

CHAPTER 47 DIVERSION INITIATIVES

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

DIVISION I PROMOTING AWARENESS OF THE BENEFITS OF A HEALTHY MARRIAGE

PREAMBLE

These rules implement the Iowa promoting awareness of the benefits of a healthy marriage program. This program uses federal funds from the Temporary Assistance to Needy Families (TANF) block grant to provide information to certain households about the benefits of a healthy and stable marriage. Eligibility for this program also establishes categorical eligibility for the Iowa supplemental nutrition assistance program (SNAP) under 441—Chapter 65.

[ARC 9172B, IAB 11/3/10, effective 1/1/11; ARC 9350B, IAB 2/9/11, effective 4/1/11; ARC 6440C, IAB 8/10/22, effective 10/1/22]

441—47.1(234) Eligibility criteria. Eligibility for the promoting awareness of the benefits of a healthy marriage program is always determined in conjunction with determination of eligibility for SNAP under 441—Chapter 65.

47.1(1) Application. There is no separate application for the program. Eligibility for the program is determined whenever the department determines a household's eligibility for SNAP.

47.1(2) Resources. There is no asset test for the program.

47.1(3) Income. The household's gross countable monthly income determined according to rule 441—65.29(234) must be less than or equal to 160 percent of the current federal poverty guidelines for the household size. The income eligibility limits as described in this subrule are revised each October 1 to reflect the annual adjustment to the federal poverty guidelines.

47.1(4) Otherwise eligible for SNAP. The household must meet all eligibility criteria for SNAP except as provided in this rule. A household that includes a member who is currently disqualified from SNAP due to an intentional program violation is not eligible for the program.

47.1(5) Minimum SNAP benefit. The household must be eligible for a monthly SNAP benefit greater than zero. Households with a monthly SNAP benefit of zero are not eligible for the program.

[ARC 9172B, IAB 11/3/10, effective 1/1/11; ARC 9350B, IAB 2/9/11, effective 4/1/11; ARC 6440C, IAB 8/10/22, effective 10/1/22]

441—47.2(234) Notice and eligibility period. A household that meets all of the eligibility criteria in rule 441—47.1(234) shall receive written notice of its eligibility for the promoting awareness of the benefits of a healthy marriage program.

47.2(1) Written information. Households determined eligible for the program shall receive written information about the benefits of a healthy and stable marriage.

47.2(2) Eligibility period. A household that is determined eligible for the program shall remain eligible for the program until the earlier of the following events:

- a. The household fails to meet the eligibility criteria under rule 441—47.1(234), or
- b. The household's SNAP certification period under 441—Chapter 65 ends.

[ARC 9172B, IAB 11/3/10, effective 1/1/11; ARC 9350B, IAB 2/9/11, effective 4/1/11; ARC 6440C, IAB 8/10/22, effective 10/1/22]

These rules are intended to implement Iowa Code section 234.6.

441—47.3 to 47.20 Reserved.

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 program. 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.

[ARC 1147C, IAB 10/30/13, effective 1/1/14]

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 who have not obtained United States citizenship.

“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 adult, children and family services, or the administrator’s designee.

“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)” 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.

“IWD service delivery area” means the Iowa workforce development service delivery areas designated to provide PROMISE JOBS services.

“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 area or BRS as described in rule 441—47.26(239B).

“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.

“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.

[ARC 1147C, IAB 10/30/13, effective 1/1/14; ARC 6440C, IAB 8/10/22, effective 10/1/22]

441—47.22(239B) Availability of the family self-sufficiency grants program. The family self-sufficiency grants program shall be available statewide.

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 who have not obtained United States citizenship, 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.

[ARC 1147C, IAB 10/30/13, effective 1/1/14; ARC 6440C, IAB 8/10/22, effective 10/1/22]

441—47.23(239B) General criteria. Family self-sufficiency grants candidates shall be PROMISE JOBS participants. Participation in the family self-sufficiency grants program is voluntary and shall be based on an informed decision by the family. Further, candidates must have identifiable barriers to obtaining or retaining employment that can be substantially addressed through the assistance offered by family self-sufficiency grants.

441—47.24(239B) Assistance available in family self-sufficiency grants. Family self-sufficiency grants shall be authorized for removing an identified barrier to self-sufficiency when it can be reasonably anticipated that the assistance will enable PROMISE JOBS participant families to obtain or retain employment in the two full calendar months following the date of authorization of payment. For example, if a payment is authorized on August 20, it should be anticipated that the participant can find employment in September or October.

47.24(1) *Employment does not occur.* If employment does not occur in the anticipated two-calendar-month period or if the participant loses employment in spite of the self-sufficiency grant, no penalty is incurred and no overpayment has occurred.

47.24(2) *Types of assistance.* The department, in conjunction with IWD and BRS, shall 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. 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 department division administrator and the appropriate responsible administrator prior to implementation.

47.24(3) *Limit on assistance.* The total payment limit per family is \$1,000 per year. A year for a family shall be the 12 fiscal months following the date of authorization of the initial payment for the family. A fiscal month begins and ends in different calendar months.

47.24(4) *Frequency of assistance.* Family self-sufficiency grants are intended to provide immediate and short-term assistance and must meet the criteria in this rule. While a family may be a candidate more than once and may receive payments in consecutive months in some circumstances, payments shall not be established as regular or ongoing.

47.24(5) *Supplanting.* Family self-sufficiency grants shall not be used for services already available through the department, PROMISE JOBS, or other local resources at no cost.

47.24(6) *Relationship to the family investment agreement.* Family self-sufficiency grants are separate from the PROMISE JOBS family investment agreement process. While the family investment agreement must be honored at all times and renegotiated and amended if family circumstances require it, no family shall be considered to be choosing the limited benefit plan if the family chooses not to participate in the family self-sufficiency grant program.

47.24(7) *Issuing payments.* Family self-sufficiency grants are PROMISE JOBS benefits and shall be authorized through the PROMISE JOBS expense allowance system. Payments may be issued to the participants or to a vendor for support services provided to the family. The department 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 department division administrator and the appropriate responsible administrator prior to implementation.

[ARC 8259B, IAB 11/4/09, effective 12/9/09; ARC 1147C, IAB 10/30/13, effective 1/1/14; ARC 6440C, IAB 8/10/22, effective 10/1/22]

441—47.25(239B) Application, notification, and appeals.

47.25(1) *Application elements.* Each IWD service delivery area shall 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 obtaining or retaining 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.

47.25(2) *Notification process.* PROMISE JOBS shall use Form 470-0602, Notice of Decision: Services, to notify the candidate of the PROMISE JOBS decision regarding the family self-sufficiency grant. Decisions shall be in accordance with policies of this division and the local plan.

- a. On approval, the form shall indicate the amount of the benefit that will be issued to the candidate or paid to a vendor, or the service that will be provided to the family.
- b. On denial, the form shall indicate the reason for denial.

47.25(3) *Appealable actions.* The PROMISE JOBS decisions on family self-sufficiency grants may be appealed pursuant to 441—Chapter 7. Copies of the local plan as described at rule 441—47.26(239B) shall be included with the appeal summary.

47.25(4) *Nonappealable actions.* PROMISE JOBS participants shall not be entitled to an appeal hearing if the sole basis for denying, terminating or limiting assistance from family self-sufficiency grants is that self-sufficiency grant funds have been reduced, exhausted, eliminated, or otherwise encumbered.

[ARC 8259B, IAB 11/4/09, effective 12/9/09; ARC 1147C, IAB 10/30/13, effective 1/1/14; ARC 6440C, IAB 8/10/22, effective 10/1/22]

441—47.26(239B) Approved local plans for family self-sufficiency grants. Each IWD service delivery area shall create and provide to IWD 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 appropriate responsible administrator. The written policies and procedures shall be available to the public at county offices, PROMISE JOBS offices, and 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 by the IWD service delivery area or BRS.
 - b. How determinations will be made that the service or assistance requested meets the program's objective of helping the family obtain or retain 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 IWD service delivery area or BRS.
 - e. Verification procedures or standards for documenting barriers, using written notification policies found at 441—subrule 93.10(1).

- 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).
 - g. How applications will be processed timely to address barriers to obtaining or retaining employment.
 - h. Follow-up procedures on participant effort.
 - i. Procedures for tracking of family self-sufficiency grant authorizations in order to stay within the amount allocated.
 - 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.

[ARC 1147C, IAB 10/30/13, effective 1/1/14; ARC 6440C, IAB 8/10/22, effective 10/1/22]

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.

[ARC 1147C, IAB 10/30/13, effective 1/1/14]

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.

[ARC 1147C, IAB 10/30/13, effective 1/1/14]

These rules are intended to implement Iowa Code section 239B.11.

DIVISION III PILOT COMMUNITY SELF-SUFFICIENCY GRANTS PROGRAM

Rescinded IAB 12/10/03, effective 1/1/04

DIVISION IV PILOT POST-FIP DIVERSION PROGRAM

Rescinded IAB 12/10/03, effective 1/1/04

- [Filed emergency 9/16/97—published 10/8/97, effective 10/1/97]
- [Filed 12/10/97, Notice 10/8/97—published 12/31/97, effective 3/1/98]
- [Filed 4/15/99, Notice 2/10/99—published 5/5/99, effective 7/1/99]
- [Filed 10/11/00, Notice 8/23/00—published 11/1/00, effective 1/1/01]
- [Filed emergency 11/19/03 after Notice 10/1/03—published 12/10/03, effective 1/1/04]
- [Filed 12/15/08, Notice 10/22/08—published 1/14/09, effective 3/1/09]
- [Filed ARC 8259B (Notice ARC 8064B, IAB 8/26/09), IAB 11/4/09, effective 12/9/09]
- [Filed ARC 9172B (Notice ARC 9019B, IAB 8/25/10), IAB 11/3/10, effective 1/1/11]
- [Filed ARC 9350B (Notice ARC 9225B, IAB 11/17/10), IAB 2/9/11, effective 4/1/11]
- [Filed ARC 1147C (Notice ARC 0913C, IAB 8/7/13), IAB 10/30/13, effective 1/1/14]

[Filed ARC 6440C (Notice ARC 6327C, IAB 5/18/22), IAB 8/10/22, effective 10/1/22]