



Department of Human Services
311 West Saratoga Street
Baltimore MD 21201

FIA ACTION TRANSMITTAL

Control Number: # 23-16

Effective Date: March 15, 2023

Issuance Date: April 19, 2023

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT,
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

FROM: LA SHERRA AYALA, EXECUTIVE DIRECTOR 

**RE: NEW TANF CERTIFICATION REQUIREMENT FOR
VICTIMS OF SEXUAL HARASSMENT OR SURVIVORS OF
DOMESTIC VIOLENCE (DV), SEXUAL ASSAULT, OR
STALKING.**

PROGRAM AFFECTED: TEMPORARY CASH ASSISTANCE(TCA)

OFFICE: OFFICE OF CASH PROGRAMS

SUMMARY

The Consolidated Appropriations Act, 2022 signed by President Biden on March 15,2022 amends section 402(a) of the Social Security Act (42 U.S.C. 602(a)), adding a new required certification for state TANF agencies related to providing information to victims of sexual harassment or survivors of domestic violence (DV), sexual assault, or stalking. DHS is required by federal law to assess our customers for safety when working with them to meet program requirements for certification and recertification of program benefits.

Local Departments of Social Services (LDSSs) must establish and enforce standards and procedures to notify potential applicants and recipients of TANF the assistance that can be made available by the state to victims of sexual harassment, sexual assault, stalking and survivors of domestic violence.

REQUIRED ACTIONS

Each LDSS must develop written a Standard Operating Procedure (SOP) and train staff on the referral process for victims of sexual harassment, sexual assault, DV, survivors of DV, and stalking. The SOP must be accessible to case managers and submitted to Vera Adams, Assistant Director, Office of Cash Programs, at vera.adams@maryland.gov on or before July 1, 2023.

When the customer has revealed violence is occurring or the case manager suspects it, case managers will refer victims to the designated domestic/family violence expert to receive the appropriate counseling and other supportive services. The domestic or family violence expert could be a services worker or local non-governmental organization with which the local department has a partnership.

A Domestic/Family Violence Expert ie: a Social Services Administration (SSA) worker or a community based Domestic Violence Agency assisting the customer will notify the LDSS with the results of the DV screening process and services provided. The case manager must set a reminder alert to follow up, within 30 days of the DV activity in the E&E and WORKS systems. The LDSS must enforce their approved SOP for DV.

The Domestic Violence Referral Process via SSA:

Note: Include the below process in the LDSS SOP.

- FIA Case Manager will provide customers with Domestic Violence resources available within the community where the customer resides.
- FIA Case manager **will not ask** customers for verification/proof of violence.
- FIA Case manager will immediately complete the DHS/FIA form 461 Referral for Services (form located on Knowledge Base) and submit to FIA Supervisor for DV screening and determination.
- FIA Supervisor will email SSA LDSS DV Screeners or (community partner if applicable) and attach the completed DHS/FIA form 461 to the email to the SSA LDSS DV Screener.
- FIA Supervisor will include in the body of the email “Please respond to this referral within 14 days via reply all (FIA Supervisor and FIA Case Manager)”.
- The SSA DV Screener will notify the local department the results of the DV screening and services being provided to the customer.
 - If no response is received within the 14 day timeline, FIA Supervisor will connect with SSA Screener and/or SSA Screener’s Supervisor for follow up on DV status.
- FIA Case Manager will give the customer a Good Cause exemption from work requirements and, if applicable, Child Support requirements based on the result from the SSA DV Screener.
- FIA Case Manager will code TCA case for DV on the Individual Detail screen in E&E.

This will stop the TLE counter in the E&E system.

○ If the customer's TLE counter is 60 months or more DV must be considered as a hardship exemption (Follow Hardship Exemption procedures).

- FIA Case Manager will narrate all actions and findings in E&E and WORKS.
- FIA Case Manager will upload any supporting documentation (DHS/FIA form 461-results) in ECM.
- FIA Case Manager will code WORKS system with OTV code for 30 days to coincide with the E&E coding for domestic violence.
 - FIA Case Manager will follow up every 30 days as appropriate.
- FIA Case Manager will set an alert for follow up if the referral partner has not responded within the 30 day period.

Note:

FIA Case managers must continue the process of completing the Family Investment Plan (FIP) and the OWRA Assessment (or use of approved assessment) for all TCA applications and redeterminations. Policy requires that the customer be reassessed for DV at any point the FIP is updated.

For additional information:

- **[Domestic Violence Point of Contacts \(SSA Screeners\)](#)**
- The Work Book
- TCA Manual section 1001
- Community Resource Guide located in KB
- (ACF) The Administration for Children and Families resource centers nationally
<https://www.acf.hhs.gov/fysb/fv-centers>
- 20-07 - 60 Month TCA Policy.pdf (hardship exemption process) KB
- SSA 14-14 Intimate Partner Violence Lethality Assessment.pdf KB

[DHS 461 SERVICE REFERRAL 2023](#)

INQUIRIES: Please direct policy questions to the Office of Statewide Policy Compliance and Customer Service Service Performance by completing the [FIA Policy Information Request Form](#) found on Knowledge Base as shown in the screenshot below.

For systems questions, please email fia.bsdms@maryland.gov.

cc: DHS Executive Staff
FIA Management Staff
Constituent Services
Office of Administrative Hearings