



Memo

To: Career Center and Refugee Centers
Providing Career Advancement Program (CAP) Services

From: SFW Adult Programs

Date: November 5, 2007

Subject: **Temporary Assistance for Needy Families (TANF) Program
Subject to Sanction Definition**

PURPOSE:

To inform Career Center and Refugee Centers providing Career Advancement Program (CAP) services of the United States Department of Health and Humans Services' (HHS) clarification regarding the definition of "subject to sanction."

BACKGROUND:

Families that meet the definition of "subject to sanction" are removed from the denominator and numerator of the federal participation rates. This helps states by removing non-compliant families from the participation rate up to three of 12 months. **Florida** and many other states have interpreted "subject to sanction" as the time when a non-compliant individual was in jeopardy of losing cash benefits. The participation rates calculated for the Monthly Management Report (MMR), Quarterly Key Measures (QKM) and Balanced Score Card define "subject to sanction" as the period between notification of a sanction and termination of benefits. The file sent to HHS for the quarterly reports also denotes cases as subject to sanction if the notice has been sent regarding a sanction, but the cash assistance has not been reduced or terminated.

Prior to 2007, HHS had not provided written guidance regarding which individuals meet the definition of subject to sanction. HHS has issued instructions and clarification of the "subject to sanction" policy. According to the most recent instructions, **a family is considered "subject to sanction" and removed from the participation rates if the family's grant has been reduced or terminated due to non-compliance.** A family is not considered as "subject to sanction" during the conciliation period or notification period prior to a reduction or termination in benefits. To be subject to a penalty for refusing to participate in work activities, the grant must be reduced or terminated.

ACTION REQUIRED:

Prior to requesting a penalty for an individual who is non-compliant, the career advisor must attempt an oral contact with the participant in an attempt to re-engage immediately. Individuals who are non-compliant, and are in the pre-penalty conciliation period will negatively impact the participation rate until the sanction is imposed (grant reduced or terminated). (See Memo – Sanction Procedures-New Requirement dated 10/23/07).