



TANF/ASPIRE Program Guide

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PART I: What is TANF and how can I Get it?

What is TANF?

TANF stands for Temporary Assistance for Needy Families. The Maine Department of Health and Human Services runs this program and decides who can get this assistance.

Families who qualify for TANF may receive a monthly cash benefit, as well as help with child care, transportation or other things they need to get an education or get a job.

Who can get TANF?

Up until recently TANF benefits were limited to single parent families or 2-parent families in which one parent was disabled or unemployed. This rule has been changed so that all families with very low income and children at home, may qualify for TANF regardless of whether the family is a two-parent household, single parent households or households where the adult is a caretaker relative. If any household member receives SSI benefits that individual will not be included in the TANF grant, but the rest of the household may be eligible for TANF.

How do I apply for TANF?

There are several ways to apply for TANF.

2. Go in person to the DHHS office closest to where you live. If you are not sure where to go, you can [look it up](#) or Call DHHS at 1-855-797-4357 and ask to speak to an eligibility worker.
3. Apply online at MyMaineConnection.gov. If you apply online you will have to mail or email copies of documents.

If you apply over the phone or on-line you will still have to go to the DHHS office for a face-to-face interview to finish the application process unless you are unable to get to a DHHS office because of disability or other good cause.

To apply for TANF you will have to provide information about yourself, your spouse or partner who is also the parent of your children, and your children who live with you. It is helpful to have the following documents, but you can start the application without them:

- Documents that prove the identity of each member of the household
 - Driver's license, birth certificate, passport
- Documents that prove your income
 - Pay stubs for your job (If you are working)
 - Proof of Unemployment Insurance or Worker's Compensation Benefits
 - Proof of any other benefits you receive, like SSI, VA or pension.
 - Proof of any child support you may receive.
- Other documents that DHHS needs to see if you are eligible
 - For example, copies of bank statement and proof of housing expenses.

What is the Asset Test?

You can't get TANF if your household has more than \$2000 in "countable" assets. Assets can include anything you could cash in or sell for cash, but there are many things that don't "count."

The most common assets that are exempt and don't count are:

- Your home that you own, car and personal items, like clothes and furniture.
- Anything you use to make money, like rental property or tools
- A personal loan that you have an agreement to pay back
- Anything you own that you can prove you are trying to sell, like real estate or recreational vehicles.
- If sell an exempt asset and plan to use the money you get from the sale to buy another exempt asset the money you get from the sale will not be counted in determining whether you are eligible for TANF benefits.

Assets that do count include:

- Money you have in a checking or savings account, stocks and bonds, or retirement account.
- Money you get from the sale of property.

If you have been told that you don't qualify for TANF for any reason, or if you have questions about what counts as an asset, call Maine Equal Justice to talk about options.

If you disagree with the Department's decision, ask for a written decision. You have a right to appeal. For more information see "Your Appeal Rights."

How much money will I get from TANF?

To get an idea of whether or not you will be eligible for TANF and how much you might qualify for, go to [Pine Tree Legal's TANF estimator tool](#).

How much money you will get from TANF will depend on several things.

1. The number of people in your household:
Your TANF household includes yourself, your children who live with you at least 50% of the time, and your spouse or partner who is also the parent of your children. Do not count anyone who gets SSI as a member of your household.
2. How much income you have, including:
 - earnings from a job or self-employment (after deductions allowed by DHHS)
 - child support (for more information see "How much child support should I get from DHHS? Information for TANF families")
 - unemployment insurance
 - worker's compensation
 - pension payments

- gifts of cash more than \$30 in a three-month period. Here are some forms of income that do not "count" for TANF:
 - SSI (do not count the SSI amount, or anyone who gets SSI as part of your household);
 - \$50 of any child support you receive
 - Part of earnings from a job or self-employment (see Pine Tree Legal's earnings calculator and "Are you working and getting TANF: Information about how DHHS counts your earnings")
 - Most student grants. Work study, and loans

3. How much of your income goes to housing costs:

If your rent or mortgage (including property tax and homeowner's insurance but not utilities) costs more than 50% of your income (after the adjustments allowed by DHHS), then you may be able to get an extra "Housing Special Need" payment of \$300/month.

Can DHHS contact my child's other parent for child support?

When you apply for TANF, DHHS will ask you for information about your child's other parent (if he or she is not a part of your household). You must provide this information in order to get TANF unless you have "good cause".

You will have good cause not to name the absent parent if your child was conceived as a result of rape or incest, or if naming the other parent might put you or your child in danger. You will get a written notice within 45 days of application telling you if your good cause request has been granted. If you disagree with the decision, you have the right to appeal. You have 30 days to file an appeal. See "Your Appeal Rights" for more information.

If DHHS decides you do not have good cause for not naming the absent parent and you still refuse to do so, you will not be eligible for TANF or MaineCare. Your children will still be able to get both TANF and MaineCare. If you disagree with the Department's decision you can appeal the Department's decision. Please see the appeal section of this document.

PART II: I've been approved for TANF. What's next? ASPIRE and Fedcap

What is ASPIRE?

ASPIRE stands for Additional Support for People in Retraining and Employment. This program is run by a private non-profit company called Fedcap. They have offices, which they call "Opportunity Centers," nearby each DHHS office.

Once you have been approved to get TANF, you will be scheduled to go to Fedcap for an ASPIRE Orientation. At your orientation Fedcap staff will explain the program and give you written information to take home.

Do I have to participate in ASPIRE?

There are a few situations in which a parent can qualify for an exemption from the ASPIRE program. If you are a two-parent family, your partner may still have to participate. You are exempt if:

1. You have a child under 1 year old. You can use this exemption for 12 months total in the entire time you receive TANF. You cannot get this exemption if you are a teen parent and you don't have a high school diploma. If you are part of a two-parent family only one parent can use this exemption.
2. You are disabled and receive SSI.
3. You are needed to care for a disabled family member living in the household. You cannot get this exemption if the disabled person is a full-time student or a child in pre-school 20 or more hours/week. You must provide a doctor's note at least every six months to prove that the disability is ongoing.
4. You are not receiving TANF yourself, but your children are getting a "child only" grant.
5. You are a VISTA volunteer.

If you don't qualify for one of these exemptions, but there is a good reason that you can't participate in the ASPIRE program, you may qualify for "Good Cause."

How Many Hours per Week Am I Required to Participate in ASPIRE activities?

Your number of hours of participation will depend on your family.

Single-parent family: You are required to participate 30 hours per week, unless you have good cause.

Two-parent family:

- If one parent is exempt from participation due to a disability, the other parent is required to participate 30 hours per week, even if they have a child under 6 years old.
- If neither parent is disabled:
 - If ASPIRE helps with child care costs, the parents' combined participation requirement is 55 hours/week. For example, one parent could do 20 hours and the other 35 hours.
 - If ASPIRE does not help with child care costs, the parents' combined participation requirement is 35 hours/week. For example, one parent could do 20 hours and the other 15 hours, or one parent could do all 35 hours.

What is a Family Contract (FCA)?

The Family Contract is an agreement between you and your Fedcap Worker which says:

- What you need to do to remain eligible for TANF:
 - What activities will "count" toward your required hours of participation.
 - How many hours you will be expected to do these activities each week
 - How you will prove that you have met these requirements
- What services Fedcap will provide to help you.

If any of these things has not been included in your contract, or if you are confused about any requirement, you can ask for an explanation to be included in your contract.

You will have a scheduled meeting with your Fedcap Worker (Fedcap calls them "Employment Specialists") where you will create your Family Contract.

At this meeting you can:

- Ask any questions you have about the ASPIRE program.
- Tell your worker what you want to do for your ASPIRE participation. If you can, review the list of "Activities that count for ASPIRE" before you go to this appointment and think about what makes sense for you and your goals.
- Tell your worker what support services you will need. If you can, review the list of Support Services before you go.
- Ask to participate in the Parents as Scholars program. If you want to go to college for a 2-year or 4-year degree this could count as your required activities.

This is a good time to discuss your plans, but you can apply for Parents as Scholars anytime.

Once your Family Contract has been completed, you will be asked to sign it. You must sign it in order to get your TANF benefits. But, signing your Family Contract does not mean that you agree with it.

If you disagree with anything in the Family Contract (for example, if you don't think that it gives you the training or support you need), you have the right to appeal it. You have up to 30 days to file an appeal. Tell your Fedcap worker that you disagree with the contract and ask for a fair hearing. See "Your Appeal Rights" for more information.

What Activities "Count" for ASPIRE?

The following "core" activities count toward the hours you must do.

- Paid work.
- Volunteer work or work experience. This is unpaid work at any public or nonprofit agency. Usually Fedcap will tell you to find an agency where you would like to volunteer. If you can't find a volunteer site on your own, then Fedcap will help. In some parts of the state it is difficult to find volunteer placements. This should not be held against you. You can't be required to volunteer for more hours in a month than what you would make working a minimum wage job.
- Work study through your college or university. Income from work study jobs does not affect your TANF, Food Supplement or MaineCare benefits.
- Job search for up to 6 weeks in any year.
- On the Job Training (OJT): OJT is up to 26 weeks of training after being hired for pay at a workplace. Up to half of the wage is paid to the employer by DHHS.
- Field training: Field training is a placement for up to 26 weeks at a work site that will help you reach your career goal. It should give you real training for something that you want to do. During field training, you can also get ASPIRE support services like child care and transportation costs.
- Vocational education: Including college degree programs and technical trades courses (for up to 12 month). (See Parents as Scholars for how to participate in 2 and 4-year postsecondary programs that "count".
- GED preparation: NOTE: Beginning in early 2020, GED preparation, high school completion activities, and English as a Second Language courses will be counted toward your first 20 hours of participation. We will update this website when this change has been made.
- Study time: While you are in school, study time counts. ASPIRE will count one (1) hour for each hour of class time. Be sure to count all the hours you spend in labs (not just the credit hours) as well as class time.

The "core" activities listed above must make up 20 hours of weekly participation (in two-parent families, 30 hours). Any extra hours needed can include job skills or educational training such as adult education classes.

If you want to take more than twelve months of college classes, you need to be sure that your program will be eligible for Parents as Scholars. Eligible programs are ones that will give you skills that are in demand. If you're not sure, call Maine Equal Justice.

Can I Choose What Activities are included in my Family Contract?

Your family contract should be written in a way that takes your interests and your family's circumstances into account. If you are told that you can't use one of the activities listed above as part of your participation for ASPIRE, you have the right to appeal. Although you must sign the Family Contract you can let your worker know that you disagree with it and would like a fair hearing. You have 30 days to appeal this decision from the date you sign your family contract. See "Your Appeal Rights" for more information.

What if I Need Child care, Transportation, or Other Services to participate in ASPIRE?

ASPIRE must give you the services you need to participate in the program. Be sure to tell your Fedcap worker about anything you need to be successful.

Support services should be written into your Family Contract Amendment. If your needs change, you can ask for changes to your Family Contract at any time. This is called a Family Contract Amendment.

Available Supportive Services:

- Child care: ASPIRE will pay for child care for children under 13 years old. They will also pay for children 13 and over who are physically or mentally unable to care for themselves.
Your child care provider is your choice. The amount ASPIRE will pay for child care varies by county.
Your child care provider can be a family member or friend, as long as they can pass a background check.
- Dental Care: ASPIRE will pay the cost of dental care which is not covered by MaineCare and which is necessary to stop pain or to help you get a job up to a maximum of \$2,000 during the time you are enrolled in ASPIRE.
- Transportation: ASPIRE will pay for the least expensive type of transportation. For most people, that is their own car. ASPIRE reimburses mileage at 30 cents per mile for up to 400 miles per week. You can also be reimbursed for public transportation and carpooling. Taxi fare is available on a temporary basis when necessary.
- Car repair expenses: ASPIRE will help with car repairs, but only up to \$1000 in a calendar year. The vehicle must be registered to the ASPIRE family. To get car repairs you need prior approval. However, in an emergency when a repair and/or tow is needed in order to make the vehicle functional, and ASPIRE-TANF cannot be reached for approval, the participant may have such repairs

performed and request approval from ASPIRE-TANF within one week or the repair.

- Car insurance: ASPIRE will help with car insurance, but only the cost of the minimum liability insurance required by Maine law, and only up to a maximum of \$300 per calendar year. If the vehicle is owned jointly with another person, or used by another person, ASPIRE will only pay your share of the cost.
- Eye Care: ASPIRE will pay the cost of eye care, not covered by MaineCare, that is necessary for you to participate. This includes glasses up to \$200 per calendar year.
- Books and Supplies for students: ASPIRE will pay up to \$1000 per academic year for books and supplies that are required for everyone in the class. If you have any funds left over in your financial aid grant (not loans) after paying for your school fees, DHHS expects you to use those funds to pay for books and supplies. If you don't have leftover funds or don't have enough to cover all the cost for your books and supplies, ask your Fedcap worker to include books and supplies in your family contract.
- Clothing and uniforms: ASPIRE will pay for clothing and uniforms required by a training program or needed for employment. ASPIRE will also pay for emergency clothing to meet your immediate needs, such as a winter coat or boots. Clothing and uniform costs are limited to \$300 in a calendar year. You will need to provide a receipt.
- Tuition and mandatory school fees: ASPIRE and Parents as Scholars usually will not pay tuition or mandatory fees. If you are a student, you must apply for any available grants and scholarships.
- ASPIRE or Parents as Scholars will pay tuition and fees if you are not able to get other educational funding because of poor credit or other reasons. In these limited cases, ASPIRE or Parents as Scholars will pay up to \$3,500 per academic year for tuition and fees.
- Occupational Expenses: ASPIRE will pay up to \$500 (total during your participation in ASPIRE), for occupational expenses including tools, equipment, examination fees, or license fees if required by an employer or needed for approved self-employment.
- Other Services: ASPIRE will pay up to \$500 in a calendar year for other expenses that you need to participate in your ASPIRE activities. Some examples of "other" services may be a calculator, or special items like safety equipment for a science course.

Can I Change ("Amend") My Family Contract?

You can ask for a change in your Family Contract at any time. You might want to change the activities that make up your participation or you might want to request another support service, like a car repair, or clothes for work.

You can also ask to change your Family Contract because your life situation has changed and you have "good cause" to participate in ASPIRE activities for fewer hours each week, or not at all.

If your request for a change in your Family Contract is denied, you have the right to appeal. Ask your Fedcap worker for a written decision. See "Your Appeal Rights" for more information.

Parents as Scholars: What if I want to go to college?

The Parents as Scholars (PaS) program provides the same cash benefits and support services as TANF and ASPIRE to people in approved 2-year or 4-year college level programs.

If you qualify for TANF and want to enroll in a college level program it will be up to you to apply to the college or university you want to attend and apply for financial aid to pay your tuition and fees. Parents as Scholars will pay for tuition or fees only in very limited situations. (See above: Available Support Services).

You can be accepted to Parents as Scholars if you meet all these criteria:

1. You are eligible for TANF;
2. You are in a two-year or four-year postsecondary degree program;
3. You do not already have a bachelor's degree that will get you a job, given the current labor market and your health;
4. You do not have the skills to earn more than 85% of the median income. If you do not have a college degree you probably meet this threshold, but ask your Fedcap worker if you have questions;
5. The program you have chosen has an average job outlook according to the Maine Department of Labor.

Be sure to talk your education plan over with your Fedcap worker to be sure they will approve the program you've chosen.

6. You have the aptitude to succeed in the college program you have chosen.

If you have been accepted for a college program because the college believes you are qualified you should meet this requirement.

Once you have been accepted to your program of choice and you have applied for financial aid, you can apply to Parents as Scholars. Your Fedcap worker must supply you with an application if you ask for one. You can apply at any time. Submit your application along with:

1. Your letter of acceptance from the college or university you'll be attending;
2. Your financial aid award letter; and
3. Your class schedule if you already have one.

You will get a written decision on your application to the Parents as Scholars program within 30 days. If you are denied, you have the right to appeal. See Appeal Rights for more information.

I've been approved for Parents as Scholars. What's next?

Maine Equal Justice has a more complete Parents as Scholars Program Guide available on this site.

You must maintain a 2.0 Grade Point Average (GPA) to continue to qualify. If your GPA falls below 2.0 you can have one probationary semester to give you a chance to restore your GPA to 2.0.

For the first 24 months you are on Parents as Scholars, you must participate in educational activities or study for an average of at least 20 hours a week. If you a full-time student taking 12 credit hours you will meet this requirement. For the third year and beyond you will be required to increase your hours of participation.

You can choose one of the following two options:

- You can participate in 15 hours of "work-site" experience in addition to other education, training or study to reach your required hours; or
- You can participate in a total of 40 hours of education, training, study, or work-site experience.

Internships, work-study jobs or work-site placements all count towards these hours.

TIPS for TANF/ASPIRE Participants

Families who are participating in TANF/ASPIRE already have a lot to do and not enough resources. You may feel overwhelmed by the demands on your time and attention. We offer these tips based on the experiences of people who have been on the TANF program and with the hope that doing these things might make your experience with DHHS and Fedcap easier in the long run.

1. Make it easy for DHHS and Fedcap to communicate with you:

BY MAIL:

Be sure to open all your mail and read it carefully. You will be getting a lot of mail, some from DHHS and some from Fedcap. Sometimes these letters are confusing or even contradictory. You have a right to understand what is going on in your case. If you can't make sense of your mail, call DHHS or your Fedcap worker and ask them to explain.

If you have recently asked for a change to your case, like requesting "good cause" or applying to Parents as Scholars, be sure to check your mail carefully. If your request has been denied you have only 30 days to file an appeal.

If you are facing a sanction for any reason, you will get a letter telling you this. You must appeal within 10 days of the date on your sanction notice to keep your benefits active (for more information about how to appeal, see "Your Appeal Rights!").

If you move, be sure to give your new address to Fedcap and DHHS right away. Your mail will not be forwarded to you by the Post Office. It will be returned to DHHS and eventually they will close your case because they can't get in touch with you.

BY PHONE:

If your Fedcap or DHHS worker calls you, they can't leave a message unless your voice mail identifies you by name. Be sure that your voice mail box is set up and the message includes your full name. Try to pay attention to your voice mail so the mailbox doesn't get full.

2. Report any Changes to your Household or your Income:

Your TANF benefits are based on information about who is in your household and what you get for income. Any changes can also change the amount of benefits you should receive, and if you get more TANF than you should, you will have to pay it back.

Don't rely on your Fedcap worker to relay important information to DHHS. If you are working more hours or if your child has gone to live with their father or anything else has changed with your household or your income, report the change to your Fedcap

worker and to DHHS right away. You must report changes to DHHS within 10 days of the time that it happened.

3. If you can't do something that is in your family contract, talk to your Fedcap worker right away:

If you have to miss work, volunteering or an activity at the Fedcap office, contact your Fedcap worker as soon as you know you won't make it. Be clear about the reason why you will be absent. If you can't make it because you are sick, you are needed to care for a family member who is sick, you have an unexpected issue with transportation, child care, or for any other good reason beyond your control, you have "good cause" for your absence and should not be "sanctioned" (penalized) for missing the required activity.

4. Keep paperwork in a safe place:

Find a spot in your home to keep the mail you get from Fedcap and DHHS, as well as your family contract and any other important documents. Also keep receipts for items DHHS has given you money to buy, pay-stubs from a job, logs of work searches, verification from volunteer placements, class schedules and anything else you might use as proof that you are doing the activities that are in your family contract.

Consider keeping a planner to keep tract of Fedcap meetings and the activities you are doing for participation. Make a note of what happened if you can't get to something you were scheduled to do.

PART THREE: Troubleshooting TANF/ASPIRE

“Good Cause”: What If I Can’t Do what ASPIRE/Fedcap Wants Me to Do?

“Good cause” means a good reason for not doing what ASPIRE/Fedcap requires. Many people, for many reasons, can’t do the number of hours required or can’t do a particular activity. ASPIRE may allow you to do something different or allow you to do fewer hours, or even not participate at all, if you have “good cause.”

You can ask for good cause at any time. If there is a reason that you cannot participate in ASPIRE at all, you can ask for good cause right at the beginning.

On the other hand, you might need good cause for a short period of time, while you or a family member is ill, for example. If you miss an appointment because you don’t have safe transportation or child care, you have good cause for being unable to attend.

You cannot be sanctioned for failing to do something if you had “good cause” (for more information about sanctions, see “What is a Sanction?”

“Good cause” reasons include:

- The need to care for a family member with special needs.
- A physical or mental health problem.
- Illness, accident or death.
- A serious family problem.
- You had to appear in court, or you were in jail.
- You didn’t have access to support services like child care or transportation and DHHS will not or cannot provide it.
- Any other crisis or special circumstance that you have told DHHS about and your worker agrees that it is good cause. This could include a bad storm that closed schools, sexual harassment on the job, exposure to dangerous working conditions, or activities that would require you to travel an unreasonable distance.
- You are a survivor of domestic violence and you are unable to participate due to:
 - Physical or emotional injuries caused by abuse,
 - Legal proceedings, counseling or other activities related to the abuse,
 - The abuser actively interferes with your participation, or
 - The location or another aspect of participation puts you or your child at risk.
- Any other reason beyond your control that a reasonable person would think should be good cause.

If you can’t do something that is in your family contract for any of these reasons you have good cause. Be sure to keep any paperwork that proves what happened, like doctor’s notes, Emergency Room discharge forms, court paperwork, or tow truck

receipts. If your child's school called you to pick them up because of illness or mental health issues, try to get a note from the school nurse.

What is a Sanction?

A sanction is a penalty that means you could lose part or all of your TANF benefits._

Why could I be sanctioned?

You could be "sanctioned" if Fedcap or DHHS decides that you have failed to follow the ASPIRE rules without good cause (for more information see "Good Cause: What if I can't do what ASPIRE wants me to do?").

This could include missing an appointment, not doing enough hours of participation, or not providing documents or information that has been requested. This is called not being in "compliance" or failure to "comply."

Remember, if you have good cause for not doing something, you should not be sanctioned.

Before you can be sanctioned your Fedcap worker must:

- Send you a notice explaining why you might be sanctioned, including a list of good cause reasons.
- Give you an opportunity to explain your good cause reasons. You have 10 days to respond to this notice. If you can't reach your worker, ask to speak to a supervisor.
- Thoroughly review your circumstances to see if you have good cause.
- Get their supervisor's approval to sanction you.

If your Fedcap worker agrees that you have good cause for not doing something, they must offer you some other reasonable way to participate.

Make sure your Fedcap worker includes your good cause and any changes in your participation requirements in a new family contract amendment.

What can I do if I am sanctioned?

If you don't already know what has led to the sanction, get in touch with your Fedcap worker right away to get a clear description of what you need to do to get the sanction lifted.

In most cases, the sanction will be lifted once you are "in compliance." That could mean meeting with your Fedcap worker, meeting or increasing the number of hours of participation you do each week, or providing documents or information that has been requested, or complying with other program rules.

If you cannot do what is required, talk to your Fedcap worker about “good cause.”

What are the penalties for a sanction?

First Sanction:

- You will lose the “parent” portion of your TANF benefits. For example, a parent and two children getting the maximum TANF grant of \$611 would see their check reduced to \$329.
- You can get your full TANF back as soon as you comply with all TANF/ASPIRE rules, but you must comply within 90 days;
- If you do not comply within 90 days, DHHS will end TANF benefits for everyone in your household. After that you can get your TANF back once you comply with all program rules, but you will have to reapply for TANF.

If you have been sanctioned before:

- The whole household will lose benefits right away. You can get your TANF benefits back as soon as you are “in compliance” with the rules and sign a new family contract.

NOTE: If you are receiving TANF benefits beyond the 60-month limit because of an extension, a sanction will stop your benefits immediately, even if you've never been sanctioned before. But you will still have a chance to show good cause to avoid sanction.

How do sanctions affect my other benefits?

- Food assistance (SNAP) may be reduced when you are sanctioned in TANF. You will only lose the food supplement benefit for the sanctioned parent. The other members of the household will remain eligible for their portion. This parent will get their full benefit again starting with the first day of the second month after benefits from TANF ceased (for example, if the family is sanctioned in December, food supplement benefits will go back to the full amount on February 1st).
- If you live in subsidized housing and are sanctioned for not complying with your ASPIRE Family Contract, your housing authority may still use your full TANF benefit amount as your income. They may require you to pay rent based on the amount of TANF you could be receiving if you were complying with TANF/ASPIRE rules.
- Your MaineCare can not be terminated when you are sanctioned for failure to comply with your TANF/ASPIRE Family Contract.

Removing sanctions from your file

Sometimes people are sanctioned but don't lose any benefits because the dispute is resolved quickly with Fedcap or DHHS. If this happens to you, check with your Fedcap worker to be sure that the sanction is entirely removed from your file and is not counted as a first sanction. If it stays in your file and a second sanction happens, you will lose your full TANF benefit right away.

TANF Time Limits: Exemptions and Extensions

TANF benefits are limited to 60 months in a lifetime, unless you qualify for an exemption or an extension.

Which months count towards the 60-month limit?

- Any month that you got TANF cash assistance as an adult since June 1, 1997.
- A month that you got TANF in Maine or any other state.
- A month that you were in the Parents as Scholars program.

If there are two adults in your household, as soon as one of the adults reaches the 60-month time limit, everyone in your household will lose TANF unless you qualify for an extension or exemption.

Exemptions: Which months don't count toward the 60-month limit?

A month does not count toward the time limit when:

- Only the children in the household received TANF, either because 1) the parent(s) were on SSI; 2) the parent(s) were under sanction; or 3) the children were living with a caretaker relative who did not get any benefit.
- You only received a non-cash benefit from the TANF Program like Alternative Aid, Emergency Aid or a TANF transitional benefit like child care or transportation.
- You were living at any of the Passamaquoddy, MicMac or Maliseet reserves where at least 50% of the adults are unemployed. If you think this may apply to you ask your DHHS worker or call Maine Equal Justice.

Extensions: What counts as a Hardship?

You may be able to stay on TANF after you reach your 60-month time limit if you qualify for a "hardship" extension. DHHS will decide if you can get an extension when you are about to reach your 60-month time limit. In most cases an extension will last for as long as you meet the requirements for it. But your hardship will only be approved for up to 6 months at a time. You will have to prove that the hardship still exists every 6 months.

It is your job to collect the information to show that you are eligible for an extension. If you have trouble getting this information, DHHS must help you.

Domestic Violence: You may get an extension if you are experiencing domestic violence or suffering from the effects of past domestic violence. Domestic violence is defined by the Department as a physical act or threat of physical injury; sexual abuse of a child or caretaker of a child; or psychological effects of the abuse.

Disability: You may get an extension if you have a physical or mental condition that makes you unable to engage in "gainful employment." "Gainful employment" means steady work at a job that provides a regular source of income to support your family. Your condition does not need to be as severe as it must be to qualify for SSI or SSDI.

Caring for a Significantly Disabled Family Member: You may get an extension if you need to care for an adult or child family member with a serious disability. The family member must live in the same home and be a part of the TANF household, unless they receive SSI. The disability must be temporary or permanent mental or physical illness or incapacity. You must be the only available source of care.

Education or Training: You may get an extension if you are participating in an approved education or training program (including Parents as Scholars). You may qualify for an education/training extension if in your 60th month of receiving TANF you are in good standing and making good progress toward completing your education or training program that is approved by DHHS. This extension is limited to one 6-month period.

The following education and training programs will not qualify for an extension: Adult Basic Education; Preparation for the HiSET (formerly known as GED test); English for Speakers of Another Language; or High School.

Working Families: You may get an extension if you are working at a paying job for at least 35 hours a week; and you are still financially eligible for TANF

If you are self-employed you must show that you are working at least 35 hours per week and earning at least the minimum wage (\$7.50 per hour) for your work.

Pregnancy: You may get an extension if you are in the last trimester of your pregnancy when you reach your 60th month of TANF and you are a single parent.

This extension is limited to one-6-month period. This extension can be used for 3 months in the last trimester of your pregnancy and the first three months after your child is born.

Job Loss: You may get an extension if you have worked after exhausting your 60-month time limit and then you lose a job. The requirements for the job loss extension are very specific. You may qualify if you have been employed for at least 12 months

(does not need to be consecutive months), lost a job through no fault of your own, and applied for unemployment benefits, but were not eligible.

There is no requirement that you must be employed for a certain number of hours per week during the 12 months. Any months that you work at all should count.

This extension is limited to one 6-month period. But, you may qualify for additional extensions after there has been a break of at least 12 months between the extension periods.

Emergency Situation: You may get an extension if you are facing an emergency situation, defined as circumstance that are (1) beyond your control; and (2) prevent you from working. This extension is limited to one 6-month period.

Examples of an emergency may include:

- The death of a child, parent, or spouse;
- Homelessness due to a disaster such as fire, flood, or other natural disaster;
- Being the victim of a violent crime.

Extensions in more than one category: A family may be able to get an extension in more than one category. For example, you may currently qualify for an extension because of a domestic violence situation. If you resolve the domestic violence problem and then get a job for 35 hours a week but earn so little that you are still financially eligible for TANF, you can apply for a new extension in the “working families” category.

You don't have to apply for an extension of TANF benefits in your 60th month. If you reached 60 months and lost your TANF two years ago but have recently become disabled, for example, you could now apply for a TANF extension at that time.

If you get a job while you are getting a TANF extension and: (1) lose TANF because of the income from this job, or (2) choose to end your extension early because you are working, you can still get TANF transitional benefits (for more information see “Transitioning from TANF to Work”).

How will I know I'm Getting Close to 60 Months?

No later than 120 days before you reach your 60-month time limit, you will get a notice from DHHS telling you that you are about to reach your 60th month and offering you a chance to meet with your Fedcap worker. In this meeting your worker must:

- Tell you about TANF extensions and exemptions and allow you to apply for one if you think you may qualify;

- Tell you about other programs that may be available to help you meet your basic needs if you don't qualify for an exemption or extension (for example, your SNAP (food assistance) may increase);
- Explain that you have the right to appeal if you are denied an exemption or extension.

It is very important to speak with your caseworker when you get the 60-month notice. If you don't, DHHS will decide whether you qualify for an extension or exemption based on information in your case file and you will not have input into the decision. If you think that DHHS is counting wrong and you have not yet reached 60 months you can also raise this issue when you meet with Fedcap.

Who cannot get a hardship extension?

You cannot get a hardship extension if:

- You rejected a job offer or quit a job without good cause within the last year of the end of your 60-month period;
- You had two or more sanctions for violating a TANF or ASPIRE program rule within 12-months of the end of your 60-month period; or
- You had an Intentional Program Violation (meaning you intentionally got money you weren't eligible for) from DHHS in the 36-month period prior to your request for an extension.

Your Appeal Rights!

Your TANF benefits may not be reduced or ended unless your workers at DHHS and Fedcap have followed all the right steps. This includes sending you, in advance, a notice that explains "good cause"; the reason for the reduction or termination and your right to a "fair hearing" which is printed on the back of the notice.

You have the right to appeal any action or decision made about your TANF/ASPIRE, Food Assistance (SNAP), or MaineCare if you disagree.

Appeal within 10 days to continue getting the same amount of benefits until you get a hearing decision.

- You have 30 days to appeal, but if it is more than 10 days you will not receive TANF benefits while you are waiting.
- If you file an appeal after the 30-day deadline you will need to prove that you had "good cause" for filing late.

How do I file an appeal?

If you don't agree with a decision, you have two options:

1. File an Appeal right away:
 - In person: You can tell your Fedcap worker in person that you disagree and want a fair hearing when you get a copy of your Family Contract Amendment. You can also go in person to your Fedcap or DHHS office to verbally request an appeal. Keep a note of the date and time you made the request.
 - By phone: Call your Fedcap worker (for issues related to your family contract), or call DHHS (for decisions about your TANF). If you have to leave a voice mail message, be sure to state your full name, provide your contact information, say that you disagree with the decision and want to appeal, and make a note of the date and time that you left the message.
 - Send a letter to: Commissioner, Department of Health and Human Services, 11 SHS, Augusta, ME 04333. In the letter write that you want to appeal the decision and ask for a fair hearing. Be sure to include your full and contact information and keep a copy of the letter.
2. You can also ask for a "Conciliation Meeting." You will meet with your worker and their supervisor to try and work out the disagreement. If you are not satisfied after this meeting, you can still appeal the decision/ask for a fair hearing.

You can bring an advocate or friend to the fair hearing or conciliation meeting if you would like.

You may want a lawyer to represent you at your hearing. Contact Pine Tree Legal Assistance as soon as you file your appeal. Be sure to call or walk in during the hours listed on the Pine Tree website.

You can also call Maine Equal Justice at 626-7058, extension, 205 for assistance and more information.

What happens at a Fair Hearing?

A fair hearing is your chance to explain your disagreement to a fair hearing officer. The fair hearing officer will also look at the record and the law. You will receive a written decision in the mail.

If the fair hearing officer does not agree with you, this decision may include an overpayment for any benefits that you should not have received.

PART IV: Special Circumstances **This section is under construction.**

- Special Information for Families with a Disabled Family Member
- Special Information for Survivors of Domestic Violence
- Special Information for Immigrants
- Special Information for Teen Parents

PART V: Transitioning from TANF to Work **There have been significant changes to Maine law and DHHS is currently writing rules. Check back soon for more information.**

- What happens when I get a job and lose TANF?
- Transitional Benefits: Child Care, MaineCare, Food Assistance (SNAP), Transportation

PART VI: Fraud and Overpayments **This section is under construction.**

- What if DHHS doesn't believe me?
- What is an Intentional Program Violation?
- Do I have to pay back benefits?