resources cannot deal with the barrier to self-sufficiency.
- f. Anticipated cost of removing the barrier to self-sufficiency.

ITEM 7. Amend rule 441—47.26(239B) as follows:

**441—47.26(239B) Approved local plans for family self-sufficiency grants.** Each ~~PROMISE JOBS IWD service delivery region~~ area shall create and provide to IWD ~~their~~ the written policies and procedures for administering family self-sufficiency grants. BRS shall create and provide to the department the written policy and procedures for administering family self-sufficiency grants. The plan shall be reviewed for required elements and quality of service to ensure that it meets the purpose of the

program and approved by the department division administrator and the IWD division administrator. The written policies and procedures shall be available to the public at county offices, PROMISE JOBS offices, and at IWD. At a minimum, these policies and procedures shall contain or address the following:

**47.26(1) A plan overview.** The plan overview shall contain a general description detailing:

*a.* Any types of services or assistance which will be excluded from consideration for family self-sufficiency grants ~~in by the PROMISE JOBS IWD service delivery region area or BRS.~~

*b.* How determinations will be made that the service or assistance requested meets the program's objective of helping the family retain employment or obtain employment.

*c.* How determinations will be made that the proposed family self-sufficiency grant is not supplanting as required at subrule 47.24(5).

*d.* Services established and any maximum (and minimum, if any) values of payments of the services established by the ~~PROMISE JOBS IWD service delivery region area or BRS.~~

*e.* Verification procedures or standards for documenting barriers, using written notification policies found at 441—subrule 93.10(1).

~~*f.* The design of the application form.~~

~~*g.* *f.* Verification procedures or standards for documenting employment attempts if not already tracked by PROMISE JOBS procedures, using policies found at rule 441—93.10(239B).~~

~~*h.* *g.* How applications will be processed timely to address barriers to obtaining or retaining employment.~~

~~*i.* *h.* Follow-up procedures on participant effort.~~

~~*j.* *i.* Procedures for tracking of family self-sufficiency grant authorizations in order to stay within service delivery region allocation the amount allocated.~~

~~*k.* *j.* How staff will be trained to administer the program.~~

**47.26(2) Intake and eligibility determination.** The policies and procedures shall describe:

*a.* How families most likely to benefit from self-sufficiency grant assistance are identified.

*b.* How families can apply for self-sufficiency grant assistance.

*c.* How families will be informed of the availability of self-sufficiency grant assistance, its voluntary nature, and how the program works.

~~*d.* How county offices and PROMISE JOBS offices will maintain, provide to pilot participants, and otherwise make available, written policies and procedures describing the project.~~

~~*e.* Which PROMISE JOBS staff shall make decisions regarding identification of barriers and candidate eligibility for payment and what sign-off or approval is required before a payment is authorized.~~

**47.26(3) A plan for evaluation of family self-sufficiency grants.** The evaluation plan shall:

~~*a.* Describe tracking procedures.~~

~~*b.* Describe the plan for evaluation (e.g., what elements will be used to create significant data regarding outcomes).~~

~~*c.* Describe how measurable results will be determined.~~

~~*d.* Identify any support needed to conduct an evaluation (e.g., what assistance is needed from department and IWD).~~

~~*e.* Describe which aspects of the project were successful and which were not.~~

ITEM 8. Adopt the following **new** rule 441—47.27(239B):

**441—47.27(239B) Evaluation of family self-sufficiency grants.** The department, in conjunction with IWD and BRS, shall develop an evaluation plan. The evaluation plan shall:

1. Describe tracking procedures.

2. Describe the plan for evaluation (e.g., what elements will be used to create significant data regarding outcomes).

3. Describe how measurable results will be determined.

4. Identify any support needed to conduct an evaluation (e.g., what assistance is needed from the department and IWD).

5. Describe which aspects of the project were successful and which were not.

ITEM 9. Adopt the following new rule 441—47.28(239B):

**441—47.28(239B) Recovery of FSSG overpayments.** An overpayment exists when an item(s) for which the funds were awarded was not purchased, a duplicate payment was issued or when, according to receipts, the item(s) purchased costs less than the funds received. For purposes of overpayment and recovery, an FSSG payment is considered a PROMISE JOBS expense payment and is subject to rule 441—93.12(239B), recovery of PROMISE JOBS expense payments.