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**OFFICE OF FAMILY STABILITY LETTER #49C**

August 6, 2007

**TO:** Directors, County Departments of Job and Family Services

**FROM:** Jeanne Carroll, Deputy Director  
Office of Family Stability

**SUBJECT: TANF Reauthorization: Status Update**

This letter is being issued to provide county departments of job and family services (CDJFS) with an update on TANF DRA implementation in Ohio.

Just over one year ago, on June 29, 2006, the U.S. Department of Health and Human Services (HHS) issued interim final regulations to implement the changes to the TANF program required by the Deficit Reduction Act of 2005 (DRA).

County departments of job and family services have been instrumental in providing input to us on a number of changes we proposed to the Ohio Works First (OWF) program as a result of DRA and the new regulations. The input has been extremely helpful. It has enabled us to evaluate the proposed changes and make adjustments so that the state and county departments can successfully carry them out.

The county departments have also devoted considerable effort to adjusting to the changes while attempting to meet all the other demands placed upon them, and their efforts are commendable and much appreciated.

Over the last 12 months, the Office of Family Stability has been engaged in a number of activities related to DRA. Attached is a list of the activities undertaken thus far to implement the DRA changes. As always, our joint work continues.

**Work Verification Plan**

By October 1, 2007, states must have a work verification plan approved by HHS. Ohio's initial work verification plan was submitted to HHS in September 2006. Instead of approving or offering specific comments to the work verification plan, HHS issued a general guidance to all states regarding its expectations and required all states to resubmit their plans in February 2007.

In response to the revised plan we submitted in February 2007, we received another set of comments (both general to all states and specific to Ohio) from HHS. Based on those comments, we revised and submitted our plan on June 28, 2007, as required. We are currently awaiting HHS' response to our third revised plan.

The guidance provided by HHS requires states to submit extremely detailed information regarding how they intend to meet the new work requirements under DRA and the HHS regulations. In some instances, the guidance is more restrictive or limiting than what is required by the regulations.

When the interim final regulations were first issued, Ohio submitted comments expressing concerns about the restrictive nature of the regulations, the degree of administrative processes mandated, and the extremely limited and mutually exclusive definitions of the federally allowable work activities.

We have submitted questions to HHS but received very few responses. We have attended listening sessions and APHSA conference sessions at which HHS discussed the interim final regulations and subsequent policy interpretations. In response to the latest comments received on our work verification plan, we consulted the Washington, D.C. law firm of Covington and Burling to explore possible legal action. Covington and Burling specializes in human services and government issues and is engaging other states in the discussion of whether or not HHS is exceeding the authority provided in federal law. We have also been in contact with other states to strategize responses to HHS.

We have also shared our concerns with the Governor's liaison in Washington D.C., who interacts with Ohio's Congressional delegation. There appears to be some interest in Congress in discussing the HHS regulations and their impact on state TANF programs. Currently there are two proposed Senate bills to help states meet DRA requirements. One proposes to delay the time frame for state compliance to 12 months after receiving HHS approval of the state's work verification plan. The other provides an alternative to the current federally allowable work activities and hourly requirements for disabled TANF participants that would enable states to engage these participants more fully without the current pressure to meet work participation rates.

We will continue to monitor these developments and explore all options at the federal level.

### **Changes on the Horizon**

In the meantime, our work to fully implement the regulations continues.

During the numerous training sessions held on DRA changes and at various meetings, the CDJFS directors and staff expressed the need for ongoing meetings relating to work activities. In response, we have reinstated regional work activity roundtable discussions. Quarterly work activity roundtable meetings are held in Greene, Stark, Hancock, Guernsey, Franklin, and Ross counties. The meetings focus on work activity processes, policies and procedures, and the TANF reauthorization rules. The roundtables provide an opportunity for work activity policy updates, for counties to share promising practices, and for consultation among the various counties to share ideas or discuss hot topics. We continue to receive valuable feedback from participants at these meetings, including ideas for future focused video conference training.

The majority of CRIS-E and reporting changes have been completed, with the latest release going into production on June 30, 2007. Amendments to the OWF work requirement rules go into effect July 1, 2007. We will continue to evaluate the rules and make changes to them as necessary.

To comply with DRA monitoring requirements, new OWF quality assurance reviews have begun, starting with October 2006 cases. Measurement of county work participation rate performance against the new DRA requirements will begin with July 2007 work participation data.

We will continue offering training and technical assistance and welcome any feedback you may have.

JC:bk

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