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DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE FOR FAMILY INDEPENDENCE

Chapter 331

MAINE PUBLIC ASSISTANCE MANUAL  
(TANF – TEMPORARY ASSISTANCE FOR NEEDY FAMILIES)

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OFFICE FOR FAMILY INDEPENDENCE  
Maine Public Assistance Manual (TANF – Temporary Assistance for Needy Families)**

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**Introduction and General Definitions**

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On October 1, 1996, the Department of Health and Human Services submitted a State Plan to the Secretary of Health and Human Services to eliminate and replace its Aid for Families with Dependent Children Program with Temporary Assistance for Needy Families (TANF) as authorized by the *Personal Responsibility and Work Opportunity Reconciliation Act of 1996*. The Department refers to its financial assistance programs under this Act as the Temporary Assistance for Needy Families and Parents as Scholars (PaS) programs. These programs provide assistance to families while parents prepare for, accept, and retain employment which supports them. The job preparation program is referred to as ASPIRE-TANF or ASPIRE-PaS.

Federal and State statutes provide the authority for TANF/PaS. Maine statutes place the responsibility for administering these programs with the Maine Department of Health and Human Services (“Department”). Within the Department, the program is administered by the Office for Family Independence (OFI).

The TANF/PaS programs are administered in a manner consistent with the objectives of the programs and respect the rights, privacy and personal dignity of the individual under the United States Constitution, the *Social Security Act* and the *Civil Rights Act of 1964*.

- (1) The TANF Program is a financial assistance program for needy families with dependent children.
- (2) The PaS Program is a student financial aid program based on need limited to 2000 parents who have dependent children. (Chapter X).

Families who are otherwise eligible for the TANF program who seek one-time, short-term assistance to obtain or retain employment may elect Alternative Aid Assistance instead of TANF. Alternative Aid Assistance is described in Chapter IX.

In addition to the basic TANF/PaS programs and the one-time, short-term Alternative Aid Assistance program, the Department administers a limited program of Emergency Assistance (EA) described in Chapter VIII.

All individuals have the right to apply for any assistance without regard to race, color, national origin, sex, gender orientation, religion, or handicap.

In accordance with the Americans with Disabilities Act, no qualified individual with a disability shall, by reason of such disability, be excluded from participation or be denied the benefits of the services, programs or activities of the Maine Department of Health and Human Services, or be subjected to discrimination by the Maine Department of Health and Human Services.

Additionally, applicants and recipients are assured confidentiality, equitable and courteous treatment and may appeal decisions and have fair hearings should they disagree with any action taken affecting their benefit.

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Furthermore, the Department provides interpreters at no cost to non-English speaking individuals applying for or participating in Department Programs.

Assistance may not be given to a family that includes an adult who has received assistance for 60 or more months, whether or not consecutive, under any TANF cash assistance program, including PaS. The Department shall disregard any month for which assistance was provided with respect to the individual and during which the individual was:

- (1) a minor child and not the head of a household or married to the head of a household,
- (2) an adult who lived in Indian country during a month when at least 50% of the adults living on the reservation were unemployed, or
- (3) in a family receiving the enhanced earned income disregard.

Extension of benefits beyond 60 months is explained in Chapter I, Time Limit.

**A**

**Acceptable Medical or Mental Health Source** - The following are acceptable medical sources:

- Licensed physicians;
- Physician's assistants;
- Nurse Practitioners;
- Licensed osteopaths;
- Licensed or certified psychologists;
- Licensed podiatrists for impairments of the foot and/or ankle;
- Qualified speech-language pathologists for speech and language impairments only;
- Licensed optometrist for the measurement of visual acuity and visual fields; and
- Persons authorized to provide copies of the summaries of medical records of medical institutions.

**ADA** - *Americans with Disabilities Act of 1990*, P.L. 101-336. 104 Stat. 328 (1990).

**Additional Support for People in Retraining and Employment - ASPIRE** - The employment and training program for TANF/PaS recipients.

**Adequate Notice** - Written notification provided to the individual no later than the date of intended action or the date benefits would have been received. Adequate notice includes a statement of the action the agency intends to take, the reason for the action, the agency policy and state and federal regulations supporting the action, the right to request a fair hearing, the person to contact for additional information, the availability of continued benefits and liability for such benefits if found ineligible in the hearing decision.

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**Administrative Error** - An action or lack of action by the Department resulting in the underpayment or overpayment of an individual's level of benefit or resulting in an incorrect determination of eligibility or ineligibility.

**Adverse Action** - Decision intended to discontinue, terminate, disqualify/sanction, or reduce assistance, or to impose such conditions as protective payments or participation requirements.

**Affordable child care** - Affordable child care arrangements are those for which the participant incurs minimal (TCC parent fee) or no cost or is reimbursed by another program such as ASPIRE or through a deduction for child care from income by the TANF program or by any combination of these methods.

**Alien** - A person residing in the United States who is not a United States citizen.

**Alien Sponsor** - A person or any public or private agency or organization who executed an affidavit of support or similar agreement on behalf of an alien (who is neither the child of the sponsor nor the sponsor's spouse) as a condition of the alien's entry into the United States.

**Allocation** - A deduction from one person's income for the maintenance needs of others.

**AmeriCorps** - A network of national service programs that aim to improve lives and foster civic engagement. The Corporation for National and Community Service administers several AmeriCorps programs, which include AmeriCorps State and National, AmeriCorps VISTA, and AmeriCorps National Civilian Community Corps (NCCC).

**Annuity** - A contract under which a sum is paid yearly or at other specific times in return for the prior payment of a fixed sum.

**Anticipated Change** - A change that is expected to occur in the future.

**Applicant** - A person who has submitted a request for assistance for whom no decision has been made regarding eligibility, and whose application has not been acted upon or voluntarily withdrawn.

**Application** - A request for assistance made by submitting a signed and dated application document (including electronic format) including a name and address.

**Application Date** - The date an application is received by the Department.

**ASPIRE Support Services** - Supports paid for by the Department for such services as child care, transportation, eye and dental care. These supports enable the participant to comply with their signed Family Contract Amendment.

**Assets** - Cash, other liquid resources or real or personal property.

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**Assignment of Rights to Support** - A process whereby the right to receive and collect an individual's child support is transferred to the Department for the purpose of reimbursing TANF financial assistance.

**Assistance Group (AG)** – A set of individuals composed of the eligible child(ren) and the eligible specified relative(s) who are living together, with or without benefit of a dwelling, whose needs, income, and resources are considered and combined when determining eligibility and the amount of financial assistance.

**Authorized Representative** - A person acting for an applicant/client through the individual's written authorization, through a signed Department authorized representative form.

## **B**

**Benefit Month** – A calendar month for which benefits are issued.

**Budget Month** - The month that the financial and nonfinancial criteria of the filing/assistance unit are evaluated to determine eligibility and to calculate the benefit amount. When using prospective budgeting, the budget month is the same as the benefit month.

**Budgeting** - Calculating the amount of money to be paid to the assistance unit for the benefit month.

**Bureau of Indian Affairs - BIA** - An agency of the federal government of the United States whose responsibilities include providing health care to American Indians.

## **C**

**Care and Control** - The physical care, guidance or maintenance of a child or children provided by a responsible parent or specified relative.

**Cash Surrender Value** - The amount of money which the owner of a life insurance policy would receive if the policy were converted to cash.

**Cash Value** - For assets— the amount that would be paid, in the community of residence, if the resource was sold or converted to cash. For income— the amount of the income or the value assigned to the services rendered for in-kind earned income.

**Child Support** - Voluntary or court ordered payment by an absent parent to meet the financial needs of the child(ren).

**Child Support Supplemental Payment / Gap** - A payment issued to TANF/PaS families based on current child support collected from a non-custodial parent. The Gap payment cannot exceed the difference between the Standard of Need and the maximum grant for the household size.

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**Collateral Contacts** - Knowledgeable individuals or sources who serve to support or confirm information provided by the applicant/client.

**Confidential Information** - Applicant or client information that may only be shared for establishing eligibility, determining amount of assistance, and/or providing services, with related federally mandated and assisted programs and agencies under contract to the Department and/or pursuant to a Memorandum of Understanding.

**Corrective Payment** - The payment of money to an individual who has received less than they were entitled to receive as determined by the Department, including decisions made by the Department Fair Hearings Officer.

**Cost-of-Living Adjustment - COLA** - A change to income based on the expected change to the basic cost of living.

**Countable Income** - The total of earned and unearned income, minus disregards, that is not excluded by policy, and is expected to be received by the assistance unit for the budget/benefit month.

## **D**

**Deduction** - The amount subtracted from an income which represents an expense that has been made or must be made by an assistance group member or an individual whose income is counted when determining eligibility. This expense is also known as an “allowable deduction”.

**Deemed Income** - Income of certain individuals who live with and are related to the minor child but who are excluded from the assistance group and do not receive benefits.

**Deeming** - A budgeting process which considers a portion of income of one person as the income of a second person. This process assumes a legal obligation of the first person to support the second person.

**Deficit Reduction Act** - *The Deficit Reduction Act of 2005*, which contains federal language and regulations regarding the reauthorization of the TANF program.

**Dependent** - A child who receives more than 50% of their support from a specified relative.

**Direct Child Support** - Support payments a custodial parent receives directly from a non-custodial parent.

**Disability** - The physical or mental impairment of an individual that may be either temporary or permanent.

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**Disabled** - Prevented from working because of physical or mental impairment, disease, vision loss, or a combination of these conditions as determined by the Social Security Administration or the Department's Medical Review Team.

**Disregard** - A dollar amount or percentage designated for a specific purpose that is not counted in the determination of eligibility and/or the amount of assistance.

**Division of Support Enforcement and Recovery – DSER** - a unit within the Department's Office for Family Independence which is responsible for the development and implementation of the rules, regulations, policies, and procedures necessary to assure that all non-custodial parents are contributing to the economic support of their children.

**Domestic/Family Violence** - Physical, sexual, mental, and/or emotional abuse of a member of the assistance unit by a person with whom that member lives or with whom that member has recently lived.

## **E**

**Earned Income** - Cash or in-kind benefits received as payment for work performed either as an employee, through the receipt of wages, salaries, tips, or commissions, or as a self-employed individual.

**Earned Income Disregard** - A dollar amount subtracted from earned income that is designated for a specific purpose that is not counted in the determination of eligibility or the amount of assistance.

**Earned Income Tax Credit - EITC** - A federal and/or state refundable tax credit for low or moderate income working individuals and families. This may be received once a year as a refund.

**Electronic Benefit Transfer - EBT** - The method of issuing financial assistance benefits to an account which is accessed by an individual through a magnetic striped debit card.

**Electronic Funds Transfer - EFT** - The method of issuing financial assistance benefits as a direct deposit into an individual's personal bank account.

**Elderly** - Age 65 or older as of the last day of the month consistent with 22 M.R.S. § 3762(3)(B)(2)(a).

**Eligibility Period** - The period of time the individual is determined to be eligible for benefits.



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**Eligible Child** - A child under age 18, or between the ages of 18 and 20 enrolled as a full-time student in a high school or an equivalent instruction alternative, leading to a high school diploma.

**Emancipated Minor** - A minor child who is no longer a dependent of their parent(s) due to court action or marriage. For eligibility purposes such child is considered an adult.

**Emergency Assistance - EA** – A short-term program benefit to assist families in an emergency situation caused by the occurrence of an unforeseen circumstance.

**Equity Value** - The current fair market value minus any encumbrances against the property as of the date of evaluation.

**Evidence** - Something that furnishes proof.

**Excess Child Support** - Money received from the absent parent that is in excess of the monthly TANF/PaS grant.

**Excluded Asset** - Any real or personal property that is not counted toward the general asset limit.

**Excluded Income** - Specific types of income which are not counted in the determination of eligibility or the amount of assistance.

**Exempt Months** - Months that are not counted toward the 60-month lifetime limit.

**Extension** – A Department decision which permits families to receive additional months of TANF beyond the 60-month lifetime limit if certain criteria is met.

## **F**

**Fair Hearing** - An opportunity for any persons whose claim for assistance has been denied, or has had other negative action taken on their case, to present convincing evidence to reverse the original decision.

**Fair Market Value** - The amount of money that the sale of property would bring on the open market in the community where the property is located.

**Family Contract** - A Department form signed by a representative of the Department and each TANF/PaS specified relative that states the responsibilities of the parties to the agreement, including but not limited to cooperation in child support enforcement and determination of paternity, and the requirements of the ASPIRE Program participation.

**Federal Poverty Level – FPL** - A measure of income used to determine eligibility and when applicable, recipient premiums for many low income programs. The poverty guidelines are

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updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).

**Filing Unit** - The group of family members drawn into the assistance group according to their relationships with one another.

**Fleeing Felon** - An individual who has been convicted of a felony and is fleeing prosecution or incarceration.

**Foster Care** - A legal action that places a child in the custody/control of a person or entity other than the child's natural or adoptive parents by a state.

**Fraud Investigation and Recovery Unit – FIRU** - The unit of the Department's Office for Family Independence authorized under 22 M.R.S. § 13 to investigate fraud, attempted fraud, commingling or misapplication of funds.

## G

**Garnishment** - A legal action to deduct a specified amount of money from a person's earned or unearned income.

**Good Cause** - An acceptable reason for an individual's action/inaction that removes the penalty for that action/inaction or relieves a requirement. When and how good cause may be established is described in further detail throughout the manual.

**Grant** - The TANF/PaS cash assistance money payment issued to an assistance group.

**Gross Earned Income (employed by another)** - The total amount of wages, salaries, tips, commissions, and/or the dollar value of in-kind benefits received by an employee as compensation for work performed before any payroll deductions or garnishments are subtracted.

## H

**Higher Opportunity for Pathways to Employment – HOPE** - An assistance program for students who are parents of minor children. This program provides support services such as child care and transportation and voluntary student navigation services.

**HIPAA** – *The Health Insurance Portability and Accountability Act of 1996*, P.L. 104-191, 110 Stat 1936, requiring the protection and confidential handling of Protected Health Information.

**Head of Household** - Primary contact person in a household.

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**Hearing Request** - A clear expression, orally or in writing, by the applicant/client, or the authorized representative acting on their behalf, to the department requesting the opportunity to present their case to a higher authority due to a dispute in case determination.

**Home** - The principal place of residence; the family setting in which the child lives with a specified relative, who provides the day-to-day care and control of the child. For resource purposes: a home is the current place of residence which is owned by the specified relative and which includes any building and the land upon which it is located, the land that appertains (belongs) to the home and all the buildings and/or mobile homes located thereon.

**Homeless** - Having no fixed address nor living in a permanent dwelling.

**Household** - People who live together.

## I

**Inaccessible Assets** - Resources not legally available to the individual. Resources which may become legally available to the individual through reasonable effort, regardless of penalty incurred, are not considered inaccessible. Any penalty incurred or which would be incurred in accessing the resource must be deducted from the value of the resource for the purpose of determining eligibility.

**Incapacity** - A physical or mental illness or impairment diagnosed by an Acceptable Medical or Mental Health Source as sufficiently serious enough to eliminate or substantially reduce the client's ability to obtain or retain employment.

**Income** - Cash payments or in-kind benefits which are regular and recurring, or which are treated as available for use regardless of actual receipt, such as deemed income.

**Income-in-Kind** - Goods, commodities, or services (such as meals, clothing, lodging) provided as a contribution or compensation for work instead of cash.

**Income Producing Property** - Property that is, in and of itself, producing income.

**Individual Income** - All available income received on behalf of or by one person.

**Individual Retirement Account - IRA** - A tax deferred pension or plan that sets aside money now for the planned needs of the person after retirement.

**Indian Country** - Within the geographical boundaries of a reservation.

**Indian Custodian** - Any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child.

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**Ineligible** - Not entitled to receive benefits because of not meeting one or more of the specified financial or non-financial eligibility requirements.

**Inheritance** - Property received or anticipated to be received from a relative or other person by legal succession or will.

**Initial Eligibility Determination** - The act of evaluating eligibility factors for each child and specified relative who apply for TANF/PaS cash assistance and finding the case eligible or ineligible.

**Insurance Settlement** - The money received by a person(s) from a company for damage to property or injury to person.

**Interstate Compact on the Placement of Children - ICPC** - An agreement among all 50 states that coordinates the movement of children across state lines for the purpose of placement in foster care, adoptive homes, group homes, residential treatment centers, or on a trial basis with a parent.

## **J**

**Joint Custody** – A domestic relations agreement that both parents are to function as providers of maintenance, physical care, and guidance of the child(ren). The actual circumstances may or may not indicate this is occurring.

**Jointly Owned Property** – Property presumed to be owned in equal shares by each of the persons holding a legal interest, unless otherwise specified in a legal document such as a deed or divorce decree. A court-ordered right of ownership takes precedence over any contrary verbal claim or stipulation on any document.

## **L**

**Legal Guardian** - A person who has the legal authority to care for the personal and property interests of another person as determined by the court.

**Lien/Encumbrance** - A security interest or claim upon real or personal property to ensure satisfaction of a debt. The lien amount must be paid up for title to the property to be transferred from one owner to another.

**Living With** - To be "living with" a specified relative the child must live in that relative's home. The home is where the family lives or is staying. It does not have to be their own home or their permanent home. It does not have to be an apartment or a house.

**Liquid Assets** - Resources which can be readily converted to cash, such as cash, checking or savings accounts, certificates of deposit, and stocks or bonds.

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**Loan** - A transaction in which money is given to another and must be repaid.

**Low-Income Home Energy Assistance Program – LiHEAP** - A federal program that helps low income households pay for heating or cooling their homes.

**Lump Sum Payment** - Cash received on a non-recurring or irregular basis that may not reasonably be anticipated. Includes insurance settlements, inheritances, retroactive payments of RSDI, VA, SSDI, SSI and Unemployment Insurance.

## **M**

**Maintenance** - The provision of the supplies or funds needed to sustain basic needs.

**Minor Child** - A child who is under age 18.

**Minor Parent** - An individual under age 18 who has a minor child; who is not married or emancipated by the court.

**Month Received** - The benefit month in which money may be reasonably anticipated to be available to the applicant or client or in which the person will receive money in-hand. SSA and SSI payments are exceptions to this definition, as the payment is made at the end of a month (usually because of holiday mail) for use during the following month.

**Mutual Fund** - A company without fixed capitalization, freely buying and selling its own shares and using its capital to invest in other companies.

## **N**

**National Automobile Dealers Association (NADA) Used Car Guide** - A private publication giving standard values for motor vehicles.

**Net Earned Income** - An individual's monthly gross earned income minus all allowable employment-related disregards. Also known as *net monthly earned income*.

**Net Income** - Gross income minus all allowable income disregards and deductions.

**Non-Custodial Parent - NCP** - A natural or adoptive mother or father who is not living in the home of the child.

**Nonliquid Asset** - A resource which cannot reasonably be readily converted to cash, such as vehicles, buildings, or land.

**Non-financial Criteria** - Eligibility criteria not based on income or assets.

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**Non-welfare Child Support** - A child support obligation and/or payment received on behalf of a child who is not in receipt of TANF or associated with and outstanding TANF debt.

**O**

**On-going Eligibility** - The act of evaluating each open case and finding the case eligible or ineligible.

**Orientation** - A process to provide applicants with information on program requirements, available supportive services, and their rights and responsibilities.

**Otherwise Eligible** - Not precluded from eligibility by some other provision of Maine statute, Title IV-A of the Social Security Act or P. L. 104-193, *the Personal Responsibility and Work Opportunity Reconciliation Act of 1996* (PRWORA), and the individual meets all non-financial criteria.

**Overpayment** – Amount of a financial assistance payment received by or for the benefit of an assistance unit that exceeded the amount for which that unit was actually eligible.

**P**

**Parent** - Specified relative who is a natural/adoptive parent or a stepparent (related by marriage to the child's natural/adoptive parent) or a person considered by law to be a parent in the case of a child conceived by artificial insemination.

**Parents as Scholars - PaS** – A monthly cash assistance program for parents of minor children who are matriculating in postsecondary undergraduate two-year and four-year degree-granting education programs.

**Pension Fund** - An investment account (typically with an employer) that is intended to provide income at retirement.

**Pension Payment** - A sum of money paid regularly as a retirement or disability benefit.

**Perjury** - A willful false statement of a material fact; swearing to what is untrue; or, incompletely answering all questions under oath with an intention to deceive.

**Personal Property** - All belongings owned by the applicant or client that are not considered real property.

**Physical Care** - The attention given to the physical needs of a child or children.

**Place of Residence** - A person's primary abode where they live more than half the time.

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**Probation/Parole Violator** - An individual not fulfilling the requirements of their probation/parole.

**Processing Month** - The month in which computer entries are made and confirmed.

**Proof** - Documentation or information that establishes the accuracy of statements made by the individual.

**Prorate** – To divide or distribute benefits proportionally based on number of days eligible in the benefit month.

**Prospective Budgeting** - Calculating eligibility and/or benefit amount by using the best estimate of the income and circumstances that are expected to exist in the benefit month.

**Protective Payee** - The individual, other than the specified relative, to whom payment is made and who manages the family's benefit for the purpose of safeguarding the health and welfare of the child(ren).

**PRWORA**- *Personal Responsibility and Work Opportunity Reconciliation Act of 1996*– P.L. 104-193 replaced the Aid to Families with Dependent Children (AFDC) program with the Temporary Assistance for Needy Families (TANF) program. Establishing basic federal program requirements for TANF and strengthening the child support system.

## Q

**Quality Control – QC** - a unit with the Department's Office for Family Independence that regularly conducts internal audit type activities to ensure program integrity in benefit issuance and timeliness.

**Questionable** - Inconsistent with— other statements made by the individual, information provided for current or past requests for assistance, or information received by the Department from other sources.

## R

**Real Property** - Resources in the form of real estate, such as land or buildings.

**Recoupment** - The collection or recovery by the Department of the value of assistance erroneously paid to an individual.

**Redetermination** - A review of all financial and non-financial requirements affecting eligibility and/or benefit amount.

**Resident** - A person who lives in Maine with the intent to make it their home.

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**Retirement, Survivors, and Disability Insurance - RSDI** - A program operated by the Social Security Administration that provides a monthly income to retired people, survivors or dependents of insured people, and people with disabilities.

**Room and Board Income** - Money received for providing meals and/or rooms to people not included in the assistance group.

**Roomer** - An individual residing with others and paying reasonable compensation to others for lodging, but not for meals.

## S

**Sanction** - A penalty imposed against a client for failure to cooperate with requirements of the ASPIRE Program, DSER, and/or other means tested programs that specifically require such a penalty.

**Section 8 Housing** - A federal rent subsidy program now referred to as the Housing Choice Voucher Program. The tenant pays a portion of the rental cost based on a percentage of their income. The balance of the rental cost is paid by the federal government. Also known as deep subsidy.

**Self-Employment** - The act of engaging in a trade or business not under the control or direction of an outside employer with the intent to generate earnings or benefits where those earnings are not reported on a W-2.

**Shelter Costs** - The amount of money required to provide housing.

**Social Security Administration - SSA** - A United States government agency that administers specific social programs covering disability, retirement and survivor's benefits.

**Social Security Disability Insurance – SSDI** - Benefits issued to individuals who can't work because they have a limiting medical condition that's expected to last for at least one year or result in death.

**Social Security Number – SSN** - A nine-digit number that the United States government issues to all U.S. citizens and eligible U.S. residents who apply for one.

**Specified Relative** - A person related to the minor child within the fifth degree of kinship by blood, marriage, or adoption who lives with the child; a legal guardian or Indian Custodian who lives with the child.

**Standard of Need** - The amount of income necessary to meet the full need in relation to household size.



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**Step Disregard** - The method of reducing a certain percentage of a TANF/PaS recipient's earned income for the first six months of employment.

**Stepparent** - An individual who is currently legally married to a child's natural or adoptive parent but has no biological or adoptive parental relationship to the child.

**Striker** - Anyone who participates in a strike or work stoppage (including a stoppage due to the expiration of a collective-bargaining agreement) or any concerted slowdown or other interruption of operations by employees.

**Subsidized Housing** - Housing leased under an agreement in which the household pays a rate based on a percentage of the household's income. The balance of the rent is paid for by the federal government. Also known as deep subsidy housing, conventional public housing, or the Housing Choice Voucher Program (formerly known as Section 8 housing).

**Supplemental Security Income - SSI** - Federal payments made under authority of Title XVI of the Social Security Act.

**Systematic Alien Verification for Entitlements - SAVE** - A process which allows access to U.S. Citizenship and Immigration Service (USCIS) data to validate the immigration status of non-citizen applicants.

## T

**TANF Cash Assistance** - A time-limited cash assistance program designed to provide families with opportunities leading to self-support.

**Temporary Absence** - The condition created when a member(s) of the assistance unit is away from the home for a specified period of time not to exceed 45 days except in limited circumstances.

**Temporary Assistance For Needy Families - TANF** – Welfare provided under Title IV-A of the Social Security Act which authorized the TANF block grant as a result of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

**Termination** - The closure of a case and/or removal of an individual from program eligibility.

**Timely Notice** - Written notification mailed at least ten days prior to the date of the action.

**Title IV-A** - The section of the Social Security Act authorizing the TANF program.

**Title IV-D** - The part of the Social Security Act that authorizes establishing paternity and collecting child support.

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**Title IV-E Foster Care** - Foster care payments authorized under Title IV-E of the Social Security Act.

**Transfer** - The act of moving the right, title or interest in property, or a portion thereof, from one person to another by sale, gift or exchange. Also includes transfers to joint tenancy or to tenancy in common.

**Tribal Land Claim Settlements** - Settlements of property claims between the Federal government and Indian Tribes under Public Laws 92-03, 94-89, 94-14, 94-40, 95-33, 96-20, and 93-31.

**Trust** - Any arrangement in which a grantor transfers property (real or personal) with the intention that it be held, managed, or administered by a trustee(s) for the benefit of the grantor or other beneficiary(ies). Trusts are managed by individuals or entities with fiduciary obligations.

**Trustee** - Any individual(s) or entity that manages a trust and has fiduciary responsibilities.

## U

**Underpayment** - The payment of a level of assistance that is less than the amount that an assistance group is rightfully entitled to receive, or the failure of the Department to issue benefits to an eligible assistance group.

**Unearned Income** - All contributions, payments, pensions, benefits, loans, awards, etc. which are not received as compensation for work performed. No deductions are allowed from unearned income unless otherwise instructed.

**Unemployment Insurance Benefits – UIB** - Financial assistance for eligible workers who become unemployed through no fault of their own and meet other eligibility requirements as determined by the U.S. and Maine Department of Labor.

**United States Citizenship and Immigration Services - USCIS** - (formerly INS) – An agency of the U.S. Department of Homeland Security (DHS) that administers the country's naturalization and immigration system.

**Utilities** - The services provided for water, sewer, electricity, telephone and heating/cooking fuel.

## V

**Vendor** - The person or business that provides goods or services.

**Vendor Payments** - A portion of assistance paid directly to a vendor on behalf of an assistance group.

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**Verification** - A document or written statement attesting to the validity of a fact or event that is needed to determine eligibility or establish compliance with program requirements.

**Verify** - To check, confirm or establish whether a statement or condition is true or accurate by obtaining a copy, viewing a copy or obtaining a verbal description of the evidence.

**W**

**Workforce Innovation and Opportunity Act – WIOA** - Services designed to help job seekers access employment, education, training and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the economy. These services are administered by the U.S. and Maine Department of Labor.

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**A. LEGAL BASIS:**

Federal legislation, the *Personal Responsibility and Work Opportunity Reconciliation Act of 1996* (PRWORA), Public Law 104-193 enacted August 22, 1996 provides states with an opportunity to administer a financial aid and job preparation program. As a condition of receipt of a Part-A, Block Grant for Temporary Assistance for Needy Families (TANF) under Title IV of the *Social Security Act*, Maine agrees to administer a welfare program in accordance with the rules of PRWORA, provisions of its State Plan, and all applicable State laws and regulations.

**B. GENERAL RULE:**

TANF provides temporary financial assistance to families with needy dependent children while the family works towards becoming self-supporting.

**C. PROGRAM REQUIREMENTS:**

Basic eligibility criteria and program requirements are contained in chapters I through IV and are arranged by subject. Chapter order follows the eligibility determination process generally used for new applicants.

**(1) Confidentiality:**

The Department of Health and Human Services must by Federal and State rules provide for the basic rights and dignity of all applicants or recipients of financial services regarding their confidentiality. The Department must ensure that information about the recipient is maintained in a confidential manner and only released under certain circumstances.

**NOTE:** All employees of the Department must adhere to this policy.

a) Address Confidentiality Program

The Address Confidentiality Program, administered by the Secretary of State, provides address confidentiality for victims of domestic violence, stalking or sexual assault and requires state and local agencies and the courts to accept a designated address as the program participants' address when creating a public record. When an applicant or recipient verifies that they are a certified participant in the Address Confidentiality Program, the designated address is the only address accepted and provided when staff is required to release information in each circumstance described in pages 1 through 3 of this chapter.

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- b) Information requested from outside the Office for Family Independence shall be released by the following:
- i. Permission:

Whenever possible, the individual shall be informed of any outside request for information. Permission for release of information shall either be provided by the inquiring source or requested from the recipient. In an emergency situation when a release cannot be obtained and releasing the information would be in the best interest of the client, they shall be notified promptly of the disclosure and the reason for it.

**NOTE:** The Department shall not release identifying information to absent parents without release from Specified Relatives.

- ii. Subpoena:

When the court subpoenas a record or an agency representative to testify concerning an applicant or recipient, the Department's representative shall bring to the court's attention the statutes and regulations regarding disclosure. The decision then rests with the presiding judge.

**NOTE:** The above conditions apply to requests from other government authorities, courts and law enforcement agencies unless the situation is described in iii(f).

- iii. Program Administration:

The release of information must be limited to programs which establish eligibility and provide services through agencies subject to comparable standards of confidentiality. The Department shall release information for the following—

- a. Investigation and Recovery
- b. Fair Hearing Preparation: The Department shall make all information pertaining to a decision on eligibility, including medical and social data available to the applicant or recipient or their authorized representative.
- c. General Assistance: The Department shall provide, to the municipality, financial information necessary to make a determination as to the need and amount of General Assistance. The Department shall not provide Medical reports without the individual's written permission.

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- d. Law Enforcement: The Department shall provide the current address of a recipient to a Federal, State or local law enforcement officer upon request of the officer if the officer provides the agency with:
  - 1. The recipient's name and enough information to identify the individual, and
  - 2. Notification that the individual is fleeing to avoid prosecution or custody or confinement after conviction or that the individual has information that is necessary for the officer to conduct the official duties of the officer and the location or apprehension of the recipient is within such official duties.
- e. Other Social Service Agencies: The Department shall provide information upon receipt of written authorization from the individual.

**NOTE:** This authorization is not required of Social Services within the Department; however, they are required to seek permission of the Worker to access the record and may not remove it without permission.
- f. Suspected Child Abuse or Neglect: Information regarding suspected child abuse or neglect of any child on the assistance grant must be reported to Department of Human Services Bureau of Child and Family Services. Also, information must be released to any local or state agency or official legally authorized to investigate child abuse and neglect under Maine law.
- g. Immigration and Naturalization Service: The Department shall not provide information regarding counterfeit, altered or fraudulent documentation used to obtain benefits unless it has been requested by INS in writing for criminal investigation.

#### **D. APPLICATION PROCESS**

All individuals have the right to file an application for TANF/PaS benefits. Completed referrals received from qualified public educational institutions are considered an application for PaS only.

##### **(1) Minimum Requirements:**

- a) The applicant or their authorized representative must:
  - i. Complete and sign, under penalty of perjury, an application;
  - ii. Complete an interview; and

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- iii. Sign a Family Contract.
- b) All filing unit members who are mandatory ASPIRE-TANF participants must:
  - i. Sign a Family Contract; and
  - ii. Complete an orientation meeting within 30 days of application.

**EXCEPTION:** When circumstances beyond the control of a mandatory ASPIRE-TANF participant prevent them from completing an orientation meeting within 30 days, the Department shall grant the application, if otherwise eligible, and require the completion of the orientation meeting within the second 30 days following application, i.e., within 60 days of the original application. When good cause claimed is based on domestic violence an individual may not be required to participate in orientation until the good cause determination is made. See 10-144 C.M.R. 607 ASPIRE-TANF Rules.

**(2) The Interview:**

- a) Orientation to TANF programs begins with the initial interview. During the initial interview of the application process, the Department shall provide applicants with information about coverage, conditions of eligibility and rights and responsibilities including information, both orally and in writing, of the availability of services for victims of domestic violence.

- b) Responsibility of Office Staff:

Office staff or their representative shall advise all TANF/PaS applicants and recipients of the availability of the ASPIRE-TANF program and other services, including the following:

- i. Education, employment, and training opportunities available;
- ii. Support services available during participation, and available transitional services when TANF/PaS eligibility stops;
- iii. Assistance in establishing paternity and obtaining child support and reminding the applicant/recipient of their responsibility to cooperate unless good cause exists (Chapter II(G));
- iv. The grounds for exemptions from participation, the consequences for refusing or failing to participate, and Good Cause for non-participation. Voluntary participants, who are otherwise exempt (Chapter II(H)(2)), shall be informed that their failure to participate shall not result in sanctions;

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- v. Information about the PaS Program;
- vi. Information about Earned Income Tax Credit; and
- vii. The criteria which must be met to remain eligible beyond 60 months.

**(3) The Family Contract:**

- a) During the initial interview, a representative of the Department and the TANF/PaS family must enter into a contract by signing a form referred to as the Family Contract. The Family Contract states the responsibilities of the parties to the agreement including, but not limited to, cooperation in child support enforcement and determination of paternity; the requirements of ASPIRE-TANF Program participation; and referral to parenting activities and health care services.

**NOTE:** Signing the Family Contract does not waive the person's right to appeal anything in the Family Contract with which they disagree.

The Family Contract must be signed by TANF/PaS specified relatives. The Family Contract must be amended to include individual employability plans as filing unit members enter the ASPIRE-TANF program and when participation review occurs. Written copies of the Family Contract and notice of the right to a fair hearing must be provided to the individual at the initial signing and whenever the Contract is amended.

- i. Refusal to sign the Family Contract Amendment:

The Department shall sanction any specified relative who refuses to sign the Family Contract amendment. The sanction shall follow the policy pertaining to non-compliance with the ASPIRE-TANF Program.

**(4) Orientation:**

All filing unit members who are mandatory ASPIRE-TANF participants must complete a TANF orientation meeting to complete the application process unless good cause exists (See Good Cause below).

- a) Good Cause:

If an applicant or mandatory ASPIRE-TANF participant indicates that there is a reason not to complete the Orientation meeting, the Department must determine whether they qualify for "good cause". An individual may not be required to participate in any TANF activity including the orientation meeting until the good cause determination is made.



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Good cause exists when the individual or the child is a victim of domestic violence, (which includes physical injuries or the psychological effects of abuse), and participation in ASPIRE-TANF could result in physical or emotional harm to the child or other family member. Domestic violence victims may volunteer to participate in an orientation meeting.

The full definition of domestic violence for the determination of good cause is the inability to participate because of physical injuries or the psychological effects of activities related to abuse; because the abuser actively interferes with the individual's participation; because the location puts the individual at risk; or for other good cause related to domestic violence. For the purposes of this subsection, reasonable and verifiable evidence may include but is not limited to the following:

- i. Court, medical, law enforcement, child protective, social services, psychological or other records that establish that the individual has been a victim of domestic violence; or
- ii. Sworn statements from persons other than the individual with knowledge of the circumstances affecting the individual.

**NOTE:** When a determination of good cause is made, the ASPIRE-TANF program may contact the individual and offer domestic violence victim services or other appropriate services including an orientation meeting on a voluntary basis.

**(5) Verification and Documentation:**

The Department shall seek necessary clarification and verification, first, from the applicant. With the exception of public records, the Department may not gather verification without the applicant's knowledge and consent. The Department shall advise the applicant what questions remain unanswered, what needs to be provided, and verification due date. The due date must be at least 10 days from the date the notice is provided. The applicant must provide the requested materials by the later of the specified due date or 30 days from the date of application.

- a) Situations requiring additional information include, but are not limited to:
  - i. Discrepancy in income or resources;
  - ii. Parent deceased, no Social Security income declared;
  - iii. Unemployed, no unemployment insurance benefit declared;
  - iv. Information incomplete;

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- v. Community complaints; or
  - vi. Evidence of potential resources.
- b) The applicant has the primary responsibility for providing verification to support statements made on the application. If the applicant cannot supply or has difficulties in obtaining the required verification, the Department must assist the applicant and explore good cause.
- i. Examples of acceptable verification include, but are not limited to:
    - a. Wage stubs;
    - b. Employer statements;
    - c. Award letters;
    - d. Bank statements; or
    - e. Collateral contacts.
  - ii. Examples of good cause include, but are not limited to:
    - a. An employee feels they would get fired if a collateral contact was made, or
    - b. A foreign government refuses to verify an ex-employee's wages.

The Department must document in all case files reasons to support such decisions.

c) **Verification Other Than at Application:**

The Department shall use the same verification procedures that are used for initial application in subsequent eligibility and benefit level decisions.

**(6) Applicant Notification:**

a) Notification of approval is in writing and contains the following:

- i. Dates of financial eligibility;

**NOTE:** Applicants may be notified of their eligibility for other benefits separately

- ii. Income used to determine eligibility and benefit level;

- iii. Regulation supporting approval; and

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- iv. Explanation of applicant's right to a fair hearing.
- b) Notification of denial is in writing and contains the following:
  - i. Statement of denial action;
  - ii. Reason for denial;
  - iii. Citation of policy supporting denial; and
  - iv. Explanation of applicant's right to a fair hearing.

**(7) Time and Processing Standards:**

- a) Benefits are calculated from the date of application or from the date of statutory eligibility, whichever occurs later.

**NOTE:** The initial month's benefit is prorated according to the Table of Percentages in the Appendix.

- b) The Department must make a decision within 30 days of application. This time standard shall not be used as a waiting period or as a basis for denial.

The Department shall determine eligibility after both the initial interview and the orientation meeting are completed.

**NOTE:** The Department shall use the same procedure when mailing a decision notice or benefit to the designated address of a participant in the Address Confidentiality Program (ACP) (C(1)(a) above). The administrators of the Address Confidentiality Program then forwards the mail to the ACP participant. Therefore, the ACP participant may experience delays in receiving decisions and benefits.

- c) When an applicant refuses to provide required information or verification, the Department shall:
  - i. Make sure the applicant understands that benefits will be denied unless the information is provided;
  - ii. Document the refusal; and
  - iii. Deny the application.

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- d) When an applicant fails to provide required information or fails to contact the Department by a specified date without good cause, the Department shall:
  - i. Document the failure to contact or provide required information; and
  - ii. Deny the application after the specified date.
- e) When an applicant has good cause for failing to provide required information, the Department shall:
  - i. Offer to provide assistance in obtaining the information;
  - ii. Waive a requirement under extraordinary circumstances when the proof is unlikely ever to be available and obtaining it is outside the control of the client or Department;
  - iii. Keep the application pending an additional 30 days while the client or Department continues their attempt to get the required proof;
  - iv. Grant the application back to the original date of application when required proof is obtained within the second 30 day-period providing that the client is eligible to that date; or
  - v. Deny the application when the required information is not provided within the second 30-day period.
- f) Good Cause Reasons Include:
  - i. Natural disasters, such as fires or floods, having a direct impact on the applicant/recipient or an immediate family member;
  - ii. Illness of such severity on the part of the applicant/recipient or an immediate family member that the applicant/recipient is unable to direct their personal affairs;
  - iii. Refusal of an employer to provide earned income verification, or the unavailability of an employer to provide verification before the deadline;
  - iv. Lost or stolen mail;
  - v. Refusal of a landlord to verify housing expense;
  - vi. Death of the applicant/recipient or an immediate family member; or

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- vii. Inability of a third party (such as Social Security Administration) to provide the necessary documentation within the designated time period.
- g) When good cause does not exist as defined above, the Department shall:
  - i. Document the explanation given for the failure and why it does not establish good cause; and
  - ii. Deny the application.

## **E. NON-PAYMENT SITUATIONS**

Although eligibility may exist there are some situations in which a TANF/PaS payment cannot be made.

### **(1) Concurrent Assistance:**

- a) **TANF/PaS:** Individuals cannot be included as members in more than one filing unit in the same month; nor can there be more than one set of specified relatives in the same month. This also applies to individuals moving from one state to another.

**NOTE:** In the event another state pays semi-monthly and the recipient received only half of the monthly benefit, that individual is eligible for a partial monthly benefit from Maine. If the client applies in the first half of the month, the Department shall prorate from the first day of the second half of the month. If the client applies during the second half of the month, the date of application is used for proration.

**NOTE:** Count the TANF/PaS payment received in the previous state. Do not count other income received in the previous state because it was considered in the calculation of that state's TANF/PaS payment.

- b) **SSI:** See Filing Unit, Chapter II.
- c) **Foster Care:** See Filing Unit, Chapter II.
- d) **Interstate Compact:** See Relationship and Maintenance of a Home, Chapter II

### **(2) Penalties for Convictions:**

TANF/PaS assistance must not be provided for any individual who is:

- a) Convicted in Federal or State court of having made a fraudulent statement or representation with respect to the place of residence of the individual in order to

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receive assistance simultaneously from two or more states under funds provided through the TANF Block Grant, Medicaid, the *Food Stamp Act of 1977*, or the Supplemental Security Income (SSI) program. These individuals are ineligible to receive TANF/PaS benefits for a period of ten years from the date of conviction.

**NOTE:** The prohibition from receipt of assistance does not apply to any months following the granting of a pardon of such a conviction by the President of the United States.

- b) Fleeing to avoid prosecution, custody, or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the individual flees (referred to as a “high misdemeanor” in New Jersey); or
- c) Violating a condition of probation or parole imposed under Federal or State law.

## **F. REDETERMINATION (REVIEW) PROCESS**

All cases must have eligibility for continued assistance re-determined periodically.

Redetermination requires:

### **(1) The recipient and/or their representative must:**

- a) Submit a signed review form, and
- b) Complete an interview
- c) As in the application process the recipient has the primary responsibility for providing verification to support statements made on the review form or during the face-to-face or telephone interview.

The recipient and/or representative is allowed the entire month of review to complete the process.

### **(2) The Department must:**

- a) Notify the recipient and/or their representative of the results of the review using timely and adequate notice procedures.
- b) If the recipient cannot supply or has difficulty in obtaining the required verification, Department staff shall assist them.

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**NOTE:** At least once a year, the Department shall inform recipients of the criteria that must be met to remain eligible beyond 60 months.

**(3) Redeterminations must take place at least every 12 months.**

## **G. QUALITY CONTROL REVIEW**

TANF/PaS households who refuse to cooperate in any quality control review are not eligible for benefits until they comply.

## **H. CHANGE PROCESS**

All individuals are required to report changes which affect eligibility. The Department is required to act on reported changes timely.

### **(1) Timely Reporting:**

- a) Families must report within 5 days of the date it becomes clear that a child will be out of the home for 45 days or more.
- b) All other changes in circumstances such as income, assets, household composition, marital status and residence must be reported within ten days of occurrence. For income purposes "occurrence" is the date the change in income is received.

**NOTE:** When changes are reported timely, the month in which the change occurred shall be considered a correct payment month even when ineligibility begins in that month.

- c) Earned income disregards are not allowed in determining overpayments when an individual failed, without good cause, to report timely. Good cause reasons include:
  - i. Mail delay,
  - ii. Illness of the employed individual, and
  - iii. Other unanticipated emergencies.

### **(2) Treatment of Changes:**

- a) A change resulting in an increase in benefits affects the next payment. If the increase cannot affect the next payment the Department shall authorize a corrective payment.

**NOTE:** With the exception of adding individuals, families that report any changes resulting in grant increases shall not receive a corrective payment for the month of

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report. The corrective payment is prorated from the date that the individual entered the household or met eligibility requirements or complied with ASPIRE or DSER requirements.

- b) A change resulting in a decrease in benefits shall affect the next payment depending on timely notice requirements.

## **I. TIMELY/ADEQUATE NOTICES**

The Department must provide the recipient with timely and adequate notice when the action is to discontinue or reduce the payment. The Department must provide the recipient with adequate notice when the action is to increase or continue the payment at the same level.

- (1) Timely notice must be mailed 12 days before the change is effective (10 days for notice - 2 days for mailing).

- a) The Department shall use the same procedure when mailing a decision notice or benefit to the designated address of a participant in the Address Confidentiality Program (ACP). The administrators of the Address Confidentiality Program then forward the mail to the ACP participant. Therefore, the ACP participant may experience delays in receiving decision notices and benefits.
- b) Timely notice is not required in the following instances:
  - i. The recipient or the payee dies;
  - ii. The recipient requests in writing that the case be closed;
  - iii. The recipient has been committed to a public non-medical institution;
  - iv. The recipient has been placed in skilled nursing care, intermediate care or long-term hospitalization;
  - v. The recipient's whereabouts are unknown and departmental mail has been returned; or
  - vi. A child is removed from the home as a result of a judicial determination.

- (2) Adequate notice includes a statement of—

- a) The action the Department intends to take;



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- b) The reason for the action;
- c) The policy citation supporting the action; and
- d) An explanation of the right to request a hearing and, if it is requested within 12 days from the date of the notice, the benefit can continue at the previous level until a decision is made after a hearing. If the Agency is upheld, the continued benefit must be repaid.

## **J. 60 MONTH BENEFIT LIMIT**

A family may not receive TANF/PaS assistance for longer than 60 months in a lifetime except in those cases in which the department has determined that the family qualifies for an exemption, or a hardship extension, or an earnings disregard extension.

Maine law provides that all recipients of TANF cash assistance shall be subject to a lifetime limit of 60 months, whether or not consecutive.

The count for the lifetime limit on assistance begins with June 1, 1997. June is counted as month 1 of the 60 months allowed if, at the beginning of that month, state- or federally-funded cash assistance was received for either parent. The lifetime limit includes any month the family received cash assistance in any other state or territory of the United States.

### **(1) Exemptions from the Time Limit:**

The time limit shall **not** apply in the instances of:

- a) A minor child(ren) living with a single parent who receives SSI benefits, or with two parents who both receive SSI benefits;
- b) A minor child(ren) living with a legally responsible non-parent specified relative who is not in the assistance unit;
- c) An adult living in Indian Territory or Trust lands (as defined by 30 M.R.S. §§ 6203(2-A – 6, 8 and 9) and 7202(2)) where at least 50 percent of the adults were not employed. The Department uses the most current biennial Indian Service Population and Labor force Estimates Report published by the Bureau of Indian Affairs (BIA), or any successor report, as default data source to determine if the not-employed rates for areas of Indian country are at least 50 percent. A tribe may provide alternative data based on similar periods to the above referenced report, to demonstrate that the not-employed rate is at least 50 percent;
- d) Any month of receipt in which an individual is a pregnant or minor parent who is not the head of household;

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- e) Any month for which the family received only non-cash assistance such as:
  - i. Alternative Aid,
  - ii. Emergency Assistance,
  - iii. ASPIRE-TANF Support Services,
  - iv. Whole Family Services,
  - v. Food assistance including Transitional Food Assistance and any TANF work supplement programs,
  - vi. Transitional Services including child care and transportation, or
  - vii. HOPE, 10-144 C.M.R. 330.

**(2) Benefits Which Count Toward the Limit:**

Receipt by a family of TANF/PaS cash assistance from Maine or from any state or territory of the U.S., regardless of the source of funding of the payment, counts as one month toward the 60-month limit when an adult or minor parent head of household is included in the family.

**EXCEPTION:** When a TANF/PaS overpayment has been established for a month, and that month is repaid in full, that month does not count toward the 60-month limit.

**(3) Provisions for Extensions to the Time Limit:**

- a) A family may receive benefits for more than 60 months if they qualify for an extension. If granted an extension, eligible families are issued monthly benefits according to TANF/PaS cash assistance benefit standards. In addition, these families are—
  - i. Subject to all TANF/PaS cash assistance eligibility requirements,
  - ii. Required to participate in Family Contract Amendment activities from the date of application, and
  - iii. Subject to all TANF/PaS reporting requirements.
- b) Any non-exempt family who has received TANF/PaS for 60+ months must meet one of the criteria for one of the hardship extensions and must—

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- i. Sign and be in cooperation with their Family Contract Amendment unless good cause exists,
  - ii. Continue to meet all other TANF/PaS eligibility requirements, and
  - iii. Continue to meet the criteria on which the extension was based each month of the extension period.
- Failure to meet these requirements shall result in the withdrawal of the extension.
- c) All extensions are temporary. An extension may be approved for up to six months.
  - d) Families who receive an extension have the option to request early termination of benefits and may be eligible for Transitional Services if otherwise eligible.
  - e) Non-compliance with required activities during an extension period shall result in case closure.
  - f) Verification:
    - i. The adult recipient or the minor parent head of household has the primary responsibility for providing verification to support the extension.
    - ii. If that recipient cannot supply, or has difficulties in obtaining, the required verification, the Department shall assist them.
  - g) Extension types:
    - i. **Earnings Disregard Extension:** The Department shall grant an extension for a household for each month in which a family is eligible to receive TANF/PaS and to receive a Step disregard of either 100% or 75% (See Chapter IV). This extension type is only available for families that have reach reached 60 months on or after October 1, 2019.
    - ii. **Hardship Extension:**
      - a. The Department may extend TANF/PaS cash assistance benefits beyond the 60-month limit when a family is experiencing a hardship outside of their control as defined below.

Additional incremental extensions may be granted for up to six months each unless specified below. Even if the situation of another adult, or minor parent head of household in the same assistance unit, was the basis for approval of an

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extension, any other adult or emancipated minor who received the benefit of the extension is considered to have received the extension.

1. **Domestic Violence**– An adult, or minor parent head of household, recipient who is a victim of domestic violence may be eligible for an extension of up to six months. Additional incremental extensions of up to six months each may be granted.

(a) For extension purposes, domestic violence situations are defined as follows:

The adult, or minor parent head of household, recipient who is currently involved in or living with the effects of a domestic violence situation, which includes one or more of the following:

- (i) Physical acts/threats of physical injury,
- (ii) Sexual abuse of a child or caretaker of a child, or
- (iii) Psychological effects of the abuse.

(b) The adult, or minor parent head of household, recipient must provide reasonable and verifiable written evidence of the abuse including but not limited to:

- (i) Court, medical, law enforcement, child protective, social services, psychological or other records that establish that the recipient has been a victim of domestic violence; or
- (ii) Sworn statements from persons other than the individual recipient with knowledge of the circumstances affecting the recipient.

(c) When the Department grants an extension due to domestic violence it shall provide information about the services offered by domestic violence resource centers and referral contact information to the recipient. The Department shall work with the recipient to create an employment plan that includes steps to prepare for employment and economic independence as well as steps to reduce the threat of violence and increase family security. When a recipient has elected to participate in services in a domestic violence resource center, and with the recipient's written consent, the Department may request the involvement of the resource center in the development of the employment plan. Subsequent incremental extensions of up to six months each may be granted.

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2. **Disability**-The adult, or minor parent head of household, recipient who is disabled may be eligible for an extension of up to six months. Additional incremental extensions of up to six months each may be granted.
  - (a) The adult(s) or minor parent heads of household recipient claiming disability must—
    - (i) Have a significant physical or mental impairment documented by a medical professional on a current medical form provided by the Department that supports the recipient’s statement of an inability to engage in any substantial gainful activity as defined by the Social Security Administration which has lasted or is expected to last for a continuous period of at least 12 months; or
    - (ii) If the impairment is believed to be temporary (less than 12 months), the applicant must provide medical information that includes the length of time the applicant cannot be involved in work activities. Temporary disability is intended to cover those incapacities such as a broken limb, recovery from surgery and other short-term disabilities.
  - (b) The request for subsequent incremental extensions must include—
    - (i) An updated medical form documenting a significant physical or mental impairment and inability to engage in substantial gainful activity. Verification must be provided annually or upon expiration of the most recent medical statement, whichever is sooner,
    - (ii) Documentation of the active status or documentation of the appeal of a denial of a SSI/SSDI application;
    - (iii) If the impairment is believed to be temporary (less than 12 months from the original medical statement), medical information including the length of time the applicant cannot be involved in work activities must be provided. Temporary disability is intended to cover those incapacities such as a broken limb, recovery from surgery and other short-term disabilities; and
    - (iv) If applicable, documentation of ongoing compliance in the disabled recipient’s rehabilitation employment plan as reported by the Office of Rehabilitation Services, or documentation that the disabled recipient was found eligible for vocational rehabilitation services but was placed on a wait list.

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3. **Caring for a Significantly Disabled Family Member-** The adult, or minor parent head of household recipient, who is needed to care for a significantly disabled family member may be eligible for an extension of up to six months. Additional incremental extensions of up to six months each may be granted. For extension purposes all of the following conditions must be met:
  - (a) The adult, or minor parent head of household, recipient is needed to care for a family member who resides in the home and would be included on the TANF/PaS grant if otherwise eligible;
  - (b) The person needing care has a temporary or permanent mental or physical illness or incapacity;
  - (c) The recipient must provide documentation from a qualified medical professional that verifies the person who needs the care is physically or mentally disabled, as determined by medical evidence, and the person who needs the care requires full-time assistance with daily living activities such as eating, personal care, mobility and/or medical attention; or The person who needs care requires full-time supervision to address mental health issues that may result in harm to the person needing care or to others; and
  - (d) An employment plan must include a requirement that the recipient needed to care for the disabled family member develop a plan for care for the disabled family member to enable a return to employment for the caregiver or the other plan for support in anticipation of the end of cash assistance.
4. **Participation in a Training or Education Program-** An adult, or minor parent head of household, recipient who, is participating in good standing in an approved education program such as vocational education training as defined in 10-144 C.M.R. Ch. 607, ASPIRE-TANF Program Rules, Section (3)(IV)(A)(3)(a) may be eligible for an extension of up to six months. Additional incremental extensions of up to six months each may be granted.
5. **Working Families –** The adult, or minor parent head of household, recipient may be eligible for an extension of up to six months when that recipient is working at paid employment but is not earning enough to close TANF/PaS.

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- (a) The adult, or minor parent head of household, who is the single custodial parent or specified relative of a child under age 6 must be working at paid employment at least 20 hours per week.
- (b) The adult, or minor parent head of household, who is the single custodial parent or specified relative of a child age 6 and older must be working at paid employment at least 30 hours per week.
- (c) Two parent families must be working at paid employment for a combined total of at least 35 hours per week if they do not receive federally funded childcare, or 55 hours per week if they do receive federally funded childcare.
- (d) Additional incremental extensions of up to six months each may be granted provided the recipient remains working at least the minimum hours required per week based on a-c above.
- (e) Working families may be eligible for Transitional Services upon case closure following the extended benefits period if otherwise eligible.

**NOTE:** Self-Employed recipients must demonstrate that they are working the minimum hours required per week based on their household and must be earning at least the State equivalent to the minimum wage per hour to be eligible for an extension.

- 6. **Pregnancy**– The adult or minor parent head of household recipient may be eligible for **one** extension of up to six months when they are the only adult living in the household, and are in their last trimester of pregnancy. This extension is limited to one occurrence in the adult’s lifetime.
- 7. **Loss of Job**– The adult, or minor parent head of household, recipient who is terminated from TANF/PaS as a result of the time limit or end of an extension and subsequently becomes unemployed, may be eligible for an extension of up to six months when—
  - (a) The recipient has been employed for at least 12 months following TANF/PaS closure;
  - (b) The job loss was through no fault of the recipient; and
  - (c) The recipient has applied for unemployment benefits.

The extension lasts for up to six months. Additional incremental extensions of up to six months each may be granted.

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8. **Occurrence of an Emergency Situation** – A family may be eligible for an extension of up to six months when the family has experienced an emergency situation, other than citizenship or alien status, which is beyond the control of the family and prohibits them from engaging in employment. Examples of an emergency situation include but are not limited to the following:

- (a) Death of child, spouse, or parent; or
- (b) Homelessness or have an active eviction notice not caused by misuse of property; or
- (c) Inadequate or unavailable childcare or transportation required to engage in substantial gainful activities; or
- (d) Being a victim of violent crime; or
- (e) Are experiencing a delay caused solely by a third-party in obtaining non-financial verifications required to make a hardship extension eligibility determination beyond the verification due date (see Ch. I(D)(5).

Additional incremental extensions of up to six months each may be granted.

**h) Pre-Termination Notice and Conference:**

- i. The family has the right to request a conference prior to termination of TANF/PaS benefits to—
  - a. Contest the Department’s calculation of the termination date, and/or
  - b. Seek to establish the family’s eligibility for a hardship extension.

At the conference, the family has a right to present information and argument, to bring witnesses to testify on the family’s behalf, and to be represented by legal counsel. The pre-termination conference shall be conducted by an ASPIRE worker trained in the procedures set forth in this chapter, who shall determine, based upon the family’s case record and any evidence presented at the conference, the correct termination date for the family’s TANF/PaS benefits and/or whether a hardship extension should be granted.

- ii. No later than 120 days prior to the end of a family’s 60<sup>th</sup> month of receiving TANF/PaS, the Department shall send written notice to the family of the



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- opportunity to request a pre-termination conference. The notice must clearly explain—
- a. The purpose of the pre-termination conference;
  - b. That a pre-termination conference may be requested orally or in writing;
  - c. The name, address, and telephone number of the individual or office the family must contact to request a pre-termination conference;
  - d. That the pre-termination conference may be conducted by phone or in person; and
  - e. The time frame in which the family must request a pre-termination conference to ensure continuation of benefits pending the conference.
- iii. If a pre-termination conference is requested within 10 days of the date of the written notice, the family's benefits continue until the conference has been held and a determination made, or until the scheduled termination date, whichever occurs later.
  - iv. If a pre-termination conference is requested more than 10 days after the date of the written notice, the family's benefits shall be terminated at the end of the 60<sup>th</sup> month unless the Department determines that the family qualifies for a hardship extension.
  - v. When a pre-termination conference is requested by phone, the family may choose to hold the conference at that time or to schedule a date in the future, in which case the ASPIRE worker shall send a letter indicating the date and time of the pre-termination conference.
  - vi. Whether the pre-termination conference is requested by phone or in writing, the worker shall explain, either verbally or in the scheduling letter, the following to the requesting family:
    - a. The family's right to present evidence and argument at the pre-termination conference, and to bring witnesses to provide information on the family's behalf;
    - b. The family's right to be represented by legal counsel at the pre-termination conference; and

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- c. That the family may request to have the pre-termination conference rescheduled or continued for good cause. This request must be made before the scheduled conference.
- vii. Following the pre-termination conference, the ASPIRE worker shall issue a letter to the family explaining the Department’s determination and advising them of the right to appeal.
- viii. If the family fails to request or complete the pre-termination conference, the Department shall determine whether the family is eligible for a hardship extension based on the information in the family’s case record.

**i) Hardship Extension Decisions:**

- i. All hardship extension decisions and case closures based on the 60-month time limit are made by an ASPIRE worker pursuant to the process detailed above, and must be approved by a Supervisor.
- ii. Extension months may be retroactive to the month following TANF/PaS closure, provided the family is eligible and has not already received TANF/PaS benefits in that month. Monthly benefits are issued to eligible households according to TANF/PaS cash assistance benefit standards.
- iii. Hardship extensions shall not be granted when—
  - a. The adult recipient has rejected offers of employment or quit a job without good cause consistent with the good cause provisions (10-144 C.M.R. Ch. 607, ASPIRE-TANF Program Rules, Section 4(III)(C)) within the last year;
  - b. The adult recipient has failed to cooperate with ASPIRE, Division of Support Enforcement and Recovery (“DSER”), or Quality Control (“QC”) within 12-months of the end of the 60<sup>th</sup> month, resulting in two or more sanctions; and/or
  - c. The adult recipient has an Intentional Program Violation (“IPV”) from the Department of Health and Human Services established in the 36 months prior to the request for extension.

**iv. Extension Approvals:**

When granting an extension, the Department shall also determine the length of the extension and specify when the extension begins and ends. The extension must be a minimum of one month to a maximum of six months. Once an extension is

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granted, the adult, or minor parent head of household, recipient(s) must meet the criteria on which the extension was based each month of the extension period.

- a. All hardship extensions granted require the adult, or minor parent head of household, recipient(s) to sign a Family Contract Amendment, containing steps to be taken, as appropriate, to remove/improve the condition that warranted the hardship extension.
- b. The adult, or minor parent head of household, recipient(s) must be actively engaged in an approved activity or process designed to further the family's goal of self-sufficiency.
- c. Formal re-evaluations of hardship extensions must be scheduled.
- d. Families that qualify for cash assistance extended benefits must be evaluated any time a change in circumstances occurs which affects the extension. Such changes might include earnings or family composition.

**NOTE:** Earnings of any recipient or minor parent head of household approved for an extension due to a total inability to work shall cause case closure due to failure to meet extension criteria, regardless of the amount of the earnings.

If, during the extension period, the adult recipient or minor parent head of household fails, without good cause, to follow through on requirements established for receipt of the additional months of TANF/PaS, the Department shall withdraw the extension and terminate TANF/PaS benefits. See “End of a Hardship Extension,” below.

v. **End of a Hardship Extension:**

- a. All hardship extensions are temporary and may be approved for up to six months. During the hardship extension period the ASPIRE worker shall monitor the case for compliance. The TANF/PaS benefit continues until the extension ends or the family is no longer eligible for TANF/PaS for other reasons.
- b. The Department shall provide the family with notice, which shall be consistent with the notice described under Pre-Termination Notice and Conference (see Ch. I, J(3)(h)), at least ten days before the end of the hardship extension. That notice must include an explanation of the right to request a hearing.
- c. **A hardship extension ends when—**

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1. The extension period has expired: If, at the time of expiration, the adult, or minor parent head of household, recipient has not resolved the situation that led to the extension, the adult recipient may request a subsequent extension. The adult recipient must present documentation that verifies the need for the extension. The Department shall make a decision whether to grant a subsequent extension prior to the TANF/PaS closure;
2. The situation causing the need for a hardship extension has been resolved and the reason for the extension no longer exists. The adult, or minor parent head of household, recipient may request an extension based on other criteria, if it exists, at that time. The Department shall make a decision whether to grant a subsequent extension prior to the TANF/PaS closure; or
3. The adult recipient or minor parent head of household, without good cause, fails to cooperate with their Family Contract Amendment, DSER or QC, during the temporary hardship extension period.

d. **Pre-Termination Conference at the End of a Hardship Extension:**

A recipient whose hardship extension is ending may request a pre-termination conference to contest the Department's calculation of the end of the extension or to seek to establish the family's eligibility for a continued extension. This conference shall be consistent with the process described under Pre-Termination Notice and Conference (see Ch. I, J(3)(h)), with the exception of the timeframe. If a pre-termination conference is requested within ten days of the date of the written notice of the end of a temporary hardship extension, the family's benefits continue until the conference has been held and a determination made, or until the scheduled termination date, whichever occurs later.

vi. **Good Cause:**

Good cause for non-compliance with an activity in the Family Contract during a hardship extension is allowed consistent with the good cause provisions of ASPIRE-TANF explained in Chapter II(H)(4).

If good cause is found, the individual is allowed to continue receiving benefits and must demonstrate compliance with the Family Contract Amendment.

vii. **Right to Appeal:**

Any adult, or minor parent head of household, recipient whose request for a hardship extension has been denied for any reason may request an Administrative

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Hearing. Benefits, however, may not be extended beyond the 60<sup>th</sup> month or be reopened following a 60-month closure while a hearing or a decision by the Hearings Officer is pending. All other rules regarding the Administrative Hearing procedures outlined in Chapter VI apply.

When the Hearing Officer decides that the Department was not correct in its action, the Department shall make a corrective payment, based on all eligibility factors, for the period specified in the hearing decision.

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**A. AGE:** For a family to be eligible for TANF/PaS, the specified relative, and the dependent child(ren) must meet the requirements of this section.

(1) **Specified Relative:** The specified relative must be 18 years of age or older unless they meet the maintenance of a home requirements for minor parents. (See E(3)(b)).

(2) **Dependent Child:** The dependent child must be:

- a) Under the age of 18; or
- b) Aged 18 and enrolled as a full-time student in a high school or an equivalent instruction alternative, leading to a high school diploma.
- c) When the student who is the dependent child on the TANF/PaS grant becomes 19, they are not eligible for the federally funded TANF program. They may receive state funded cash assistance until they graduate or become 21 years old, whichever comes first.

**B. RESIDENCE**

All recipients must be living in Maine voluntarily with the intent to make Maine their home.

**C. CITIZENSHIP**

**NOTE:** Unless specified otherwise, all references to the United States Code (U.S.C.) reference the version most currently in effect. The text of these laws can be found at <https://uscode.house.gov/>. Individuals may also request copies by writing to:

Rules Manager  
Maine DHHS, Office for Family Independence  
11 State House Station  
109 Capitol St. Augusta, ME 04333-0011

**1. General Rule**

- a) Only U.S. citizens and certain noncitizens are eligible for benefits. The presence of an ineligible noncitizen or individual with unverified status does not prohibit the remaining members of the household from being eligible.
- b) Citizenship or noncitizen status must be verified for each household member seeking benefits.

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## 2. CITIZENS AND U.S. NATIONALS

- a) The following individuals are potentially eligible for federally funded benefits:
  - i. Individuals born in one of the 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, the Northern Mariana Islands (NMI), American Samoa or Swain’s Island,
  - ii. Individuals born to one or more U.S. citizens. Individuals adopted by one or more U.S. citizens and residing in the United States prior to reaching the age of 16, and
  - iii. Individuals who have been lawfully naturalized per 8 U.S.C. §§ 1421 and 1448.
- a) Acceptable verification of U.S. citizen or a U.S. national status is listed below. Verification from one list is only acceptable if no verification from any preceding list is available. In the absence of an item from List A (Subparagraph i below) separate verification from List B (Subparagraph ii) must be provided. In the absence of items from both Lists A and B, all verifications from List C (Subparagraph iii) must be provided.
  - i. List A includes-
    - a. A data match showing U.S. citizenship or U.S. national status with a state or national database such as-
      - 1. the State Data Exchange (SDX),
      - 2. the Beneficiary and Earnings Data Exchange (BENDEX),
      - 3. the State Verification and Exchange System (SVES); or
      - 4. the Systemic Alien Verification for Entitlements (SAVE) system;
    - b. A U.S. public birth certificate showing birth in one of the 50 States, the District of Columbia, Puerto Rico (if born on or after January 13, 1941), Guam, the Virgin Islands of the U.S., American Samoa, Swain’s Island, or the the Northern Mariana Islands (after November 4, 1986 (NMI local time)). The birth record document may be issued by the state, commonwealth, territory or local jurisdiction. It must have been recorded before the person was 5 years of age.

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If the document shows the individual was born in Puerto Rico, Guam, the Virgin Islands of the U.S., or the Northern Mariana Islands before these areas became part of the U.S., see Subparagraph iii below.

- c. A U.S. passport, including U.S. passport card: a U.S. passport need not be currently valid to be accepted as evidence of U.S. citizenship as long as the passport was initially issued for the full validity period based on the persons age and for a period of five years or more. An expired passport that was initially issued less than the full validity period based on the persons age may be used as proof of identity only.
  - d. A Report of Birth Abroad of a U.S. Citizen issued by the U.S. Department of State;
  - e. A Certification of Report of Birth issued by the U.S. Department of State;
  - f. A Certificate of Naturalization issued by the U.S. Department of Homeland Security (DHS) or its predecessors;
  - g. A Certificate of U.S. Citizenship issued by the U.S. Department of Homeland Security (DHS) or its predecessors;
  - h. A U.S. Citizen I.D. Card issued by DHS or its predecessors;
  - i. A Northern Mariana Identification Card issued by DHS or its predecessors;  
or
  - j. An American Indian Card issued by DHS or its predecessors with the classification code "KIC" and a statement on the back denoting U.S. citizenship.
- ii List B includes –
- a. A religious record recorded in the U.S. within three months of birth showing the birth occurred in the U.S. and showing either the date of the birth or the individual's age at the time the record was made. The record must be an official record recorded with a religious organization. (Entries in a family bible, for example, are not considered religious records.);
  - b. A document showing employment by the U.S. government before June 1, 1976;



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- c. Early school record showing a U.S. place of birth. The school record must show the name of the child, the date of the admission to the school, the date of the birth, a U.S. place of birth, and the name(s) and place(s) of the birth of the applicant's parents;
- d. A federal or state census record showing U.S. citizenship or a U.S. place of birth and the individual's age or date of birth;
- e. One of the following documents that show a U.S. place of birth;
  - 1. Seneca Indian tribal census record;
  - 2. Bureau of Indian Affairs tribal census records of the Navajo Indians;
  - 3. U.S. State Vital Statistics official notification of birth registration;
  - 4. A delayed U.S. public birth record that is recorded more than five years after the person's birth;
  - 5. Statement signed by a physician or midwife who was in attendance at the time of birth; or
  - 6. Bureau of Indian Affairs Roll of Alaska Natives.
- f. A final adoption decree showing the child's name and U.S. place of birth;
- g. In situations where an adoption is not finalized and the state in which the child was born will not release a birth certificate prior to a final adoption, a statement from a state approved adoption agency that shows the child's name and U.S. place of birth. The adoption agency must state in the certification that the source of the place of birth information is an original birth certificate;
- h. A U.S. Military Record showing a U.S. place of birth;
- i. An extract of a hospital record on hospital letterhead, indicating a U.S. place of birth. The hospital record must have been established at the time of the person's birth and created at least five years before the initial application date for TANF. A souvenir "birth certificate" issued by a hospital does not satisfy this requirement;

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- j. A life, health, or other insurance record showing a U.S. place of birth. The record must have been created at least five years before the initial application date for TANF;
- k. Medical (clinic, doctor, or hospital) record showing a U.S. place of birth created at least five years before the initial application date for TANF. (For children under the age of 16, the document must have been created near the time of birth or five years before the date of application.) An immunization record alone is not considered a medical record for purposes of establishing U.S. citizenship.
- l. A public birth certificate showing birth in Puerto Rico, prior to January 13, 1941, U.S. Virgin Islands June 28, 1932, Northern Mariana Islands (NMI) or Trust Territory of the Pacific Islands (TTPI) November 5, 1986. The birth record document may be issued by the state, commonwealth, territory or local jurisdiction. It must have been recorded before the person was 5 years of age.
- m. For individuals born in Puerto Rico prior to January 13, 1941
  - 1. Evidence of birth in Puerto Rico and the person's statement that were residing in the U.S., a U.S. possession, or Puerto Rico on January 13, 1941; or
  - 2. Evidence that the person was a Puerto Rican citizen and the person's statement that they were residing in Puerto Rico on March 1, 1917 and that they did not take an oath of allegiance to Spain.
- n. For individuals born in the U.S. Virgin Islands prior to June 28, 1932
  - 1. Evidence of birth in the U.S. Virgin Islands, and the person's statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927;
  - 2. The person's statement indicating residence in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession, or the U.S. Virgin Islands on February 25, 1927, and that the person did not make a declaration to maintain Danish citizenship; or

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3. Evidence of birth in the U.S. Virgin Islands and the person's statement indicating residence in the U.S., a U.S. possession, or Territory or the Canal Zone on June 28, 1932.
- o. Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands {TTPI}):
    1. Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. Territory or possession on November 3, 1986 (NMI local time) and the person's statement that they did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);
    2. Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975 and the person's statement that they did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);  
or
    3. Evidence of continuous domicile in the NMI since before January 1, 1974 and the applicant's statement that they did not owe allegiance to a foreign state on November 4, 1986 (NMI local time).

If an individual entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and the person is not a U.S. citizen.
  - p. Evidence, from list A above, of the U.S. citizenship of the individual's parents, evidence of the relationship of the individual to the parents, and evidence that at least one parent resided in the U.S. or an outlying possession prior to the individual's birth;
  - q. Evidence, from list A above, that one of the individual's parents is a U.S. citizen and that the other is a U.S. citizen parent, and evidence that the U.S. citizen parent resided in the U.S., a U.S. possession, American Samoa or Swain's Island for a period of at least one year prior to the applicant's birth.
  - r. Evidence, from list A above, of the U.S. citizenship of the individual's mother, evidence of the relationship to the applicant and-

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1. For births on or before December 24, 1952, evidence that the mother resided in the U.S. prior to the applicant's birth, or
  2. For births after December 24, 1952, evidence that the mother had resided, prior to the child's birth, in the U.S. or a U.S. possession for a period of one year.
- s. A birth certificate showing birth in the Canal Zone on or after February 26, 1904 and before October 1, 1979 and evidence, from list A above, that one parent was a U.S. citizen at the time of the individual's birth;
- t. A birth certificate showing birth in the Republic of Panama on or after February 26, 1904 and before October 1, 1979 and evidence, from list A above, that at least one parent was a U.S. citizen and evidence that the parent was employed by the U.S. government or the Panama Railroad Company or its successor in title.
- u. A marriage license showing marriage prior to September 22, 1922, and evidence, from list A above that the spouse was a U.S. citizen.
- v. Institutional admission papers from a nursing facility, skilled care facility or other institution, showing a U.S. place of birth, created at least five years before the initial application for TANF.
- iii. List C includes-

In the absence of any of the above verifications, all of the following must be provided:

- a. A written affidavit of citizenship signed, under penalty of perjury, from a third party indicating a reasonable basis for personal knowledge that the member in question is a U.S. citizen or non-citizen national. The signed statement must acknowledge that the individual signing the affidavit recognizes that providing a false statement may result in penalties including disqualification from Public Assistance and Supplemental Nutrition Assistance Programs, and criminal penalties including a fine of \$500 and 11 months of imprisonment.
- b. Verification of the identity of the third party who signed the affidavit from List A above.

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- c. Verification of the citizenship or non citizen national status of the third party who signed the affidavit from List A above; and
- d. An affidavit signed by the individual, their guardian, or their authorized representative explaining why no verification from List A through B above exist or can be obtained.

**3. INDIVIDUALS WHO ARE NOT U.S. CITIZENS OR NATIONALS BUT ARE POTENTIALLY ELIGIBLE FOR FEDERALLY FUNDED TANF/PaS**

a) Acceptable Verification

- i. A data match with the United States Department of Homeland Security (DHS) is the controlling verification type. Should there be a discrepancy between this data match and the status attested to by the individual the Department shall-
  - a. Use the status verified through the data match for all eligibility determinations; and
  - b. Provide the individual with contact information to resolve the conflict with DHS.
- ii. In instances that a particular status type cannot be verified through a data match with DHS, “Supplemental Verifications” may be provided to aid in the data match verification process.

b) Individuals with the following non-citizen types are potentially eligible for federally funded benefits

- i. North American indigenous people born in Canada.

- a. Description

- Individuals born in Canada who have at least 50% of their racial heritage from North American indigenous peoples.

- b. Special Conditions

- Individuals who have this status, who are not considered U.S nationals and who began their residency in the U.S. on or after August 22, 1996 are subject to a 5 year waiting period from their initial date of residency; or meet one or more of the special conditions detailed in the “Special Conditions for Federally Funded TANF/PaS” in Paragraph c below.

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- c. Supplemental Verification of this type is a Ketchikan Indian Community (KIC) American Indian Card.
  
- ii. Refugees
  - a. Description
    - 1. Individuals granted and retaining refugee status pursuant to 8 U.S.C. § 1157; or
    - 2. Individuals who were granted refugee status and did not have it terminated pursuant to 8 U.S.C. § 1157 who now have a different status such as Legal Permanent Resident.
  
  - b. Special Conditions

Individuals who have been granted this status and have not had it terminated pursuant to 8 U.S.C. § 1157 have no waiting period or other conditions described in this section to receive benefits, even if they currently hold a different status.
  
  - c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating they have been granted refugee status that contains the individual's full name and at least one of the following:

    - 1. the individual's social security number,
    - 2. the individual's USCIS number,
    - 3. the individual's passport number, or
    - 4. the individual's date of birth.
  
- iii. Asylees
  - a. Description
    - 1. Individuals granted and retaining asylum pursuant to 8 U.S.C. § 1158 or
    - 2. Individuals who were granted asylum and did not have it terminated pursuant to 8 U.S.C. § 1158 who now have a different status such as Legal Permanent Resident.

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b. Special Conditions

Individuals who have been granted this status and have not had it terminated pursuant to 8 U.S.C. § 1158 have no waiting period or other conditions described in this section to receive benefits, even if they currently hold a different status.

c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual has been granted asylum that contains the individual's full name and at least one of the following:

1. the individual's social security number,
2. the individual's USCIS number,
3. the individual's passport number, or
4. the individual's date of birth.

iv. Deportees whose deportation is withheld

a. Description

Individuals who are not being deported because they meet the conditions of—

1. 8 U.S.C. § 1231(b)(3) or
2. 8 U.S.C. § 1253(a)(3).

b. Special Conditions

Individuals who have been granted this status and have not had it terminated, have no waiting period or other conditions described in this section to receive benefits.

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c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual's deportation is being withheld that contains the individual's full name and at least one of the following:

1. the individual's social security number,
2. the individual's USCIS number,
3. the individual's passport number, or
4. the individual's date of birth.

v. Cuban and Haitian Entrants

a. Description

1. Individuals granted and retaining Cuban and Haitian entrant status as defined in the notes of 8 U.S.C. § 1522.
2. Individuals who were granted Cuban and Haitian entrant status as defined in the notes of 8 U.S.C. § 1522 and did not have it terminated who now have a different status such as Legal Permanent Resident.

b. Special Conditions

Individuals who have been granted this status and have not had it terminated have no waiting period or other conditions described in this section to receive benefits, even if they currently hold a different status.

c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide—

1. The most current unexpired version of a letter or other document from DHS stating that the individual has been granted Cuban and Haitian entrant status that contains the individual's full name and at least one of the following:
  - (a) the individual's social security number,
  - (b) the individual's USCIS number,



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- (c) the individual's passport number, or
- (d) the individual's date of birth;

or

2. Both—

- (a) a Cuban or Haitian Passport or birth certificate and
- (b) the most current unexpired version of a letter or other document from DHS stating that they have received an application for asylum or a document showing a future court date concerning removal for the individual that contains the individual's full name and at least one of the following:
  - (i) the individual's social security number,
  - (ii) the individual's USCIS number,
  - (iii) the individual's passport number, or
  - (iv) the individual's date of birth.

vi. Certain Amerasian Immigrants

a. Description

1. Individuals granted and retaining legal presence in the United States per the Amerasian Immigration conditions defined in the notes of 8 U.S.C. § 1101.
2. Individuals who were granted legal presence in the United States per the Amerasian Immigrations conditions defined in the notes of 8 U.S.C. § 1101 and did not have it terminated who now have a different status such as Legal Permanent Resident.

b. Special Conditions

Individuals who have been granted this status and have not had it terminated are not subject to a five year waiting period or other conditions described in this section to receive benefits, even if they currently hold a different status.

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c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual has been granted Amerasian Immigrant Status that contains the individual's full name and at least one of the following:

1. the individual's social security number,
2. the individual's USCIS number,
3. the individual's passport number, or
4. the individual's date of birth.

vii. Iraqi Special Immigrants

a. Description

1. Individuals granted and retaining Special Immigrant Status for Certain Iraqis defined in the notes of 8 U.S.C. § 1157.
2. Individuals who were granted Special Immigrant Status for Certain Iraqis as defined in the notes of 8 U.S.C. § 1157 and did not have it terminated who now have a different status such as Legal Permanent Resident.

b. Special Conditions

Individuals who have been granted this status and have not had it terminated are not subject to a five year waiting period or other conditions described in this section to receive benefits, even if they currently hold a different status.

c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual has been granted Iraqi Special Immigrant status that contains the individual's full name and at least one of the following:

1. The individual's social security number,

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2. The individual's USCIS number,
3. The individual's passport number, or
4. The individual's date of birth.

viii. Afghani Special Immigrants

a. Description

1. Individuals granted and retaining Special Immigrant Status for Certain Afghans as defined in the notes of 8 U.S.C. § 1157.
2. Individuals who were granted Special Immigrant Status for Certain Afghans and did not have it terminated who now have a different status such as Legal Permanent Resident.

b. Special Conditions

Individuals who have been granted this status and have not had it terminated are not subject to a five year waiting period or other conditions described in this section to receive benefits, even if they currently hold a different status.

c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other documents from DHS stating that the individual has been granted Afghani Special Immigrant status that contains the individual's full name and at least one of the following:

1. the individual's social security number,
2. the individual's USCIS number,
3. the individual's passport number, or
4. the individual's date of birth.

ix. Afghan Humanitarian Parolees

a. Description

Individuals granted Afghan humanitarian parole between July 31, 2021 and September 30, 2023.

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b. Special Conditions

Individuals who have been granted this status and have not had it terminated are not subject to a five year waiting period.

Unless they move to another qualifying status, individuals who are eligible based on this status lose eligibility the later of

1. March 31, 2023 or
2. the end of their parole term.

c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual was granted Afghan humanitarian parolee status that contains the individual's full name and at least one of the following:

1. the individual's social security number,
2. the individual's USCIS number,
3. the individual's passport number, or
4. the individual's date of birth.

x. Certain Hmong and Highland Laotians

**NOTE:** Most individuals who would be eligible in this category are also eligible as Refugees (See Subparagraph ii above).

a. Description

1. Individuals lawfully residing in the U.S. who were a tribal member of a Hmong or Highland Laotian tribe at the time the tribe assisted the U.S. in a military or rescue operation between August 5, 1964 and May 7, 1975, or
2. The spouse and/or unmarried dependent children of an individual described in 1 above, or

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3. The unmarried, surviving spouse and dependent children of a deceased person described in 1 above except that the tribal member does not have to be lawfully residing in the U.S.

b. Special Conditions

Individuals who have this status, who are not considered U.S nationals and who began their residency in the U.S. on or after August 22, 1996 are subject to a 5 year waiting period from their initial date of residency; or meet one or more of the special conditions detailed in the “Special Conditions for Federally Funded TANF/PaS” in Paragraph c below.

c. Acceptable Verification of this type is—

1. For the tribal member

- (a) A data match with the United States Department of Homeland Security (DHS) showing—

- (i) A legal presence;
- (ii) A date of birth prior to May 8, 1975;
- (iii) A country of birth of Laos, Thailand, Cambodia, China, Vietnam, The Phillipines, Indonesia, Hong Kong, Malaysia, or Singapore; and
- (iv) A land date after March 1975.

If the land date is prior to April 1975, the standard is still met if the individual was in the U.S. as a student, for military training, to escape the war, or some similar purpose.

and

- (b) Their name is listed on the Refugee Data Center list, or
- (c) If they cannot be found on the Refugee Data Center list an affidavit signed by the tribal member or, if they are deceased, their surviving spouse or child swearing under the penalty of law that the individual was a member of a Hmong or Highland Laotian tribe between August 5, 1964 and May 7, 1975.

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2. For the current or surviving spouse, or dependent child
  - (a) verification of the eligibility of a tribal member as detailed in 1 above, and
  - (b) verification of the relationship to the tribal member such as a birth certificate, marriage license or tax records.

c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual has a legal presence that contains the individual's full name and at least one of the following:

1. the individual's social security number,
  2. the individual's USCIS number,
  3. the individual's passport, or
  4. the individual's date of birth.
- xi. Individuals who have been subject to severe forms of trafficking, their spouses, minor children, parents, and siblings
- a. Description
    1. Individuals meeting the definition of "victim of a severe form of trafficking in persons" as defined at 22 U.S.C. § 7105(b)(1)(C) or meeting all but the age requirement, and
    2. The spouse, minor child, parent or sibling of such an individual who holds a T Visa.
  - b. Special Conditions

Individuals who have been granted this status and have not had it terminated are not subject to a five year waiting period or other conditions described in this section to receive benefits, even if they currently hold a different status.

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c. Acceptable Verification of this type is—

Verification through the trafficking victims' verification toll-free number, (866) 401-5510.

d. Supplemental Verification

A T Visa or other document from DHS stating that the individual has been admitted as a victim of severe forms of trafficking or a qualified relative of the same that is dated within the past 90 days and contains the individual's full name and at least one of the following:

- (a) The individual's social security number,
- (b) The individual's USCIS number,
- (c) The individual's passport number, or
- (d) The individual's date of birth.

xii. Certain individuals who have been battered and certain relatives of theirs

a. Description

1. Individuals granted and retaining immigrant status under the conditions of 8 U.S.C. § 1154(a)(1)(A)(iii), (iv), (v)(I)(cc), (vii) or 1154(a)(1)(B)(ii), (iii), or (iv)(I)(cc).
2. Individuals granted immigrant status under the conditions of 8 U.S.C. § 1154(a)(1)(A)(iii), (iv), (v)(I)(cc), (vii) or 1154(a)(1)(B)(ii), (iii) or (iv)(I)(cc) who did not have it terminated and now have a different status such as Legal Permanent Resident.

**NOTE:** Generally speaking, these are spouses and children of individuals legally in the U.S. who were battered while in the U.S. or are the parent or unmarried child of the battered individual. They must not be currently residing with the batterer.

b. Special Conditions

To be potentially eligible for federally funded benefits these individuals must, also meet one or more of the special conditions detailed in the "Special Conditions for Federally Funded TANF/PaS" in Paragraph c below.

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c. Acceptable Verification of this type is—

1. A letter or other document from DHS, a court, or a law enforcement agency demonstrating a substantial likelihood that the individual, their parent, or a family member there of that contains the individual's full name and at least one of the following:

(a) the individual's social security number,

(b) the individual's USCIS number,

(c) the individual's passport number, or

(d) The individual's date of birth.

and

2. A data match with the United States Department of Homeland Security (DHS) showing a legal presence.

d. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual has a legal presence that contains the individual's full name and at least one of the following:

1. the individual's social security number,

2. the individual's USCIS number,

3. the individual's passport number, or

4. the individual's date of birth.

xiii. Certain individuals who have been lawfully admitted for permanent residence

a. Description

Individuals meeting the definition of "lawfully admitted for permanent residence" as defined at 8 U.S.C. § 1101(a)(20).



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b. Special Conditions

To be potentially eligible for federally funded benefits these individuals must, also meet one or more of the special conditions detailed in the “Special Conditions for Federally Funded TANF/PaS” in Paragraph c below.

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual has been granted Lawful Permanent Residence or Conditional Resident Status that contains the individual’s full name and at least one of the following:

1. the individual’s social security number,
2. the individual’s USCIS number,
3. the individual’s passport number, or
4. the individual’s date of birth.

- xiv. Certain individuals who have been paroled into the U.S. for at least one year for urgent humanitarian reasons or significant public benefit.

a. Description

Individuals granted, for at least one year, and currently retaining immigrant status under the conditions of 8 U.S.C. § 1182(d)(5).

b. Special Conditions

To be potentially eligible for federally funded benefits these individuals must, also meet one or more of the special conditions detailed in the “Special Conditions for Federally Funded TANF/PaS” in Paragraph c below.

c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual has been granted parolee status for a year or more that contains the individual’s full name and at least one of the following:

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1. the individual's social security number,
  2. the individual's USCIS number,
  3. the individual's passport number, or
  4. the individual's date of birth.
- xv. Certain individuals who were granted conditional entrance prior to April 1, 1980

a. Description

Individuals granted conditional entrance per 8 U.S.C. § 1153(a)(7) as it was in effect May 31, 1980. The text of this law can be found at <https://uscode.house.gov/statviewer.htm?volume=79&page=912#>.

Individuals may also request copies by writing to:  
Rules Manager  
Maine DHHS, Office for Family Independence  
11 State House Station  
109 Capitol St.  
Augusta, ME 04333-0011

b. Special Conditions

To be potentially eligible for federally funded benefits these individuals must, also meet one or more of the special conditions detailed in the "Special Conditions for Federally Funded TANF/PaS" in Paragraph c below. Acceptable Verification of this type is a data match with the United States Department of Homeland Security (DHS) showing conditional entrance granted prior to April 1, 1980.

c) **Special Conditions for Federally Funded TANF/PaS**

In addition to the requirements of Paragraph b, above, at least one of the following special circumstances must be met for some individuals (as indicated in their "Special Conditions" above) to be potentially eligible for federally funded TANF/PaS:

- i. The individual has been continually present in the U.S. with the latest date of entry being prior to August 22, 1996.

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- ii. The individual has lived in the U.S. for a period of 5 years from the date of entry occurring on or after August 22, 1996.
- iii. The individual is a veteran of or on active duty in the United States Armed Forces or is the spouse or unmarried dependent child of a veteran or active service member.

Acceptable verification of this condition is:

- a. Documents from the applicable branch of the Armed Services showing current active duty status, other than training, that contains the service member's full name and either their date of birth or social security number; or
  - b. Documents from the Veteran's Administration showing veteran status that contains the veteran's full name and either their date of birth or social security number, with a discharge characterized as an honorable discharge and not on account of citizenship status.
  - c. Verification that an individual meets this condition based on being the spouse or dependent child of the service member or veteran is—
    - 1. Documents from the applicable branch of the Armed Services or Veteran's Administration showing eligibility for military or veterans benefits as a child or spouse that contains the individual's full name and either their date of birth or social security number; or
    - 2. The verifications detailed in (a) or (b) above, and
      - (a) For a spouse, a marriage license naming the service member or veteran as the individual's spouse, or
      - (b) For a dependent child a birth certificate or adoption record naming the service member or veteran as the individual's parent and school records naming the individual as a current student.
- or
- iv. The individual has 40 qualifying quarters of work.
    - a. This condition must be verified through a data match with the Social Security Administration (SSA).

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- b. If the initial data match does not show 40 qualifying quarters, the individual states they have 40 qualifying quarters, and the individual is otherwise eligible, the Department shall issue federally funded benefits for up to six months while the individual works with the SSA to rectify the count. If, after six months a data match with the SSA still does not show 40 qualifying quarters, the household will be responsible for repaying the benefits issued in error.

**NOTE:** quarters attributed from a spouse cannot be counted if the individual divorced the spouse prior to the most recent certification for TANF/PaS.

**4. INDIVIDUALS WHO ARE NOT U.S. CITIZENS OR NATIONALS BUT ARE POTENTIALLY ELIGIBLE FOR STATE FUNDED TANF/PaS**

a) Acceptable Verification

- i. A data match with the United States Department of Homeland Security (DHS) is the controlling verification type. Should there be a discrepancy between this data match and the status attested to by the individual. The Department shall—
  - a. Use the status verified through the data match for all eligibility determinations; and
  - b. Provide the individual with contact information to resolve the conflict with DHS.
- ii. In instances that a particular status type cannot be verified through a data match with DHS, “Supplemental Verifications” may be provided to aid in the data match verification process.

b) Individuals with the following non-citizen types are potentially eligible for state funded TANF/PaS:

- i. Any individual with a non-citizen type as described in Subsection 3(b)(xii) through (xv) above except that they do not meet the “Special Conditions for Federally Funded TANF/PaS” described in Subsection 3(c) above.

To be potentially eligible for state funded benefits these individuals must, also meet one or more of the conditions detailed in the “Special Conditions for State Funded TANF/PaS” in Paragraph c below.

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ii. Certain asylum seekers

a. Description

Individuals who have filed an application for asylum and for withholding of removal with DHS or immigration court.

b. Special Conditions

To be potentially eligible for state funded benefits these individuals must, also meet one or more of the special conditions detailed in the “Special Conditions for State Funded TANF/PaS” in Paragraph c below.

c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that an application for asylum on behalf of the individual has been received that contains the individual’s full name and at least one of the following:

1. the individual’s social security number,
2. the individual’s USCIS number,
3. the individual’s passport number, or
4. the individual’s date of birth.

iii. Certain individuals with temporary protected status

a. Description

Individuals who have been granted and retain temporary protected status per 8 U.S.C. § 1254(a).

b. Special Conditions

To be potentially eligible for state funded benefits these individuals must, also meet one or more of the special conditions detailed in the “Special Conditions for State Funded TANF/PaS” in Paragraph c below.

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c. Supplemental Verification

To aid in the verification process, individuals with this non-citizenship status are encouraged to provide the most current unexpired version of a letter or other document from DHS stating the individual has been granted temporary protected status that contains the individual's full name and at least one of the following:

1. the individual's social security number,
2. the individual's USCIS number,
3. the individual's passport number, or
4. the individual's date of birth.

c) **Special Conditions for State Funded TANF/PaS**

In addition to the requirements of Paragraph b, above, at least one of the following special circumstances must be met for individuals to be potentially eligible for state funded TANF/PaS (as indicated in their "Special Conditions" above):

- i. The individual is 65 years of age or older as evidenced by any government issued document.
- ii. The individual has a disabling condition

a. Description

The individual meets the definition of blind or disabled per 42 U.S.C. § 1382(c).

b. Acceptable verification of this condition is—

1. The individual receiving disability related cash or medical assistance from OFI,
2. A data match with the Social Security Administration (SSA) showing the individual is receiving disability related cash or medical assistance from them,

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3. A letter or other document from SSA showing the individual is eligible for disability related medical or cash assistance, or a favorable disability determination that is dated within the past 90 days and includes the individual's full name and either their date of birth or social security number; or
  4. A favorable disability determination from Maine's Medical Review Team.
- iii. The individual or their parent cannot legally work due to a required waiting period.
- a. Description
    1. The individual is subject to and within a required waiting period before they can apply for an Employment Authorization Document (EAD),
    2. The individual is eligible for an EAD and has applied for it, but has not received it, or
    3. The individual is under 18 years of age and one or more of their parents in their household meets (1) or (2) above.
  - b. Acceptable verification of this condition is—
    1. A data match with DHS showing that the individual is subject to and within a waiting period to apply for an EAD;
    2. A data match with DHS showing that the individual has applied for Employment Authorization, but it has not yet been approved; or
    3. Verification that the individual is an asylum seeker (See Paragraph b(ii)(c) of this Subsection) and that same verification shows that the application was received recently enough that the individual is still within the waiting period to apply for an EAD.
    4. For a child under 18 years of age verification also includes either—
      - (a) a birth certificate or adoption record naming the person verified as eligible as the individual's parent, or
      - (b) a signed affidavit from the person verified as eligible that the child is theirs.

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c. Supplemental Verification

To aid in the verification process, individuals with this special consideration are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that they have received an application for an EAD from the individual. The document must contain the individual's full name and at least one of the following:

1. The individual's social security number,
2. The individual's USCIS number,
3. The individual's passport number, or
4. The individual's date of birth.

iv. The individual or their parent was issued an EAD but is currently unemployed

a. Description

1. The individual was issued an EAD but has not found employment;
2. The individual was issued an EAD and lost all forms or employment; or
3. The individual is under 18 year of age and one or more of their parents in the household fits (1) or (2) above.

b. Acceptable verification of this condition is verification of the end of any known employment consistent with Chapter I, Section D(5)(a) and Chapter IV, Section E(1), and—

1. Prior information in the OFI system that the individual received EAD, or
2. A data match with DHS showing that the individual received an EAD.
3. For a child under 18 years of age verification also includes either—
  - (a) a birth certificate or adoption record naming the person verified as eligible as the individual's parent, or
  - (b) a signed affidavit from the person verified as eligible that the child is theirs.



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c. Supplemental Verification

To aid in the verification process, individuals with special consideration are encouraged to provide the most current unexpired version of a letter or other document from DHS stating that the individual was issued an EAD that contains the individual's full name and at least one of the following:

1. the individual's social security number,
2. the individual's USCIS number,
3. the individual's passport number, or
4. the individual's date of birth.

v. The individual's household is experiencing the effects of domestic violence

a. Description

One or more members of the household are dealing with the effects of domestic violence including—

1. Physical acts/threats of physical injury,
2. Sexual abuse of a child or caretaker of a child, or
3. Psychological effects of the abuse.

b. Acceptable verification of this condition is a letter or other document that indicates the household member is experiencing domestic violence or the effect thereof from:

- (a) DHS,
- (b) a court,
- (c) a law enforcement agency,
- (d) a governmental child or adult protective agency,
- (e) a licensed social worker, or

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(f) a medical professional.

c. Supplemental Verification

To aid in the verification process, individuals with special consideration are encouraged to provide a recent letter or document from a professional (See Paragraph b above) with the member's full name and at least one of the following:

1. their social security number,
2. their USCIS number,
3. their passport number,
4. their date of birth, or
5. in the case of verification from other offices within Maine's Department of Health and Human Services or medical providers working with MaineCare, the household member's identification number within OFI's eligibility system.

## 5. PROCESSING PROCEDURES

a) General Rules

- i. Citizenship, noncitizen status, and the special conditions described in this section must be verified at application or any time a change in these factors is reported by the household or a third party.
- ii. The status of any noncitizen must, ultimately, be verified through a data match with DHS.
- iii. The same Verification and Documentation, Time and Processing Standards, and Application Notification that apply to all other aspects of application or change reporting also apply to citizenship, noncitizen status, and the special conditions described in this section. These standards can be found in Chapter 1, Section D(5) through (7).

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- iv. Citizenship, noncitizen status and the special conditions described in this section only need to be verified for individuals attesting that such factors make them potentially eligible for benefits. Individuals who state their noncitizen status makes them ineligible do not need to have their status verified. Other information, such as their income or assets may need to be verified.
  - v. The presence of an ineligible member in the household does not preclude eligible members from receiving TANF/PaS. The countable portion of their income or assets may render the remaining members ineligible. (See Chapter II, Section B(1)(c) and Chapter IV, Sections A, C, D(5), and E(4)(b).)
- b) Processing
- i. Applicants and recipients are encouraged to provide the following at application or anytime they experience a change in citizenship or noncitizen status or special conditions described in this section:
    - a. a declaration of their citizenship or noncitizen status and any special conditions described in this section,
    - b. Their full name and date of birth (citizens naturalized after their date of birth are encouraged to provide their date of naturalization as well) and at least one of the following enumerators:
      - 1. For citizens and noncitizen nationals—
        - (a) a social security number, or
        - (b) naturalization/citizenship number.
      - 2. For noncitizens—
        - (a) an Alien number or USCIS registration number,
        - (b) an 1-94 number,
        - (c) a card/receipt number from a DHS document,
        - (d) a passport number from a foreign passport and the name of the issuing country,
        - (e) a U.S. Visa number, or

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- (f) a Student and Exchange Visitor information System (SEVIS) number.
- and
- c. Any documentation that would serve as acceptable or supplemental verification of the declared citizenship, noncitizen status or special conditions.
- ii. At application or a reported change in citizenship, noncitizen status or special conditions the Department shall verify that the individual has provided the items detailed in Subparagraph i above.
- iii. If the individual states that they are a citizen or national of the United States the following processes apply:
  - a. If their status was previously verified with OFI, it is verified;
  - b. If they provide Acceptable Verification, their status is verified;
  - c. If they were not previously known to OFI and they do not provide Acceptable Verification the following processes apply:
    - 1. If they do not provide their full name, the date they became a citizen or national, and a social security number:
      - (a) Their status is not verified; and
      - (b) The Department shall request this information and documentation in writing.
        - (i) If they provide documentation, their status is verified.
        - (ii) If they provide their full name, the date they became a citizen or national, and a social security number or naturalization/citizenship number to the steps outlined in 2 below apply.
        - (iii) If they do not timely provide documentation or their full name, the date they became a citizen or national, and a social security number or naturalization/citizenship number, they are ineligible for failure to provide required documentation.

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2. If they provide their full name, the date they became a citizen or national, and a social security number or naturalization/citizenship number—
  - (a) their status is temporarily honored; and
  - (b) the Department shall attempt a data match to verify their status indefinitely.
    - (i) If the data match is successful, their status is verified.
    - (ii) If the data match is not successful, the Department shall request documentation from the individual in writing.
      - 1) If documentation is provided, the status is verified.
      - 2) If documentation is not provided timely the individual is ineligible for failure to provide required documentation.
- d. If they were previously known to OFI and had declared citizenship, but it had not been verified and they do not provide documentation, the Department shall request documentation from the individual in writing.
  - 1) If documentation is provided, the status is verified.
  - 2) If documentation is not provided timely the individual is ineligible for failure to provide required documentation.
- iv. If the individual states they are an eligible non-citizen other than a non-citizen national, the following processes apply:
  - a. If the only acceptable verification of their status and/or special conditions is a data match the following processes apply to those elements.
    1. If the individual has not provided their name, date of birth, and at least one enumerator listed in Subparagraph i(b)(2) above, the Department shall request them and any Acceptable or Supplemental Verification in writing.
      - (a) If they provide at least their name, date of birth and an enumerator, the appropriate steps per 2 below apply.

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- (b) If they do not provide at least their name, date of birth and an enumerator timely, they are ineligible for failure to provide required verifications.
2. If the individual provides their name, date of birth, and at least one enumerator listed in Subparagraph i(b)(2) above, the Department shall attempt a data match to verify their status and special conditions.
- (a) If the data match supports the declaration(s) of status and special conditions they are verified until a change is reported.
  - (b) If the data match with DHS does not support the declared noncitizen status or special conditions, the Department shall request documentary verification from the individual in writing (if it has not yet been provided or requested) and attempt subsequent data matches.
    - (i) If at any point the data match supports declaration(s) of status and special conditions they are verified until a change is reported.
    - (ii) If the data match reflects the attested status and conditions but shows a subsequent change of status and/or conditions, the most recent status and conditions reflected in the data match are verified until a change is reported.
    - (iii) If the household refuses or fails to provide verification timely, the individual is ineligible for failure to provide required documentation.
  - (iv) If documentary verification has been provided the Department shall attempt a data match as quickly as possible in a period not to exceed 7 calendar days from the date the documentary verification is received by the Department. If the documented status or special conditions cannot be reconciled with the data match— the documented status or special conditions are honored until such time that the data match has been completed. Special process for declarations that must or can be verified through means other than a data match or documentation (e.g. Individuals who have been subject to severe forms of trafficking).

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The Department shall attempt to secure Acceptable Verifications via phone, fax, or other methods prescribed by the verifying agency.

1. If Acceptable Verification is provided, the declaration is verified.
2. If the agency verifies that the declaration is not applicable, the lack of status or special consideration is verified.
3. If additional information is needed to secure verification, the Department shall request it and any related documentation from the individual in writing.
  - (a) If the necessary information is provided, the Department will attempt to secure the verification again.
  - (b) If the necessary information is not provided timely, the individual is ineligible for failure to provide required verification.

**D. SOCIAL SECURITY NUMBER**

- (1) All individuals applying for or receiving TANF/PaS must furnish the agency with a Social Security Number or proof of application for a Number. The Social Security Number must be furnished to the department when it has been received.
- (2) When an individual fails to apply for a Social Security Number or furnish the Number when received, the individual is not eligible. The individual's income, assets, and needs, will be excluded.
  - a) When the individual is a stepparent, they are an "excluded stepparent" for eligibility purposes. The individual's income, assets, and needs, will be excluded. (See Ch. III.)
  - b) When none of the children has a Social Security Number, or has not made application for one, the household is ineligible. There are no eligible children.

**E. RELATIONSHIP AND MAINTENANCE OF A HOME**

- (1) In order to be eligible for TANF/PaS, a child must be living with a specified relative, as provided by subsection (a) below, and living in a home maintained by that

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specified relative; and both elements must be expected to continue at least 30 days beyond the date of application.

**(2) Relationship:**

- a) Only “specified relatives,” people with the following relationships to the child, may apply for and receive assistance on behalf of the child:
  - i. Biological, legal, adoptive, and step- fathers, mothers, siblings, and half siblings;
    - a. For purposes of subsection (i), above, the legal guardian(s) of a child as well as an “Indian custodian” as defined in the Indian Child Welfare Act



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of 1978, 25 U.S.C. §1903 (6) are included within the category “legal” for purposes of qualifying as “specified relatives”.

- b. The spouses of any of the above persons, except those detailed in subsection i (a), above, even if the marriage has been terminated by death or divorce;
  - ii. Biological, legal, adoptive, and step grandparents, uncles, aunts, first cousins, and the spouses thereof even if the qualifying marriage has been terminated by death or divorce (see chart in Appendix page 5);
  - iii. Biological, legal, adoptive, and step great and great-great grandparents, great and great-great uncle or aunt, first cousins once removed, nephews and nieces;
  - iv. Minor Parent: If the applicant-child’s parent is a minor, and the minor is not maintaining a home for the child according to 3 (b), below, the specified relative must be the minor parent’s adult specified relative as provided in sections a (i-iii), above, or the representative of a certified, state-approved, adult-supervised supportive living arrangement providing food, shelter, counseling, supervision, and guidance to the minor parent. A child whose minor parent is maintained by a foster care payment is not eligible for TANF/PaS if both are residing in a licensed facility. In those instances, the foster care program must provide for the child as well as the minor parent.
- b) A pregnant person who has no other children who meet the non-financial requirements of TANF/PaS in her household, starting with the sixth month of pregnancy, and whose pregnancy has been verified by a medical statement that includes the expected date of birth may be eligible for an adult-only grant.
  - c) Children placed with specified relatives in Maine under the Interstate Compact on Placement of Children are not eligible for TANF/PaS in Maine. The out-of-state agency that placed the children in Maine continues to be responsible for those children during the placement period.
- (3) **Maintenance of a Home:** The specified relative is maintaining a home by providing a safe and healthy environment for the child, and by assuming the responsibility for the day-to-day care of the child, regardless of pending court decisions about legal custody.

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a) **Shared Custody:**

- i. If the child lives part of the time with each parent, the parent with whom the child lives over 50% of the time must apply for the child.
- ii. If the child lives 50% of the time with each parent, either parent can apply for the child but not both.

b) **Minor Parent or a Pregnant Minor:** A minor parent or pregnant minor is maintaining a home within the meaning of this section only if:

- i. The minor parent or pregnant minor is married; or
- ii. The minor parent or pregnant minor does not live with a specified relative as provided in 2 (a) above and:
  - a. The minor parent or pregnant minor has no living parent;
  - b. Neither of the minor parent or pregnant minor's parent's whereabouts is known;
  - c. Neither of the minor parent or pregnant minor's parents will permit them to live with the parents;
  - d. The Department has determined that the physical or emotional health or safety of the minor parent and their child, or that of the pregnant minor, would be jeopardized if they live with the parent(s);
  - e. The minor parent has lived apart from their parent(s) for at least a year prior to the child's birth; or
  - f. The minor parent or pregnant minor has a similar justifiable reason for not residing with either parent that has been approved by the TANF Program Manager.

c) **Temporary absence from the home:** Within five days of the date that it becomes clear to a specified relative that a child will be absent from the home for 45 days or longer, the specified relative must notify the Department of the anticipated absence of the child from the home. See (i) below. Failure to notify the Department within the specified period will result in the removal of the specified relative from the grant.

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- i. A child who is absent from the home for 45 days or longer and the child's specified relative remain eligible for TANF/PaS under this section if the specified relative has full responsibility for the supervision and guidance of the child, maintains a home for the child during vacation, and any delegation of authority is temporary, voluntary and revocable. The child or specified relative must return home at the completion of the reason for separation unless the separation continues for a reason below, or another similar reason:
  - a. For the child to secure education when high school facilities are not available in the area of residence or when the existing facilities do not meet the child's educational and/or social needs;
  - b. The child is residing in a private treatment center because of physical/emotional problems;
  - c. The child is attending a specialized school for children with disabilities, provided there are no services available in the child's own community;
  - d. The child is attending a vocational or technical school, college, or university until the child's 18<sup>th</sup> birthday;
  - e. The specified relative or child has left the home to obtain necessary medical care for an illness; or
  - f. The child has been placed in an approved voluntary foster home by the Office of Child and Family Services and the plan is that the child will return to the home and when there is no foster care payment being made for that child.

## **F. FILING UNIT**

- (1) **Mandatory Inclusion:** The parent(s), siblings, and half siblings, living in the same home as the child for whom assistance is requested must be included as members of the same filing unit. When an individual is required by the operation of this rule to be in more than one unit, the units must be consolidated. A mandatory member of the filing unit shall be excluded from the assistance group in the following circumstances. The excluded member's income and/or assets may be considered depending on the member's relationship to the filing unit. See Chapters III and IV for detail.
  - a) Recipient of Supplemental Security Income (SSI): A TANF/PaS eligible individual who is also eligible for SSI or State Supplement benefits may choose to receive one or the other but may not receive both TANF/PaS and SSI/State

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Supplement. If the child chooses to receive SSI/State Supplement the otherwise eligible specified relative may receive TANF/PaS.

- b) Receipt of Foster Care or Adoption Assistance: A TANF/PaS eligible individual who is also eligible for a Foster Care or Adoption Assistance payment, whether from federal, state or local funds, may choose to receive either TANF/PaS or foster care or adoption assistance but may not receive both. If the child chooses to receive a foster care/adoption assistance payment, the child is not considered a member of the assistance group when determining eligibility for the remaining filing unit members. The recipient of the foster care/adoption assistance payment may be the specified relative or the child.
- c) Ineligible noncitizens;
- d) Individuals who have been sanctioned; see Section H (3) below.
- e) Individuals convicted in federal or State court of having made a fraudulent statement or representation with respect to the place of residence of the individual in order to receive assistance simultaneously from two or more states are ineligible for a period of ten years from the date of conviction;
  - i. This prohibition from receipt of assistance does not apply to any months following the granting of a pardon of such a conviction by the President of the United States.
- f) Individuals fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the individual flees;
- g) Individuals who violate a condition of probation or parole imposed under Federal or State law;
- h) Strikers: Individuals participating in a strike, or who are absent from work during the strike period without good cause, on the last day of the month make the entire assistance unit ineligible. Good cause reasons for absence include:
  - i. Vacation;
  - ii. Illness;

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- iii. Emergency that began prior to the strike and continued into the strike period, if the absent worker intends to return to work whether or not the strike continues; or
- iv. The absent worker can prove that return to work would jeopardize their health and safety.

(2) **Optional Inclusion:** The following household members may choose to be included in the filing unit, but are not required to be:

- a) Specified relatives and their spouses who are not parents of the dependent child. When specified relatives are excluded but claim the children as dependents for income tax purposes, they have acknowledged that they meet at least half of the child's needs. The benefit level will be determined using half of the appropriate full need standard for the child as countable unearned income.
- b) Stepparents and stepsiblings if there is not a mutual child living in the same home, requiring consolidation under subsection 1), above.
- c) Household members who choose to be included in the filing unit are subject to the ASPIRE-TANF requirements of Section H., below, to the same extent as if they were mandatory filing unit members.

**G. ESTABLISHING PATERNITY AND ASSIGNMENT OF RIGHTS TO SUPPORT**

(1) If there is a noncustodial parent, all applicants or recipients must cooperate with the Department in:

- a) Identifying and locating the non-custodial parent, and
- b) Establishing paternity, and
- c) Obtaining support or any other payments, and
- d) Must assign to the Department all rights of support on behalf of filing unit members from any legally responsible relative who is absent from the home. This includes any support accrued at the time of the assignment.

(2) As a condition of eligibility, the specified relative must forward to the Department any alimony or child support payments received from the non-custodial parent, beginning the date of the first regular TANF/PaS benefit.

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- (3) If an applicant or recipient specified relative fails to cooperate with the requirements of this section, the specified relative will be removed from the TANF/PaS grant, and the grant amount will be reduced by the assessed needs of the specified relative or 25% of the grant amount, whichever is greater.
- a) If a sanction is applied under this section, eligibility will be determined for the remaining filing unit members, and the TANF/PaS payment will be made to a third party. If there is no appropriate person to act as payee, the payment will continue to be issued to the sanctioned specified relative. The sanction remains in place until the individual complies.
- b) **Exceptions:** Unless the sanction is for failure to comply with subsection 2) of this section (above), the specified relative shall be given the opportunity to claim good cause for refusing to cooperate. The Department will investigate claims of good cause per the procedures established in this subsection, and sanctions will not be applied nor benefits withheld while a good cause decision by the Department is pending.
- i. **Conditions for Good Cause:** The following are the conditions under which Good Cause may be granted:
- a. The child was conceived as a result of sexual assault:
  - b. Legal proceedings for adoption of the child are pending before a court:
  - c. For less than three months, the individual has been assisted by a licensed social service agency to decide whether to place the child for adoption; or
  - d. The individual or the child is a victim of domestic violence, which includes physical injuries or the psychological effects of abuse, or cooperation would result in physical or emotional harm to the child or other family member.
- ii. **Evidence to support a claim of good cause:** The Department will make a good cause determination without further investigation if a claim of good cause is supported with one of the following documents:
- a. Birth certificates, medical or law enforcement records that indicate the child was conceived as a result of sexual assault;

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- b. Court documents or other records indicating that legal proceedings for adoption are pending before a court;
- c. A written statement from a licensed social service agency showing that the applicant or recipient is being assisted in deciding whether to place the child for adoption;
- d. Court, medical, law enforcement, child protective, social services (including domestic violence shelters), psychological, or other records indicating that a non-custodial parent or putative father might inflict physical or emotional harm on the child or specified relative; or
- e. Sworn statements from individuals other than the applicant or recipient with knowledge of the circumstances that provide the basis for the good cause claim.
- f. In the absence of all potential documentation listed in a. through e. above, a sworn statement from the applicant or recipient attesting to the circumstances that provide the basis for the good cause claim may be provided.iii.

Determination of good cause will be made if the evidence provided by the applicant/recipient and/or the investigation of the agency confirms that to cooperate would be against the best interest of the child or other family member(s). The Department's decision on good cause will:

- a. Be in writing,
- b. Contain the agency's findings and basis of determination,
- c. Be entered into the TANF/PaS record, and
- d. Be made within 45 days, unless case record documentation indicates that the Department needs additional time because information required to verify the claim cannot be obtained within the time standard or because the claimant did not provide corroborative evidence within 20 days from the day in which the claim was made.

**H. ASPIRE-TANF**

- (1) Each TANF/PaS specified relative applicant and recipient of TANF/PaS, who is not exempt per subsection (2), below, must participate in ASPIRE and comply with the requirements of that program. Individuals who are exempt may participate on a voluntary basis, and will not be subject to sanction for failing to comply.

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- (2) **Exemptions:** Applicants and recipients are exempt from ASPIRE participation if they satisfy one or more of the requirements of this subsection. The Department will review any previously established exemption at every recertification, as a part of the regular eligibility redetermination.
- a) An applicant or recipient who is the only custodial parent of a child under one year of age and is personally providing care for that child, except that this exemption may be claimed for no more than a total of 12 months per custodial parent or specified relative in a lifetime. An applicant or recipient may elect not to claim the exemption, and if the recipient does not elect this exemption, they must participate in ASPIRE-TANF and comply with the requirements of the program.
- Specified relatives under 20 years of age who have not completed high school or its equivalent may not claim this exemption, and they must attend courses to complete high school, with an emphasis on education in a traditional high school setting.
- b) An applicant or recipient who is a VISTA volunteer under the federal *Domestic Volunteer Service Act of 1973*;
- c) An applicant or recipient specified relative who is needed in the home to care for a disabled family member living in the household, provided that the disabled family member is not a full-time student. The need for the TANF/PaS recipient to care for the disabled family member must be verified at least annually through statements by an acceptable medical or mental health source; or
- d) An applicant or recipient specified relative who receives Social Security Disability Insurance (SSDI) benefits.
- (3) **Sanctions:** When an individual required by this section to participate in ASPIRE has failed without good cause to participate in or comply with the regulations of the ASPIRE-TANF program, to sign the Family Contract Amendment or to abide by its provisions, to accept employment, or if the individual has voluntarily terminated employment, or voluntarily reduced earnings, the Department will apply a sanction in accordance with this section.
- a) Benefits to the individual will be terminated until the failure to comply ceases. If eligible, benefits for the remainder of the family members may continue.



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- b) When both specified relatives are required to participate in ASPIRE, each must comply with ASPIRE-TANF, each will be sanctioned separately for failure to comply when called upon to participate.
  - c) Prior to a sanction, the adult recipient shall be provided an opportunity to show good cause for non-compliance. The recipient must demonstrate and verify to ASPIRE-TANF that good cause exists, and no sanction will be issued if the Department determines that the recipient had good cause for noncompliance, under the ASPIRE-TANF Program Rules.
  - d) **Restoring Benefits:** Prior to restoration of benefits, the adult(s) or minor parent head(s) of household must sign a new Family Contract Amendment and verify compliance with the provisions of that contract. The Department must also verify compliance with ASPIRE before closing the sanction. Benefits will be reinstated when the sanction is closed.
  - e) The beginning date of a sanction is the date that the Department issues the notice of adverse action.
- (4) **Good Cause** for failure to comply with ASPIRE-TANF rules include the following:
- a) Illness or advanced age of the participant, or illness or incapacity of a household member that requires the participant to provide care in the home. Verification by a physician may be required.
  - b) Court-required appearance or incarceration.

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- c) A crisis, special circumstances, or other reason that the Department determines to be Good Cause that causes an individual to be absent from or discontinue a Department activity, about which the Department has been advised, including lack of transportation or childcare necessary for participation when the individual does not have a reasonable alternative to enable the individual to participate.

If an individual has access to transportation that is reasonable under the circumstances through any program at the Department, the individual is ineligible to receive Good Cause based on lack of transportation.

- d) Inability to participate due to domestic violence when the individual is unable to participate because of physical injuries or the psychological effects of abuse; because of legal proceedings, counseling or other activities related to abuse; because the abuser actively interferes with the individual's participation; because the location puts the individual at risk; or for other Good Cause related to domestic violence. Reasonable and verifiable evidence may include, but is not limited to, the following:
- i. court, medical, law enforcement, child protective, social services, psychological or other records that establish that the individual has been the victim of domestic violence; or
  - ii. sworn statements from persons other than the individual with knowledge of the circumstances affecting the individual; or
  - iii. visual observation by ASPIRE-TANF staff of physical injuries.

**(5) Good Cause Procedure:**

When a participant is notified that they failed to comply with ASPIRE-TANF rules and they claim, either orally or in writing, within five working days of receiving the notification, that they have Good Cause, the Department or the Department's representative shall offer to meet with the participant.

- a) The Department or the Department's representative will schedule a meeting with the participant. A meeting will be scheduled by:
- i. The Department or the Department's representative contacting the participant by phone and agreeing on a location, date and time which is at least five days from the date of the phone contact; or
  - ii. A written scheduling notice mailed to the participant, when phone attempts for scheduling are unsuccessful. A written scheduling notice will be mailed to the participant a minimum of seven calendar days prior to the meeting date.

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The meeting may be conducted by phone, as scheduled a minimum of five days in advance.

**b) Meeting Requirements:**

The Department or Department's representative will:

- i. Present a notice describing Good Cause and the participant's rights to request Good Cause; and
- ii. Verbally explain to the participant the reasons for which Good Cause may be granted and the participant's right to apply for Good Cause verbally or in writing; and
- iii. Provide an opportunity for the participant to request Good Cause either wholly or in part.
- iv. Make a written record of the meeting including documenting that the participant was given the notice describing Good Cause, the opportunity to request Good Cause and the participant's reason for requesting Good Cause.

**c) Meeting Result:**

- i. The Department's representative shall make a recommendation on the participant's request for Good Cause, including the basis for the recommendation, in writing.
- ii. The Department shall issue a final determination notice approving or denying, wholly or in part, the participant's request for Good Cause. This notice will include the reasons for the Good Cause decision and the participant's right to a fair hearing.
- iii. The Department may deny Good Cause if the participant fails to attend the scheduled meeting under Subparagraph a above.

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## A. ASSETS

All assets owned whole or in part by the filing unit members must be evaluated for ownership, accessibility and value. All assets are counted unless specifically excluded by rule. The asset limit is \$10,000.

### (1) Types of assets:

- a) **Liquid Assets:** Liquid assets are those that are readily available such as cash, crypto-currency, bank accounts, Certificates of Deposit, lump sum payments, stocks or bonds, individual retirement accounts, and annuities.
- b) **Nonliquid Assets:** Nonliquid assets include vehicles, buildings, land, recreational property and the like. Money obtained through the conversion of a non-liquid asset to a liquid asset is considered an asset (such as sale of marital property).
- c) **Potential Assets:** Potential assets are those that are obtainable but not readily available. The filing unit must show that steps are being taken to obtain any potential assets.

(2) Ownership of an asset is determined by the name stated on the asset or a related document. If there is more than one name listed the asset is considered to be jointly-owned and the asset's accessibility must be evaluated. Jointly owned assets are considered available in their entirety to each owner unless determined not accessible per (3) (a) below. For an asset which does not have a name stated on the asset or related document, ownership would default to who has possession of the asset.

### (3) An asset is not accessible if:

- a) The property is jointly owned, cannot be subdivided and the joint-owner(s) will not agree to sell.
- b) The portion of a joint bank account shown by convincing evidence to have been contributed by someone outside the filing unit and not meant to be a gift.
- c) The asset is an irrevocable trust fund and no one residing in the home can revoke the trust or change the beneficiary. Trust funds are irrevocable when the family does not have the legal ability to convert them.
- d) Portions of settlements that are earmarked and intended to be used for expenses not included in the TANF or PaS grant. See Subsection 5(d) and (n) below.

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- (4) The value of an asset is the fair market value minus any encumbrances against it.
- a) The equity value of a vehicle that is not excluded is determined using the National Automobile Dealers Association's (NADA) Used Car Guide Book or the Kelley Blue Book, making appropriate deductions as listed in the guide including, but not limited to, options and special equipment.
    - i. A reduction can be made for a vehicle listed in the NADA Used Car Guide or the Kelley Blue Book, in less than average trade-in condition if true value is verified by a reliable source.
    - ii. A household estimate can be made for vehicles not listed in the car guide unless it appears unreasonable as determined by the Department based on the current used vehicle market in Maine.
- (5) Excluded Assets:
- a) One vehicle per licensed driver in the household;
  - b) Real property which the filing unit owns and occupies as their place of residence. The home and surrounding lot if not separated by property owned by someone else is exempt, even when left temporarily unoccupied because of employment, job training, education, illness or disaster. If the home is unoccupied, the filing unit must demonstrate the intent to return.
  - c) Real property which the household is making a good faith effort to sell, in a newspaper or through a real estate broker, at fair market value.

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- d) Income representing the change from a non-liquid to a liquid asset;
- e) Prepaid burial contracts and burial spaces intended for use by the filing unit;
- f) Household goods and personal effects used in the home;
- g) Income Producing Property. Property, including real property, used in the production of income. This exclusion includes property not in use because of circumstances beyond the control of the individual, such as temporary disability, care of an ill person, disasters, etc. Likelihood of returning to the same employment must be evident;
- h) Livestock used to produce income or intended for family consumption;
- i) Any personal loan with an agreement to repay. The agreement must be verified by:
  - i. A written agreement signed by both parties to repay the money within a specified time; or
  - ii. Evidence that the loan was obtained from an individual or establishment engaged in the business of making loans.
- j) All educational grants, loans and scholarships from a recognized source to the extent the money is needed for educational expenses. Portions used to fill a need demonstrated to be directly related to successful completion of the Training or Education Program in excess of available funding from all other federal, state, public, private, and institutional sources of aid, excluding loans or federal work study, are also excluded;
- k) The cash surrender value of insurance policies;
- l) Family Development Accounts. Savings accounts for income eligible families to be used for specific purposes, to the extent that the total balance of the account remains below \$10,000 per 22 M.R.S. §3762. Withdrawals may only be made for:
  - i. Expenses for education or job training to attend an accredited or approved post-secondary education or training institution;

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- ii. The purchase or repair of a home that is the family's principal residence;
  - iii. The purchase or repair of a vehicle used for transportation to work or to attend an education or training program; or
  - iv. Capital to start a small business for any family member 18 years of age or older.
- m) A one-time cash compensation payment and accrued interest from the Baxter Compensation Authority to former students of the Baxter school for the Deaf, who were found to have been physically or sexually abused before January 2001.
- n) Non-reoccurring payments, such as Build HOPE Project Grants, received by a participant when used within 30 days of receipt to meet one of the following needs:
- i. Health care costs of a household member that are medically necessary and not covered by public or private insurance, or
  - ii. To address an emergency that may cause the loss of shelter, employment, educational progress or other basic necessities.

**(6) Assets Excluded by Federal Statute:**

- a) Grants, loans and scholarships to graduates or undergraduate students made under any program administered by the U.S. Secretary of Education, such as Pell, SEOG, NDSL, Perkins, Work Study;
- b) Federal Tax Refunds, including refundable credits, such as EITC, are excluded for 12 months from the month of receipt. P.L. 111-312;
- c) Child Nutrition Act and National School Lunch Act - Value of supplemental food assistance;
- d) Title VII, Nutrition Program for the Elderly-Older American Act benefits;
- e) USDA Supplemental Nutrition (WIC) Program and/or Donated Commodities benefits;
- f) Tax-exempt portions of payments made under the Alaskan Native Claims Settlement Act;
- g) Payments made under Annual Contributions Contract under U.S. Housing Act;

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- h) Relocation assistance or allowance under the Housing Act: Also excluded are payments made under Title II of the Uniform Relocation and Real Property Acquisition Policy;
- i) Agent Orange Settlement payments;
- j) WIOA, Job Corps, or AmeriCorps payments of all types;
- k) Payments resulting from Congressional action which specifically exclude such payment;
- l) Maine Indian Land Claims Settlement payments;
- m) Domestic Volunteer Services Act payments made to volunteers serving as foster grandparents, senior health aides or companions;
- n) HUD community development block grant funds and escrow accounts in the Family Self Sufficiency Program;
- o) Home Energy Assistance Program (HEAP) benefits or any other federal program providing energy assistance;
- p) Title I payments to volunteers such as VISTA: Payments that exceed the minimum wage are not excluded;
- q) Radiation Exposure Compensation Act settlements for injuries or death from nuclear testing or uranium mining;
- r) Assets owned solely by an excluded stepparent;
- s) Property of no saleable value;
- t) Nazi Persecution Victims Eligibility Benefits - Payments made to victims of Nazi persecution excluded from consideration per P.L. 103-286.

## **B. INCOME**

Consider the income of all members of the filing unit including excluded stepparents, sponsors of aliens, specified relatives, and all persons who are required to be members of the child's assistance group except insofar as they are excluded from the assistance group for a reason such as lack of U.S. citizenship or the imposition of a sanction or disqualification.



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(1) Types of Income.

- a) **Earned Income:** Money earned in exchange for labor or services and received in cash or in-kind for wages, tips, commissions, crypto-currency or net profit from activities in which the individual is engaged as self-employment. The gross income before deductions for taxes, personal or employment expenses, or garnishments. This includes:
  - i. **Seasonal Income:** Money earned in exchange for labor or services not required year around such as fishing, clamming, worm digging, logging, harvesting and the like;
  - ii. **Contract Income:** Money earned in exchange for labor or services in a period shorter than one year and not paid on an hourly or piecework basis to workers, such as school teachers or bus drivers.
  - iii. Wages that are garnished or diverted by an employer (see exceptions in (d) below).
- b) **Unearned Income:** Unearned income is money (including crypto-currency) that is not produced by labor or services. It includes benefits such as Social Security, Veterans benefits, pensions, unemployment compensation, Worker’s Compensation, dependent allotments, contributions, support payments, annuities, dividends, interest, and regular withdrawals from trust funds. Unearned income may be garnished or diverted (see exception in (d), below).
- c) **Deemed Income:** A portion of the income of certain individuals who have a legal obligation to members of the assistance group must be considered through the deeming process. The deemed amount is counted as unearned income to the assistance group. (See Ch. IV(C) for treatment of deemed income.) Examples of individuals whose income may be deemed:
  - i. Individuals such as parents who, although required to be included in the assistance group, are ineligible due to non-financial criteria and therefore are not members of the assistance group;
  - ii. Excluded stepparents;
  - iii. Sponsors of Aliens and their spouses.

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- d) Garnished Income: Garnishment to earned or unearned income is not considered income in the following instances:
  - i. Income is garnished to fulfill the terms of court ordered support/alimony or Title IV-D support orders; or
  - ii. Income is garnished/recouped by the same agency that issued the income, such as unemployment benefits being recouped to satisfy a prior overpayment.
- e) Potential Income: Money which could be received if action were taken to obtain it, such as from Social Security, Unemployment or VA benefits or by asserting a legal claim such as inheritance.

(2) Excluded Income.

- a) Child Support
  - i. Collections which are retained by the Department; and
  - ii. The first \$50 per month received by the filing unit.
- b) ASPIRE support services payments;
- c) HOPE support service payments as defined in 10-144 Chapter 330;
- d) General Assistance, Emergency Assistance, HUD, FMHA utility reimbursements and other supplemental assistance from public or private agencies to help the assistance unit meet their basic needs;
- e) Income of children not in the assistance unit;
- f) Wages of dependent children in the assistance unit if they are full-time students or part-time students not employed full time;
- g) Income-In-Kind, Vendor Payments, Outside Contributions: These are payments or contributions toward budgeted items from organizations or people not in the assistance group paid directly to a third party;
- h) When an involuntary separation occurs where the client or spouse enters a medical institution, the income of the institutionalized spouse will be considered for that person only. This treatment of income applies in the following situations:
  - i. The spouse is placed in an Intensive Care Facility or Specialized Nursing Facility;

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- ii. The spouse is hospitalized in a general hospital for more than 60 days; or
  - iii. The spouse is hospitalized for a kidney transplant.
- i) Any personal loan from any source providing there is clear evidence of an agreement to repay. The following is acceptable evidence:
- i. A written agreement signed by both parties to repay the money within a specified time; or
  - ii. Evidence that the loan was obtained from an individual or establishment engaged in the business of making loans.
- j) Reimbursements for job related expenses to the extent they do not exceed actual expenses;
- k) Gifts of money not to exceed \$150 per household in a three-month period ending with the month of receipt;
- l) Portions of all educational grants, scholarships, and other awards from a recognized source to either graduates or undergraduates not already totally excluded by Federal statute (Subsection 3(a) below) with the exception of:
- i. The portion of any assistance given to students which is not used on actual educational costs; and
  - ii. Any dependent portion of VA educational assistance.
- m) Monies received as a match on deposits a recipient makes in their Family Development Account or Separate Identifiable Account set up as authorized by statute at 22 M.R.S. §3762 up to the \$10,000 cap. Accrued interest on these accounts is also excluded as income.
- n) A one-time cash compensation payment and accrued interest from the Baxter Compensation Authority to former students of the Governor Baxter School for the Deaf, who were found to have been physically or sexually abused before January 2001.
- o) Non-reoccurring lump sum payments in the month they are received. Including but not limited to Build HOPE Project Grants, personal injury awards, lottery winnings and inheritances.

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- (3) Income Excluded by Federal Statute.
- a) Grants, loans and scholarships to graduates or undergraduate students made under any program administered by the U.S. Secretary of Education, such as Pell, SEOG, NDSL, Perkins, Work Study;
  - b) Federal Tax Refunds, including refundable credits, such as EITC, are excluded for 12 months from the month of receipt. P.L. 111-312;
  - c) Child Nutrition Act and National School Lunch Act - Value of supplemental food assistance;
  - d) Title VII, Nutrition Program for the Elderly-Older American Act benefits;
  - e) USDA Supplemental Nutrition (WIC) Program and/or Donated Commodities benefits;
  - f) Tax-exempt portions of payments made under the Alaskan Native Claims Settlement Act;
  - g) Payments made under Annual Contributions Contract under U.S. Housing Act;
  - h) Relocation assistance or allowance under the Housing Act: Also included are payments made under Title II of the Uniform Relocation and Real Property Acquisition Policy;
  - i) Agent Orange Settlement payments;
  - j) WIOA, Job Corps, or AmeriCorps payments of all types;
  - k) Payments resulting from Congressional action which specifically exclude such payment;
  - l) Maine Indian Land Claims Settlement payments;
  - m) Domestic Volunteer services Act payments made to volunteers serving as foster grandparents, senior health aides or companions;

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- n) HUD community development block grant funds and escrow accounts in the Family Self Sufficiency Program;
- o) Home Energy Assistance Program (HEAP) benefits or any other federal program providing energy assistance;
- p) Title I payments to volunteers such as VISTA: Payments that exceed the minimum wage are not excluded;
- q) Radiation Exposure Compensation Act settlements for injuries or death from nuclear testing or uranium mining;
- r) Nazi Persecution Victims Eligibility Benefits - Payments made to victims of Nazi persecution under P.L. 103-286.

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- A. PROSPECTIVE BUDGETING:** Eligibility and benefit levels are calculated for all assistance groups using prospective budgeting. Prospective budgeting is a method by which benefit levels are calculated using a best estimate of income, disregards, deductions and other circumstances of individuals who are the members of the assistance group and individuals whose income must be deemed to the assistance unit. For purposes of determining the amount of the TANF payment and the amount of income to be counted, the payment month and budget month are the same. The following definitions are used in this chapter:
- (1) Prospective eligibility means that eligibility for any given month is determined by estimating, as accurately as possible, whether all eligibility factors will be met during that entire month.
  - (2) Income is available when it is received or can be reasonably anticipated. Reasonably anticipated means that the amount of income can be estimated, and the date of receipt is known.
  - (3) Best Estimate: The best estimate is based on the Department’s reasonable expectation and knowledge of current, past, or future verified circumstances. In making this determination the concepts of significant and non-significant income changes and averaging must be used.
  - (4) Significant Income Changes: Changes in sources or amounts of income which are expected to continue long enough to be reflected in at least one check, such as starting or losing a job or a new source of unearned income, or changes in hours and wages.
  - (5) Non-Significant Income Changes: Changes that are temporary, short term and not part of the ongoing pattern, such as fluctuations due to irregular overtime or unpaid days off and other changes not expected to continue beyond the month of occurrence. Variations in income caused by non-significant changes are not considered underpayments or overpayments.
- B. INCOME DISREGARDS:** Income disregards are certain income amounts subtracted from the filing unit’s countable gross income to determine the total countable income amount. For self-employment the income is annualized, and the applicable disregards are deducted from the monthly average.
- (1) Disregards will not be applied to, and any Step disregard month forfeited by, any individual for any month in which the individual, without good cause, terminates their employment or reduces their earned income within the 30 days preceding that month; refuses to accept employment when offered within 30 days preceding that month; fails to report an increase in earned income within 10 days from the date of income receipt; or are sanctioned for noncompliance of any TANF/PaS requirement.

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- (2) Work Related Disregards. These disregards are applied to applicants to determine initial eligibility and to program recipients in the assistance group who are employed.
- a) Earned Income Disregard. Each individual in the filing unit who is employed, including self-employed, is eligible for the following disregards from earned income:
    - i. One hundred eight dollars; and
    - ii. Fifty percent of the remaining earnings.
  - b) Child or Dependent Care. After applying all the other disregards, the cost of care for each dependent child or incapacitated adult needing care while the TANF recipient works. Deduct the actual cost up to \$175 per month per dependent or \$200 for children under the age of 2. Dependent care is not allowed as a deduction if paid to anyone living in the home.
- (3) Step Disregard: The following disregard is applied to the individual's earned income when determining benefit levels for the assistance group when the individual included in the assistance group meets one of the following criteria. They are:
- a) A current recipient with earned income; or
  - b) An applicant with earned income and the assistance group has passed the income eligibility test located below in (F) (1).
    - i. The Step disregard is applied to each recipient with earnings as defined above. The two-steps included in the Step disregards are each restricted to a three-month maximum. When Step one is activated the Step disregard will continue for the maximum six months consecutively unless the recipient reports that all earned income for that recipient has ended. When earned income has ended the Step month count will end the month following the month the Step disregard is used to determine benefits. The Step disregard is applied as follows:
      - a. Step one: 100% of earned income for the individual is disregarded for a maximum of three months for either an applicant with earned income or for a recipient with a change of earned income.
      - b. Step two: 75% of earned income for the individual is disregarded for a maximum of three months following exhaustion of Step one months during a period of TANF and/or PaS eligibility.
  - c) In the event that the Step disregard does not increase the TANF/PaS benefit beyond the benefit amount determined by the use of the Work Related ((2) above) and Other

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- disregards((4) below); then the Step disregard is not applied, and the Step disregard usage month is not counted for the individual.
- d) For any period in which a household's food supplement assistance is reduced below \$50 as a result of the use of the Step disregard; the household will be issued a TANF Earnings Food Benefit of up to \$50. This benefit is issued as a food assistance benefit, not a cash benefit, and may be used only as permitted by Maine's Food Supplement Program (10-144 C.M.R. Ch. 301). The combined food assistance benefit is not to exceed \$50 in a benefit month.
  - e) The Step disregard is not used to determine TANF countable income for the purpose of determining eligibility for a Special Need Housing Allowance or Gap child support payments.
  - f) The Step disregard is not used when determining eligibility or benefits levels for Emergency Assistance, Alternative Aid, Transitional Child Care or Transitional Transportation.
- (4) Other Disregards. The following disregards may be applied to individuals with earned or unearned income. When the recipient has both earned and unearned income, the applicable disregards are allowed once.
- a) Dependent Allocation. If an adult member of the assistance group is legally responsible for the support of others living in the home who are not included in the of TANF or PaS assistance group and who do not have assets more than the allowable limit, allocate the appropriate full need standard from the adult's remaining income. This does not include the needs of individuals required to be in the filing unit but who have been sanctioned. The dependent allocation applies to both earned and unearned income.
  - b) Child Support/Alimony Deduction. If an adult member of the assistance unit is legally responsible for and actually paying alimony to a former spouse or child support, the support payment is allowed as a deduction. This deduction is only allowed if the payee is living outside the home.
- C. DEEMED INCOME:** The income of certain individuals who live with and are related to the minor child, must also be considered through the deeming process. The deemed amount is counted as unearned income to the assistance unit.
- (1) Individuals whose income is deemed:
- a) Excluded Stepparent: When the stepparent has chosen to be excluded from the assistance group, the disregards and allocations in (B) above, will be applied to their gross monthly income. The remainder of the excluded stepparent's income is



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- budgeted as unearned income to the assistance group. Assets solely owned by the excluded stepparent are not considered available to the filing unit even if the legal parent is included on the grant.
- b) Lump Sum Income of Excluded Stepparent: The lump sum income of the excluded stepparent is considered an asset and not as income in the month received.
- (2) Sanctioned specified relatives: Specified relatives of a child in the filing unit living in the home and are disqualified from receiving TANF benefits. When the specified relative has been sanctioned and removed from the assistance group, they are not eligible for any disregards. Income and assets of the sanctioned specified relative are counted in full.
- (3) Sponsors of noncitizens and their Spouses: These are people who have signed an affidavit of support as a noncitizen's condition of entry into the United States. Sponsors may or may not live with the unit. See (D) (5), below.

**D. TREATMENT OF SPECIAL INCOME:**

- (1) Income of specified relatives and their spouses who are not parents of the dependent child. When specified relatives are excluded but claim the children as dependents for income tax purposes, they have acknowledged that they meet at least half of the child's needs. The benefit level will be determined using half of the appropriate full need standard for the child as countable unearned income.
- (2) Self-Employment Income: Self-employment income is income earned by individuals engaged in their own business enterprises. Self-employment income is averaged over a 12-month period. This applies even when the income is received in a shorter period. If the 12-month average is not an accurate reflection of circumstances or if a business has been in operation less than a year, income will be averaged for the months in operation or treated like any other fluctuating income based on verification provided. Seasonal self-employment which supplements other income shall be averaged over the season.
- a) Verification: Self-employment is verified in the following method:
    - i. Income tax returns; provided the business has been operating long enough to have filed and the prospective year is anticipated to be similar to the year reflected in the taxes.
    - ii. Business records may be provided for those that have been operating less than one year or when it is claimed that circumstances are different than during the previous tax year.
  - b) Determination of Income.

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- i. Use all gross self-employment income including the full amount of capital gains and depreciation claimed on the tax return.
  - ii. Subtract the cost of producing the income.
    - a. The following expenses may not be subtracted:
      1. Payments on the principal of the purchase price of income producing real estate, capital assets, equipment, machinery or other durable goods. Interest on these payments is allowed.
      2. Net losses from prior periods.
      3. Federal, state and local income taxes, retirement plans, and work-related personal expenses such as transportation to and from work.
      4. Depreciation
    - b. The following expenses must be subtracted:
      1. Cost of labor including, FICA, State and Federal taxes
      2. Cost of materials
      3. Rent
      4. Interest
  - iii. Divide the net earnings by the number of months over which the income is to be averaged.
  - iv. Apply disregards and treat the net self-employment income as any other earned income.
- (3) Income from Boarders and Roomers: The cost of producing income by providing “board and room” will be the actual cost of providing meals and a room per month per individual. “Room” only is the actual cost of providing a room per month. “Board” only is the actual cost of providing meals per month.

Non-Recurring Lump Sum Income: Non-recurring lump sum income may be in the form of retroactive payments such as Social Security, Workers’ Compensation, Unemployment, VA or other benefits, settlements, inheritance, lottery winnings, pay raises, divorce settlements and the like. Non-recurring lump sum income shall be considered an asset in the month received, and not as income. (4)Income representing the change from a non-

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liquid to a liquid asset, such as the sale of marital property is considered an asset, not a lump sum.

(5) Income of Sponsors of Noncitizens:

A sponsored noncitizen is a person lawfully admitted for permanent residence to the U.S. for whom a person (the sponsor) has executed an affidavit of support (USCIS Form I-864, Affidavit of Support under Section 213A of the Act”) on behalf of the noncitizen. The date of entry or admission is the date established by the USCIS as the date the noncitizen was admitted for permanent residence.

- a) Deeming income of the sponsor: Sponsor deeming is a process used to determine the eligibility for and amount of TANF benefits that a sponsored noncitizen may receive. These deeming rules only apply to sponsored noncitizen who have executed the legally binding, I-864 Affidavit. The deeming period continues until the sponsored noncitizen becomes a U.S. citizen, has earned, or can be credited with, 40 qualifying quarters of coverage as defined in Title II of the Social Security Act (42 U.S.C. 401 et seq.), departs the U.S. permanently, or dies.
  - i. Noncitizens Required to File an I-864 Affidavit: Most family-based noncitizens, including immediate relatives, family preference noncitizens, and some orphans, must submit an affidavit of support on INS Form I-864 if they file adjustment of status or noncitizen visa applications on or after 12/19/97. In addition, an employment-based immigrant who is coming to work for a relative or for a company where a relative of the immigrant owns 5% or more of the company must file an I-864 Affidavit. These are noncitizens who have lawful permanent resident (LPR) status. Immigration through a family member or through employment are two paths to lawful permanent residency. The I-864 becomes enforceable at the time the noncitizen becomes an LPR. Noncitizens in these categories who have earned, or can be credited with, 40 qualifying quarters of coverage as defined in Title II of the Social Security Act, are not required to submit an I-864 Affidavit.
  - ii. The sponsor and the sponsor’s spouse’s income are counted in its entirety and is available to the sponsored noncitizen in determining the sponsored noncitizen’s eligibility for benefits. No deductions are given. If a sponsor is liable for more than one noncitizen, the deemed income and assets shall be divided equally among the sponsored noncitizens.
  - iii. Exceptions to sponsor deeming: Sponsor deeming would not apply for a 12-month period if:
    - a. The sponsored LPR or certain family members have been determined to be victims of domestic violence or extreme cruelty. The 12-month period can be

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extended if the abuse or cruelty is recognized by a court order, an Administrative Law Judge, or the INS, AND the victim does not live with the batterer.

- b. The sponsored LPR would be indigent (unable to obtain food and shelter without government assistance). If determined indigent, then only the amount of income and assets provided by the sponsor or the sponsor's spouse would be deemed to the LPR. Each indigent determination is renewable for additional 12-month periods.
- (6) **Attributed Tips:** The recipient is responsible for maintaining a daily log of actual tips, which will be used to verify countable tip income for budgeting purposes. Tips attributed or allocated to employees by their employers on paystubs or W-2 forms are not considered actual tips and shall not be used in computing TANF and PaS payments.
  - (7) **Child Support Paid by the Non-Custodial Parent:** Payments from a non-custodial parent are considered child support and are the income of the child for whom the support is paid. When TANF is granted the household must surrender all court ordered or voluntary child support payments to the department.
  - (8) **Child Support collected by the department:** Child support is considered unearned income for the dependent child. Child support paid for an adult child over age 18 who no longer lives in the home is countable unearned income to the adult receiving the payment.
    - a) **Pass Through Payments:** Up to the first \$50 per month per assistance unit of child support collected on the monthly support obligation for the assistance unit will be paid to the assistance unit. This payment is excluded as income and an asset in determining need and the amount of the payment. The pass-through payment amount will not be considered as part of any overpayment when support is received directly by the recipient and is not forwarded to the State.
    - b) **TANF Supplemental Payments (Gap):** When there is a deficit (gap) between the maximum TANF payment and the Standard of Need, the assistance unit may be eligible to receive a gap payment. Gap payments are made from the prior month's total child support collections, less the pass-through, if any. The maximum gap payment is the amount of the unmet need less countable income.
    - c) **Excess Payments:** When child support collected exceeds the debt owed by the non-custodial parent the excess amount may be paid to the family if there is no outstanding overpayment debt.

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- d) When current child support is collected and occasionally exceeds the total of the pass through, gap, and the benefit amount, the recipient is sent the excess and eligibility for TANF continues.
- e) When it can be anticipated that the child support collected will routinely exceed the total of the pass through, gap, and benefit amount, eligibility for TANF ends.

**E. INCOME CALCULATION:**

- (1) All income received in the four weeks immediately preceding the application or review must be verified.

**EXCEPTION:** When income stops, the Department will verify the termination and verify only the income received in the month of application and thereafter. This may be less than four weeks of income.

- (2) Determine if there were any significant income changes or anticipated significant income changes.
- a) Continuous changes will be used in determining the on-going estimate.
  - b) Anticipated significant income changes will be used only if they must be acted on now.
- (3) Income Averaging: Convert the income not received or paid monthly to a monthly amount using the following methods:
- a) Multiply weekly amounts by 4.3;
  - b) Multiply biweekly amounts by 2.15;
  - c) Multiply semimonthly amounts by 2; or
  - d) Average amounts received for a period of more than one month.
  - e) When less than a full month's income is anticipated, the actual monthly income will be used.
- (4) Determine Gross Income: Gross income is income available during the budget month and is calculated before the application of any disregards and includes:
- a) The total of earned and unearned income, of those individuals in the assistance group; and

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b) The portion of any income deemed to the assistance group (see C, above).

(5) Apply Disregards in the following order:

a) For the initial income determination:

- i. Earned Income Disregard
- ii. Dependent Allocation
- iii. Child Support/Alimony Deduction
- iv. Child or Dependent Care

b) For the second income determination:

- i. Step Disregard
- ii. Dependent Allocation
- iii. Child support/Alimony deductions
- iv. Child or Dependent Care

**F. INCOME ELIGIBILITY TESTS:**

(1) This test is used for determining eligibility for applications.

- a) When the assistance group's initial income determination, E (5)(a) above, exceeds the Standard of Need there is no eligibility for TANF/PaS.
- b) When the assistance group's initial income determination, E (5)(a) above, is less than or equal to the Standard of Need, proceed to the calculation of the payment.

(2) This test is used for determining ongoing eligibility.

- a) When the assistance group's initial income determination, E (5)(a) above, and applicable second income determination, E (5)(b) above, both exceed the Standard of Need there is no eligibility for TANF/PaS.

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- b) When the assistance group's initial income determination, E (5)(a) above, or applicable second income determination, E (5)(b) above, is less than or equal to the Standard of Need, proceed to the calculation of the payment.

**G. CALCULATION OF PAYMENT:**

- (1) Calculate the Basic TANF Grant: Subtract the initial income determination, E (5)(a) above, from the Standard of Need (SON) using the appropriate chart in the Appendix. The benefit is the difference between the two figures up to the payment maximum (see appendix).
- (2) If eligible for a Step Disregard, B (3)(c, e and f) above, Calculate the alternative Basic TANF Grant: Subtract the second income determination, E (5)(b) above, from the Standard of Need (SON) using the appropriate chart in the Appendix. The benefit is the difference between the two figures up to the payment maximum (see appendix).
- (3) Use the correct Basic TANF Grant amount from 1 or 2 above per the stipulations for the application of the Step Disregard, B (3)(c, e and f) above.
- (4) Special Need Housing Allowance (SNHA):
  - a) TANF assistance groups that incur housing costs that equal or exceed 50% of their countable income may be eligible for a SNHA payment of up to \$300 per month. A separate application for SNHA is not required. The TANF or PaS application or redetermination is considered a request for SNHA. A person can receive an SNHA even if not receiving a TANF basic grant. Assignment of child support and ASPIRE participation is required in this circumstance. Child only assistance units may be eligible for the SNHA.
  - b) Countable Housing Expenses: The total expenses that the TANF or PaS assistance unit is responsible for even when they have been unable to pay that amount. These expenses must be verified.
    - i. Rent, lot rent, mortgage payment, property taxes and homeowner's insurance.
    - ii. Any housing costs paid by General Assistance are considered the responsibility of the assistance unit.
    - iii. Subsidized housing situations: The portion of rent used in the SNHA calculation is the portion allocated to the individual and does not include the portion paid by the housing entity.
    - iv. Shared housing costs: When the TANF recipient resides in a home with others who are not included in the filing unit (see Chapter II) the responsibility for

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housing costs is determined by who is responsible for the tenancy at will agreement, lease, or mortgage.

- a. Count all of the housing costs if the individual responsible for the housing costs is in the filing unit. Any contributions to housing costs by individuals outside of the filing unit will be treated as unearned income to the individual;
- b. Count a prorated share of the housing costs if:
  1. the individual responsible for the housing costs is a caretaker relative receiving a child only payment; or
  2. The individual responsible for the housing costs is a parent or child excluded from the assistance unit because of receipt of SSI or State Supplement.
- c. Count none of the housing costs if the individual responsible for the housing costs, is not in the filing unit. Any voluntary contributions to housing costs made by the TANF individual to the holder of the rental/mortgage agreement are not considered countable for the SNHA.

c) Payment Determination

- i. Determine eligibility for the basic TANF or PaS grant as in (G) (1) above.
- ii. When the assistance unit is eligible for TANF or PaS, administer the 50% Test:
  - a. Add the basic TANF or PaS grant amount plus child support (minus \$50 pass-through), plus countable income.
  - b. Determine total shelter costs.
  - c. Divide total shelter costs (b) by the total of the basic grant plus child support plus countable income (a).
  - d. When the amount obtained in (c) is equal to or greater than 50% subtract the TANF or PaS countable income from the Special Need Full Standard of Need. The grant amount is the deficit up to the maximum Special Need payment for the size of the assistance group.

(5) If the result is less than \$1 before application of any recoupment or proration, no benefit is issued.

(6) Round the benefit down to the next whole dollar.



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- (7) The TANF assistance group will receive the highest level of TANF benefits they are eligible to receive as defined in Section G.

**H. TOTAL BENEFITS PACKAGE:** A TANF recipient with child care needs has the option of:

- (1) Receiving their TANF payment plus the child care assistance, up to the maximum market rate as determined by OCFS, as a “total” benefit” or
- (2) Receiving their TANF payment and having the child care assistance paid directly to the child care provider. Unless specified by the recipient, the child care payment would be paid to the child care provider.

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**A. TRANSITIONAL CHILD CARE (TCC)**

- (1) **Transitional Child Care (TCC)** provides child care benefits to eligible families who received TANF/PaS in any one of the three months immediately preceding the month of ineligibility.
- a) TCC benefits are only available during the time the specified relative works and only for—
    - i. Children under the age of 13 needing care while their specified relative works at paid employment.
    - ii. Children aged 13 through 19 who are physically or developmentally incapable of caring for themselves. The physical or developmental impairment must be verified by a physician, certified nurse practitioner, or licensed psychologist;
    - iii. Children receiving SSI or IV-E Foster Care;
    - iv. Children who enter the household, and for whom the former TANF/PaS specified relative has legal responsibility, during the transitional period and otherwise meet all requirements.
  - b) In a two-parent household at least one parent must be working at paid employment in order to receive TCC benefits. If only one parent is employed, the other parent must be, either—
    - i. Enrolled in an education or training program as verified by a copy of the parent's class schedule or
    - ii. Unable to care for the children due to having a disabling condition as verified by medical evidence.
- (2) **Eligibility Criteria:** The family must meet the following criteria:
- a) TANF/PaS Closure: The TANF/PaS case must have closed because—
    - i. There was an increase in earned income, except in the following situations:
      - a. The case closed because of increased earnings of the excluded stepparent required to deem income to the assistance group (Ch. IV, C, Deemed Income); or
      - b. The specified relative with earned income was excluded from the TANF/PaS assistance group;

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- ii. There was an increase in child support;
  - iii. The family voluntarily closed the case; and/or
  - iv. The family reached the 60-month lifetime limit.
- b) Income:
- i. At TANF/PaS closure one or both parents must be working at paid employment; and
  - ii. The family's gross weekly income must be equal to or less than 250% of the Federal Poverty Level (FPL) for their family size. The income of all members of the filing unit is counted.
- c) Non-Financial Requirements:
- i. The family must reside in Maine.
  - ii. The child(ren) must be a U.S. Citizen or noncitizen potentially eligible for federally funded assistance as defined in Chapter II.

**(3) Eligibility Process:**

- a) The Department shall open TCC, beginning the month following receipt of the last TANF/PaS benefit, for families who were receiving child care services through ASPIRE-TANF at the time of TANF/PaS closure and who meet the eligibility requirements for TCC , without additional request.

Families who were not receiving child care services through ASPIRE-TANF at the time of TANF/PaS closure may request TCC verbally or in writing. This request must be made within 12 months of TANF/PaS closure. TCC begins on the day of request if eligible. There is no retroactive TCC payment.

- b) A child care disregard used in the calculation of the TANF/PaS benefit (Chapter IV § B(2)(b)) ends the month following the month of TANF/PaS receipt.
- c) Parent Fee Requirement: The parent fee will be waived for any family with gross weekly income equal to or less than 250% FPL.

**(4) TCC Benefit Calculation:**

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- a) TCC benefits are calculated prospectively for a seven-day period beginning on Sunday.
- b) TCC benefits are based on the market rate cap and are derived from the 75<sup>th</sup> percentile rate charged in the county where child care is provided. The Office of Child and Family Services determines the Market Rate (see Appendix, page 4).
- c) TCC benefits are calculated in the following manner:
  - i. Calculate the gross weekly income: If the gross income is greater than 250% of the FPL, there is no TCC eligibility. When the gross income is less than or equal to 250% of the FPL, proceed to (ii), below;
  - ii. Calculate the Parent Fee: The parent fee will be waived for any family with gross weekly income equal to or less than 250% FPL.
  - iii. Calculate each child's TCC payment.
    - a. For each child, identify the Market Rate Cap based on the following:
      1. Child's age group:
        - (a) Infant: birth through 12 months
        - (b) Toddler: 13 months through 36 months
        - (c) Preschool: 37 months through 60 months
        - (d) School Age: 61 months (or younger if attending kindergarten) through 19 years
      2. Type of child care facility:
        - (a) Licensed child care center
        - (b) Licensed family child care
        - (c) Legal Unregulated child care
      3. County where the child care is located
      4. Number of hours of child care needed: The Department may only authorize child care for the number of hours the parent works each week. The number of work hours is used to determine the applicable Market Rate Cap percentage for payment as defined below:

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<b>Child Age Group</b>	<b>Full-time Fee</b>  <b>100% of Cap hour requirement</b>	<b>Three-quarter time Fee</b>  <b>75% of Cap hour requirement</b>	<b>Half-time Fee</b>  <b>50% of Cap hour requirement</b>	<b>One-quarter time Fee</b>  <b>25% of Cap hour requirement</b>
<b>Infant Toddler Preschool</b>	30+ hours per week	20-29 hours per week	10-19 hours per week	Less than 10 hours per week
<b>School Age</b>	30+ hours per week	11-29 hours per week	6-10 hours per week	Less than 6 hours per week

(a) Night-Time Employment: Parents who are employed at night may be approved for a maximum of eight additional hours of child care for sleep time. Children shall not remain in care longer than 18 hours within a 24-hour period.

(b) Parents who are required to travel to the child care provider may be approved for additional hours to accommodate for the time spent driving to the child care provider on the most direct route to and from work.

- b. Compare the provider's cost to the Market Rate Cap. The Department pays the actual cost charged by the provider or the Market Rate Cap, whichever is less. This figure is considered the cost of care.

Special Needs Child Care: The Department may pay child care rates in excess of the market rate cap for children requiring specialized care due to a physical or mental impairment. Verification of the impairment and the need for specialized care is required.

- c. Subtract the parent fee from the cost of care the Department will pay, the difference is the TCC benefit.

(5) **TCC Payment Issuance:** The Department shall divert the TCC benefit to the child care provider unless the recipient requests otherwise.

(6) **Reporting Responsibilities:** TCC payments remain constant until a redetermination is completed, or until the recipient or child care provider reports a change that affects the amount of TCC benefits.

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- a) TCC recipients are required to report the following changes within ten days of occurrence:
  - i. Employment ceases,
  - ii. The second parent in the home no longer is a student, has a disability, or is employed,
  - iii. A child leaves the home,
  - iv. It becomes known to the family that the child will not receive services from the provider for a period of two or more days,
  - v. A change in child care providers takes place,
  - vi. A change occurs to the number of child care hours needed due to changes in employment or travel time, or
  - vii. A change in income causing the gross income to exceed 250% of the Federal Poverty Level.

Otherwise, recipients must report income changes at least annually through the eligibility redetermination process.

- b) TCC providers are required to report the following changes within ten days of occurrence:
  - i. It becomes known to the provider that the child will not receive services from the provider for a period of two or more days,
  - ii. A change in child care providers takes place, or
  - iii. A change occurs to the number of child care hours provided.

(7) **Redetermination:** All TCC cases must have a benefit eligibility redetermination at least once every 12 months as defined in Chapter I(F). The redetermination date aligns with a Medicaid and/or Food Supplement redetermination whenever possible. An interview is not required to determine ongoing TCC eligibility.

(8) **Termination of Benefits:** TCC benefits terminate, without 10 days' notice, when—

- a) A redetermination is not completed;

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- b) Employment ceases;
  - c) The TCC family fails to provide requested verification;
  - d) There are no eligible children in the home;
  - e) The TCC family is determined to be income ineligible; or
  - f) Nonpayment of Parent Fee: See Subparagraph 4(c)(ii) above. Upon notification by the child care provider and confirmation by the Department that the parent failed to pay the parent fee, the Department shall end the TCC. If the parent has made a good faith effort to make payment, or has entered into a payment plan with the provider and evidence has been provided that the parent is in compliance with that plan, the Department may continue TCC.
- (9) **Application for TANF/PaS:** If a TCC recipient's hours are reduced and the recipient then reapplies for TANF/PaS, the recipient may continue to receive TCC until ASPIRE makes a determination about the suitability of child care supports. There must not be a duplication of receipt of child care benefits.
- (10) **Break in Assistance:** When TANF/PaS has been closed for more than 12 months and there has been a break in receipt of TCC of 90 days or less due to the following reasons, the family remains eligible for TCC.
- a) The family member loses a job for good cause as defined in 10-144 C.M.R. Ch. 607, ASPIRE-TANF Program Rules, Section 4(III)(C) but secures another job prior to reopening of a TANF/PaS grant;
  - b) There is a break in employment due to seasonal or planned layoff;
  - c) Maternity leave; or
  - d) Medical leave.
- (11) **Child Care Providers:**
- a) Providers must be 18 years of age or older.
  - b) The provider cannot be a parent, stepparent or guardian of the child or reside in the same household as the TCC recipient;
  - c) Unlicensed providers and all adult members of their household must undergo a background check every two years. The background check must be completed before any funds are released to that provider.

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- d) The Department reserves the right to disapprove a provider chosen by the parent with cause, as determined by the TANF Program Manager.

(12) **Overpayments:** Overpayments occur when the amount paid exceeds the amount that would have been paid if the benefit had been calculated correctly on actual circumstances reported, verified and acted on in a timely manner. Overpayments can occur as the result of agency, specified relative, or child care provider error. A party in wrongful receipt of a TCC benefit shall be responsible for repaying the overpayment. TCC benefits issued to the specified relative and not used to pay a child care provider are considered an overpayment which must be repaid by the specified relative. A child care provider that receives payment and either fails to render services or fails to satisfy the Reporting Requirements articulated in Section 6 of this chapter shall be liable for reimbursement and any related costs, including interest.

(13) **Recovery of Overpayments:**

- a) Errors caused by the Department or the specified relative: The Department may recover the value of any outstanding TCC overpayment. Such actions can include, but are not limited to
  - i. offsetting future TANF/PaS benefits,
  - ii. seeking recoupment from a child care provider, or
  - iii. referring the matter to the Department’s Fraud, Investigation and Recovery Unit for collection.
- b) Overpayments caused by the child care provider: The Department may recover the value of any outstanding TCC overpayment regardless of any other debt the specified relative may owe to the provider. The Department may, to the extent allowed by law, take whatever action is deemed appropriate to recover such overpayment.

**B. TRANSITIONAL TRANSPORTATION (TT)**

- (1) **Transitional Transportation (TT)** provides benefits to eligible families, to include:
  - a) Families who received TANF/PaS in any one of the three months immediately preceding the month of TANF/PaS ineligibility, are working at paid employment, and are financially eligible may qualify for TT.
    - i. TT is available for up to 18 months when requested within twelve months of TANF/PaS closure.



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- ii. The Department shall notify individuals of the possibility of transportation reimbursement and of the necessity to submit an application if interested at the time of TANF/PaS closure.
  - iii. These Families must meet the criteria detailed in Subsection 2(a) below.
- b) Other families working at paid employment may qualify for TT:
- i. They include those who—
    - a. have not received TANF/PaS in the last three months, or
    - b. had TANF close in the last three months but do not meet the criteria defined in Subsection 2(a).
  - ii. The following conditions apply to these families:
    - a. TT is available for up to 18 months within a 36 month period starting from the month of TT application, dependent on funding availability. Months accrued in this section and section a) above are cumulative.
    - b. The Department may provide, at its discretion, up to \$1,400,000 annually for each state fiscal year (SFY) from Maine’s Temporary Assistance for Needy Families block grant for families eligible under this paragraph.
      - 1. When the Department determines that the funding limit will be reached or exceeded, the Department may close all current cases eligible under the provisions of this paragraph providing timely and adequate notice as described in Chapter I(I).
      - 2. When the current SFY funding limit has been reached or the Department determines that the funding limit will be reached or exceeded in the current or next assistance month it may deny all applications eligible under the provisions of this paragraph that would be subject to this limit. The Department shall issue a written notice of decision in accordance with the application process described in Subsection 3 below.
      - 3. A new, \$1,400,000 period begins each state fiscal year which begins July 1 and ends June 30.
        - (a) If Households apply in June and would be denied based on the funding limit, the Department shall simultaneously determine eligibility for June and July.

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(b) Households who applied prior to June 1 and were denied or closed, must reapply for a determination to be made for July.

c. The eligibility criteria detailed in Subsection 2(b) below apply.

(2) **Eligibility Criteria:** The family must meet one of the following criteria:

a) TANF/PaS Closure Families: the specified relative must meet the following criteria:

i. The TANF/PaS case must have closed because—

a. There was an increase in earned income except in the following situations:

1. The case closed because of increased earnings of an excluded stepparent required to deem income to the assistance group (Ch. IV, C, Deemed Income);
2. The specified relative was excluded from the TANF/PaS assistance group; or
3. The adult member(s) of the TANF/PaS assistance group are no longer eligible for TANF/PaS due to not being a U.S. Citizen or noncitizen potentially eligible for federally funded assistance as defined in Chapter II;

b. The TANF/PaS recipient has earned income but has requested their benefits be terminated; or

c. The TANF/PaS case has reached or exceeded the 60 month lifetime limit and the TANF/PaS recipient is employed during the month of TANF/PaS closure.

and

ii. The family must have gross monthly income equal to or less than 250 percent of the Federal Poverty Level for their family size. The income of all members of the filing unit is counted.

b) Non-TANF/PaS Closure Families: The specified relative must meet the following criteria:

i. They must have a dependent child(ren) under age 18 in the household;

ii. They must be working at paid employment;

iii. They must incur an employment related transportation expense;

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- iv. They must be a U.S. citizen or noncitizen potentially eligible for federally funded assistance as defined in Chapter II; and
  - v. The family must have gross monthly income equal to or less than 200 percent of the Federal Poverty Level for their family size.
- (3) **Application Process:**
- a) Eligibility for TT is determined upon receipt of a written request for TT on a form required by the Department. The request must include the applicant's name, address, and signature. The application date is the date the paper or electronic document is received by the Department.
  - b) Missing documentation and verification must be requested by the Department in writing. Applicants have at least 10 days from the date of the letter to provide requested information to the Department. Failure to provide requested verifications within this timeframe results in denial of the application.
  - c) The Department shall issue a written decision within 30 days of receiving a completed application. If the decision is to deny the application, the notice of decision must state the reason(s) for the denial and notify the individual of their right to appeal the decision.
  - d) Appeals of Department denials must be filed within 30 days of the date of the Department's written decision. All other rules regarding the Administrative Procedures outlined in Chapter VI apply.
- (4) **Payment Calculation:**
- a) Payment is calculated by determining how many miles the participant travels to and from work each day multiplied by the anticipated number of working days in the month.  

**NOTE:** Mileage is for the most direct route to and from the recipient's home and their place of employment. Mileage includes necessary trips to a child care provider and to the home of car pool passengers.
  - b) The reimbursement rate for the TT benefit is 45 cents per mile, up to \$20 per day. Beginning October 1, 2022, the reimbursement is 46 cents per mile, up to \$20 per day.
  - c) Recipients who have a disability and who operate their own personal wheelchair lift or other specially-equipped vehicle to travel to and from work may receive a mileage

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- reimbursement rate of 55 cents per mile, up to \$20 per day. Beginning October 1, 2022, the reimbursement is 56 cents per mile, up to \$20 per day.
- (5) **Payment:** Payment is made monthly, on the first day of the month. Payment is for travel costs incurred in the month of payment. TT is paid as long as a transportation expense is incurred, no matter the method of transportation.
- (6) **Reporting Responsibilities:** TT payments remain constant until a redetermination is completed, or until the recipient reports a change that affects the amount of TT benefit.
- a) Within ten days of its occurrence, TT recipients must report all changes that affect eligibility, including—
- i. Employment ceases,
  - ii. A change in the distance driven to work or to child care provider,
  - iii. A change in the number of working days per month,
  - iv. A household member leaves the home, and
  - v. An increase in gross income beyond the applicable income limit.
- (7) **Redetermination:** All TT cases must have benefit eligibility redetermined following the first twelve months of receipt. In some situations, the Department may shorten the redetermination period to coordinate with an anticipated change that would affect eligibility.
- a) Benefits automatically terminate when—
- i. a scheduled redetermination is not completed,
  - ii. employment ceases,
  - iii. the last eligible child leaves the home, or
  - iv. the TT family is determined to be income ineligible.
- (8) **Overpayments:** Overpayments occur when the amount paid exceeds the amount that would have been paid if the benefit had been calculated correctly on actual circumstances reported, verified, and acted on in a timely manner. Overpayments can occur as the result of errors on the part of the agency or a specified relative. The specified relative shall be responsible for repaying the overpayment.

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- (9) **Recovery of Overpayments:** The Department may recover the value of any outstanding TT overpayment by offsetting future TANF/PaS benefits, or by referring the matter to the Department's Fraud, Investigation and Recovery Unit for collection.

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**Maximum Benefit and Standard of Need**

HH Size	Grant Type		FFY 2020		FFY 2021	FFY 2022	FFY 2023	FFY 2024
			Oct 19 - May 20	Jun 20 - Sep 20	Oct 20 - Sep 21	Oct 21 – Sep 22	Oct 22 – Sep 23	Oct 23 – Sep 24
1	Adult Included	SON	\$354	\$353	\$358	\$362	\$379	\$407
		Max Grant	\$290	\$289	\$294	\$298	\$315	\$343
	Child Only	SON	\$209	\$209	\$212	\$214	\$224	\$241
		Max Grant	\$173	\$173	\$176	\$178	\$188	\$205
2	Adult Included	SON	\$556	\$556	\$563	\$569	\$597	\$640
		Max Grant	\$456	\$456	\$463	\$469	\$497	\$540
	Child Only	SON	\$399	\$399	\$404	\$409	\$429	\$460
		Max Grant	\$329	\$329	\$334	\$339	\$359	\$390
3	Adult Included	SON	\$746	\$745	\$755	\$763	\$800	\$858
		Max Grant	\$611	\$610	\$620	\$628	\$665	\$723
	Child Only	SON	\$590	\$590	\$598	\$605	\$634	\$680
		Max Grant	\$485	\$485	\$493	\$500	\$529	\$575
4	Adult Included	SON	\$938	\$938	\$950	\$960	\$1,006	\$1,079
		Max Grant	\$769	\$769	\$781	\$791	\$837	\$910
	Child Only	SON	\$908	\$779	\$790	\$798	\$837	\$897
		Max Grant	\$638	\$638	\$649	\$657	\$696	\$756
5	Adult Included	SON	\$1,127	\$1,127	\$1,141	\$1,153	\$1,209	\$1,297
		Max Grant	\$922	\$922	\$936	\$948	\$1,004	\$1,092
	Child Only	SON	\$972	\$972	\$985	\$995	\$1,043	\$1,119
		Max Grant	\$797	\$797	\$810	\$820	\$868	\$944
6	Adult Included	SON	\$1,317	\$1,317	\$1,334	\$1,348	\$1,414	\$1,516
		Max Grant	\$1,077	\$1,077	\$1,094	\$1,108	\$1,174	\$1,276
	Child Only	SON	\$1,162	\$1,162	\$1,177	\$1,190	\$1,247	\$1,338
		Max Grant	\$951	\$951	\$966	\$979	\$1,036	\$1,127
7	Adult Included	SON	\$1,509	\$1,508	\$1,528	\$1,544	\$1,619	\$1,736
		Max Grant	\$1,235	\$1,234	\$1,254	\$1,270	\$1,345	\$1,462
	Child Only	SON	\$1,352	\$1,352	\$1,370	\$1,385	\$1,452	\$1,557
		Max Grant	\$1,107	\$1,107	\$1,125	\$1,140	\$1,207	\$1,312
8	Adult Included	SON	\$1,700	\$1,699	\$1,722	\$1,740	\$1,824	\$1,956
		Max Grant	\$1,391	\$1,390	\$1,413	\$1,431	\$1,515	\$1,647
	Child Only	SON	\$1,542	\$1,542	\$1,562	\$1,579	\$1,656	\$1,775
		Max Grant	\$1,262	\$1,262	\$1,282	\$1,299	\$1,376	\$1,495
Add Mem ber	Adult Included	SON	\$193	\$190	\$192	\$195	\$204	\$219
		Max Grant	\$158	\$155	\$157	\$160	\$169	\$184
	Child Only	SON	\$193	\$190	\$192	\$195	\$204	\$219
		Max Grant	\$158	\$155	\$157	\$160	\$169	\$184

For Special Need Housing Households, add \$300 to each figure.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE FOR FAMILY INDEPENDENCE  
Maine Public Assistance Manual (TANF – Temporary Assistance for Needy Families)**

Charts

Appendix  
page 3

Rev /24 – TANF118P

**WORKSHEET FOR CALCULATING TCC PARENT FEES AND SUBSIDY  
PAYMENTS  
Effective February 5, 2023**

		<b>WEEKLY GROSS INCOME BY FAMILY SIZE</b>			
<b>% of FPL to 250%</b>	<b>% of Weekly Gross Income</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Up to 25%</b>	<b>2%</b>	0 – 71	0 – 96	0 – 121	0 – 146
<b>26 to 50%</b>	<b>4%</b>	71.01 – 142	96.01 – 192	121.01 – 241	146.01 – 291
<b>51 to 75%</b>	<b>5%</b>	142.01 – 212	192.01 – 287	241.01 – 362	291.01 – 437
<b>76 to 100%</b>	<b>6%</b>	212.01 – 283	287.01 – 383	362.01 – 482	437.01 – 582
<b>101 to 125%</b>	<b>8%</b>	283.01 – 354	383.01 – 478	482.01 – 603	582.01 – 727
<b>126 to 150%</b>	<b>9%</b>	354.01 – 424	478.01 – 574	603.01 – 723	727.01 – 873
<b>151 to 200%</b>	<b>10%</b>	424.01 – 566	574.01 – 765	723.01 – 964	873.01 – 1,163
<b>201 to 250%</b>	<b>10%</b>	566.01 – 707	765.01 – 956	964.01 – 1,205	1,163.01 – 1,454
		<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>Up to 25%</b>	<b>2%</b>	0 – 171	0 – 196	0 – 221	0 – 245
<b>26 to 50%</b>	<b>4%</b>	171.01 – 341	196.01 – 391	221.01 – 441	245.01 – 490
<b>51 to 75%</b>	<b>5%</b>	341.01 – 511	391.01 – 586	441.01 – 661	490.01 – 735
<b>76 to 100%</b>	<b>6%</b>	511.01 – 682	586.01 – 781	661.01 – 881	735.01 – 980
<b>101 to 125%</b>	<b>8%</b>	682.01 – 852	781.01 – 976	881.01 – 1,101	980.01 – 1,225
<b>126 to 150%</b>	<b>9%</b>	852.01 – 1,022	976.01 – 1,172	1,101.01 – 1,321	1,225.01 – 1,470
<b>151 to 200%</b>	<b>10%</b>	1,022.01 – 1,363	1,172.01 – 1,562	1,321.01 – 1,761	1,470.01 – 1,960
<b>201 to 250%</b>	<b>10%</b>	1,363.01 – 1,703	1,562.01 – 1,952	1,761.01 – 2,201	1,960.01 – 2,450
		<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
<b>Up to 25%</b>	<b>2%</b>	0 – 270	0 – 295	0 – 320	0 – 345
<b>26 to 50%</b>	<b>4%</b>	270.01 – 540	295.01 – 590	320.01 – 640	345.01 – 690
<b>51 to 75%</b>	<b>5%</b>	540.01 – 810	590.01 – 885	640.01 – 960	690.01 – 1,034
<b>76 to 100%</b>	<b>6%</b>	810.01 – 1,080	885.01 – 1,180	960.01 – 1,279	1,034.01 – 1,379
<b>101 to 125%</b>	<b>8%</b>	1,080.01 – 1,350	1,180.01 – 1,474	1,279.01 – 1,599	1,379.01 – 1,723
<b>126 to 150%</b>	<b>9%</b>	1,350.01 – 1,620	1,474.01 – 1,769	1,599.01 – 1,919	1,723.01 – 2,068
<b>151 to 200%</b>	<b>10%</b>	1,620.01 – 2,160	1,769.01 – 2,359	1,919.01 – 2,558	2,068.01 – 2,757
<b>201 to 250%</b>	<b>10%</b>	2,160.01 – 2,699	2,359.01 – 2,948	2,558.01 – 3,198	2,757.01 – 3,446