

ADMINISTRATION FOR  
**CHILDREN & FAMILIES**

## Partnering for Children

Collaboration Between Tribal TANF & Tribal Child  
Support

July 17, 2013



# Welcome

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# Presenters

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# Learning Objectives

- Goals and objectives of Tribal TANF and Child Support
- Differences between state and tribally administered programs
- Benefits and examples of Tribal TANF and Tribal Child Support program collaborations



# TANF OVERVIEW



# Tribal TANF Background

The “Personal Responsibility and Work Opportunity Reconciliation Act of 1996” (**PRWORA**)

- A **\$16.5** billion federal block grant available to States, Territories, and federally recognized Tribes.
- The TANF program provides time limited assistance to families with children when the parents or other responsible relatives cannot provide for the family's basic needs.
- Gave Federally-recognized American Indian Tribes the authority to operate their own TANF programs.



# Tribal TANF Background (Con't)

- Funding levels for both State and Tribal programs are based on actual state/county expenditures for Native American families under AFDC in 1994
- States and Tribes have broad flexibility to design and carry out their programs
- These programs represent 299 federally recognized Tribes and Alaska Native Villages providing services on reservations, in Native Villages, and in 122 counties.
- Current Tribal TANF annual funding: \$183,112,879 of the 16 billion dollar annual budget.



# Goal of TANF

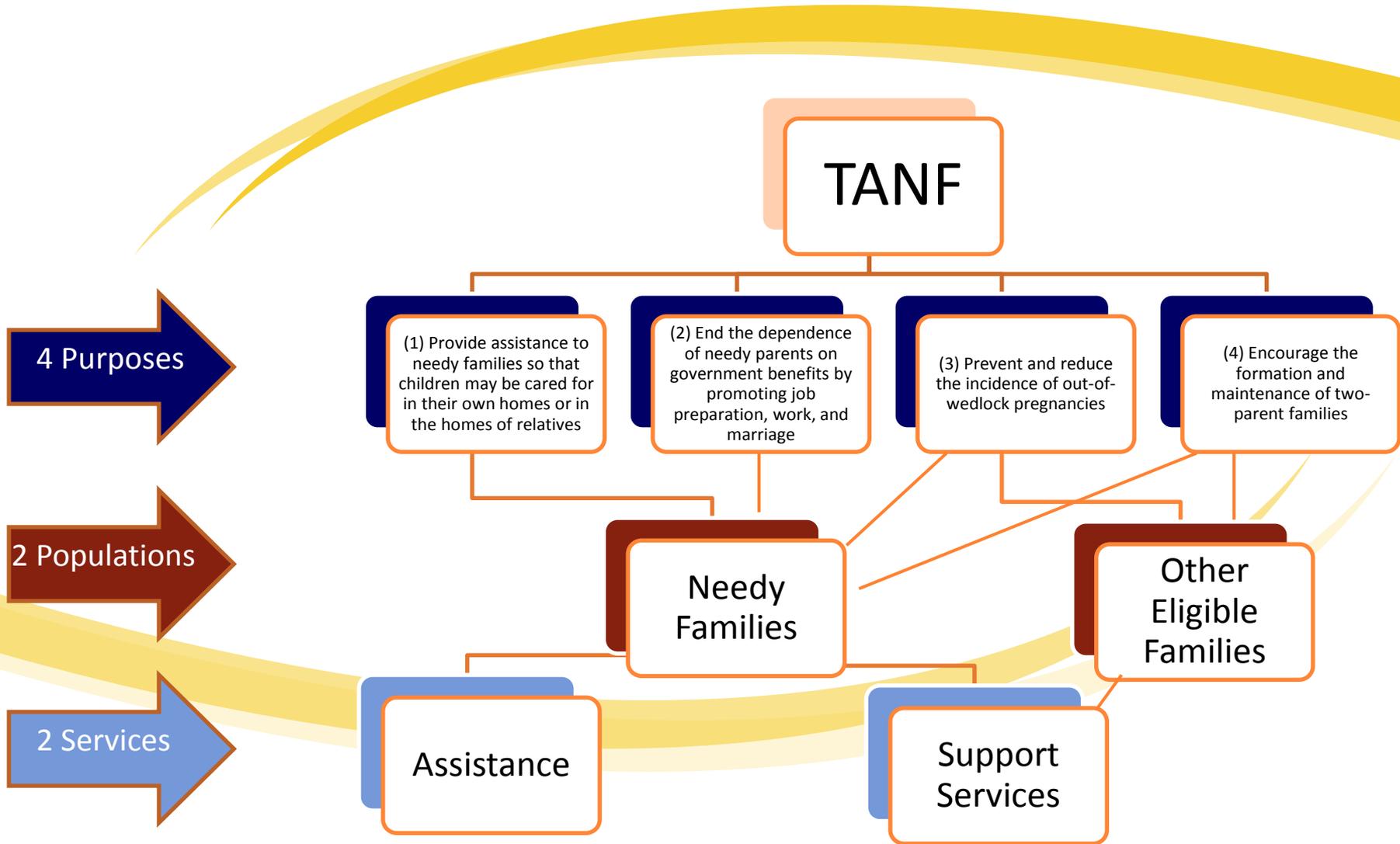
To provide temporary support and financial assistance to needy families, while aiming to get people off of that assistance, primarily through employment.



# 4 Purposes of TANF

- (1) Provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;
- (2) End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;
- (3) Prevent and reduce the incidence of out-of-wedlock pregnancies; and
- (4) Encourage the formation and maintenance of two-parent families.





# CHILD SUPPORT OVERVIEW



# Tribal Child Support Overview

## Goals & Purpose:

- Parents financially and emotionally support their children
- Services
  - locate noncustodial parents,
  - establish paternity, establish and enforce support orders, and
  - collect child support payments from noncustodial parents



# Tribal Child Support Eligibility

Four types of entry into child support program:

- Direct application
- Referral from IV-A, IV-E or Medicaid
- Intergovernmental case
- Case transfer



# STATE AND TRIBAL DIFFERENCES



# State & Tribal Child Support Program Differences

## State Child Support Programs

- PWRORA mandated that all States are required to have a functioning Child Support Enforcement Program (CSE) prior to adopting the TANF program.
- No non-cash support provision
- 66% federal match

## Tribe Child Support Programs

- Tribes are not required to have TANF programs to administer Child Support Enforcement Programs.
- Non-cash support provision
- 90% for 3 years and 80% thereafter



# State and Tribal TANF Differences

## State TANF

PWRORA mandated that **all States are required** to have a functioning Child Support Enforcement Program (CSE) prior to adopting the TANF program.

**All States are required** to condition eligibility for TANF assistance on the assignment of child support payments to the State TANF Program.

## Tribal TANF

Tribes **are not** required to have Child Support Enforcement Programs to administer TANF programs.

If a Tribe has both a TANF and a CSE Program, **there is no requirement** for the two programs to work together.

However, if the Tribe wishes to have their Tribal TANF and Tribal Child Support programs collaborate, there are certain items that must be included in the Tribal TANF Plan.



# **CONDITION OF ELIGIBILITY & ASSIGNMENTS OF RIGHTS**



# Conditions of Eligibility

## The Tribal TANF Plan Must Include:

**§ 286.155 (b)** For Tribes choosing to condition eligibility for Tribal TANF assistance on assignment of child support to the Tribe, the TFAP must address the following-

**§ 286.155 (1)** Procedures for ensuring that assigned child support collections in excess of the amount of Tribal TANF assistance received by the family will not be retained by the Tribe; and

**§ 286.155 (2)** How any amounts generated under an assignment and retained by the Tribe will be used to further the Tribe's TANF program, consistent with § 286.45(f).



# Tribal Child Support Distribution Regulations

45 CFR 309.115—Requirements for child support distribution in Tribal child support cases



# General Tribal Distribution Rules

- Satisfy current support obligation (except IRS)
- Pay excess support to family, unless
  - Current or former TANF with assignment of rights
  - Intergovernmental case



# General Tribal Distribution Rules

- Apply Federal income tax to arrearages
- Send all collections to State/Tribe in intergovernmental cases with no assignments



# Key Tribal Distribution Questions

- Is there a request to collect from another jurisdiction?
- Is there an assignment to the Tribe?
- Is the case a current Tribal TANF case?



# Tribal Child Support Assignment of Rights

If condition Tribal TANF eligibility on the assignment of child support, must decide to retain all or a portion of support collected

- If additional assigned child support to State or other jurisdiction, may be collecting for three different parties



# Retention and Pass-through Options

- Pass-through 100%
- Retain 100% up to amount of Tribal TANF
- Pass-through some or percentage and retain excess



# INFORMATION SHARING



# Tribal Child Support Information Sharing Regulations

- 45 CFR 309.80
- IRS Code 26 U.S.C. 6103
- IRS Publication 1075
- Final Rule on Safeguarding Child Support Information



# Tribal Child Support Information Sharing Policy Guidance

- **PIQT-07-02** – FFP for State Automated Systems Costs for Service Agreements; Submitting Tribal Cases for Federal Tax Refund and Requests to FPLS
- **PIQT-10-01** – Questions Regarding Tribal Access to FPLS and Federal Tax Refund Offset
- **TDCL-10-02** – Tribal IRS Safeguarding Guidance



# Child Support Information Sharing with TANF & Kinship Care

- Address changes for custodial parent
- Child Support collected
- Information about custody changes and children leaving household



# AUTHORITY FOR STATE CHILD SUPPORT AGENCIES TO RELEASE INFORMATION TO NON-CHILD SUPPORT FEDERAL AND STATE PROGRAMS, AND TO CHILD SUPPORT TRIBAL PROGRAMS

Authority	Authorized Purpose of the Request	Authorized Person/Program	Authorized Information Returned	Limitations
<p>Sections 453 and 454A(f)(3) of the Act, Section 1102 of the Act; and 45 CFR 307.13.</p>	<p>To perform State or Tribal agency responsibilities of designated programs.</p>	<p>State or Tribal agencies administering title IV, XIX, and XXI, and SNAP programs.</p>	<p>Confidential information found in automated system</p>	<p>No Internal Revenue Service information unless independently verified.</p> <p>No MSFIDM or State FIDM information provided.</p> <p>No NDNH and FCR information for title XIX and XXI unless independently verified.</p> <p>For IV-B/IV-E, for purpose of section 453(a)(2) of the Act can have NDNH and FCR information without independent verification. -Any other purpose requires independent verification.</p> <p>For IV-A NDNH/FRC information for purposes of section 453(j)(3) of the Act without independent verification. -Need verification for other purposes.</p>

# AUTHORITY FOR STATE CHILD SUPPORT AGENCIES TO RELEASE INFORMATION TO NON-CHILD SUPPORT FEDERAL, STATE, AND CHILD SUPPORT TRIBAL PROGRAMS

Authority	Authorized Purpose of the Request	Authorized Person/Program	Authorized Information Returned	Limitations
<p>Sections 453A(h)(2) and 1137 of the Act – State Directory of New Hires</p>	<p>Income and eligibility verification purposes of designated programs.</p>	<p>State agencies administering title IV-A, Medicaid, unemployment compensation, SNAP, or other State programs under a plan approved under title I, X, XIV, or XVI of the Act.</p>	<p>SDNH information: Individual's name, address and SSN; employer's name, address, and Federal employer identification number</p>	

# **BENEFITS OF COLLABORATION**



# Benefits of Tribal TANF and Child Support Programs Collaborate:

1. Provides a more efficient and holistic approach to providing TANF assistance and child support enforcement
2. Provides an additional source of income to fund TANF program expansions and improvements
3. Provides support and encouragement for Tribes to design programs that meet the needs of the families being served



# Regional Program Managers

Reg	States & Territories	Manager	Phone Number
I	CT, MA, ME, NH, RI, VT	Carol Monteiro, TANF Charles Kenher, OCSE	(617) 565-2462 (617)-565-2477
II	NJ, NY, PR, VI	Frank Ceruto, TANF Jens Feck, OCSE	(212) 264-2890, ext. 133 (787) 766-5196, ext. 2
III	DC, DE, MD, PA, VA, WV	Eileen Friedman, TANF Juanita DeVine, OCSE	(215) 861-4058 (215) 861-4054
IV	AL, FL, GA, KY, MS, NC, SC, TN	LaMonica Shelton, TANF Jacqueline Mull, OCSE	(404) 562-2938 (404) 562-2958
V	IL, IN, MI, MN, OH, WI	Thomas Schindler, TANF Michael Vicars, OCSE	(312) 886-9540 (312) 886-5339
VI	AR, LA, NM, OK, TX	Larry Brendel, TANF Travis James, OCSE	(214) 767-6236 (214) 767-6239
VII	IA, KS, MO, NE	Gary Allen, TANF Nancy Thoma Groetken, OCSE	(816) 426-2236 (816) 426-2270
VIII	CO, MT, ND, SD, UT, WY	Larry Brendel, Acting, TANF Diane Degenhart, OCSE	(214) 767-6236 (303) 844-1139
IX	AZ, CA, HI, NV, AS, GU, MP	Julie Fong, TANF Elise Wing, Acting, OCSE	(415) 437-7579 (415) 437-8480
X	AK, ID, OR, WA	Frank Shields, TANF Levi Fisher, OCSE	(206) 615-2569 (206) 615-2519



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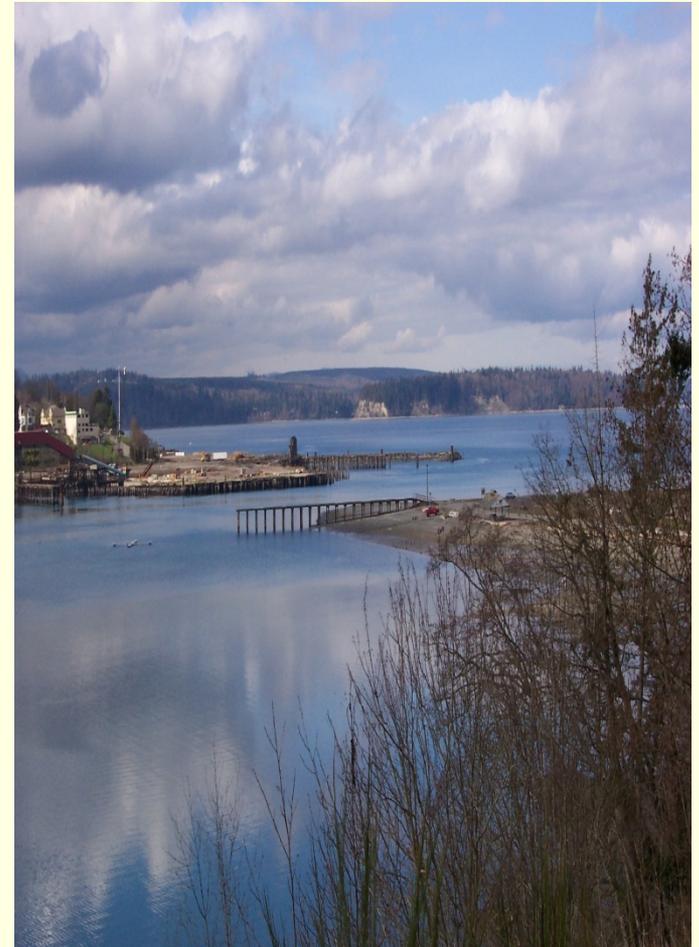
# Port Gamble S'Klallam Tribe Tribal TANF and Tribal Child Support



*Working Together to Provide Services the Tribal Way*

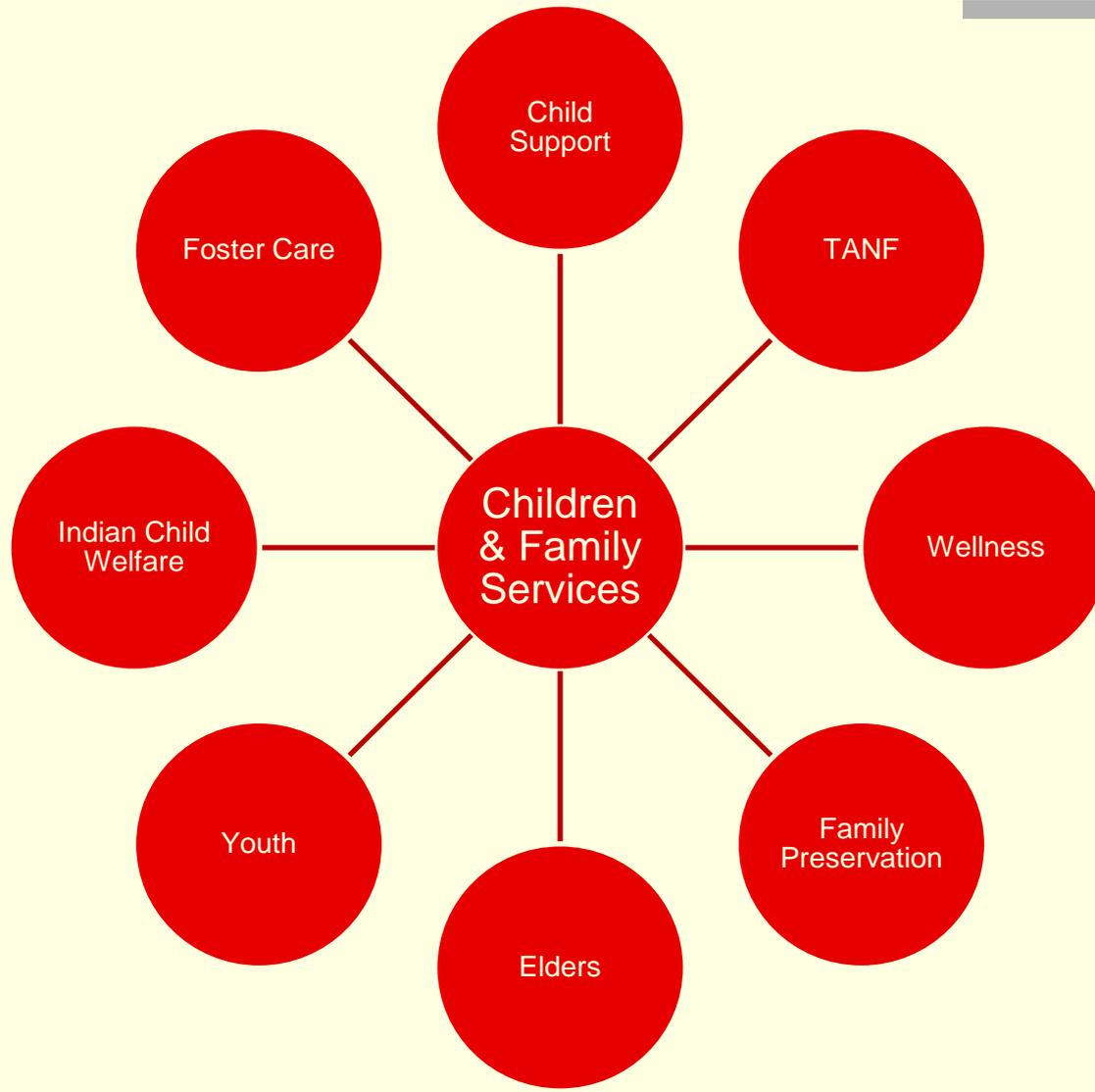
# Port Gamble S' Klallam History

- The Port Gamble S'Klallam Reservation is comprised of 1341 acres, located on the northern end of the Kitsap Peninsula within Kitsap county of Washington State.
- The Tribe has over 1,200 enrolled tribal members of which approximately 350 are children (under age 18).
- About 1/2 live on the reservation. The majority of the rest live near the reservation.



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- The Tribe is a signatory to the Point-No-Point Treaty of 1855
  - The Tribe retains all governmental authority not expressly ceded in the treaty.
  - The government and reservation was formed as part of the 1934 Indian Reorganization Act





# Our Children



# Tribal TANF

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- Began operation in October 1998
- Was the 13<sup>th</sup> Tribal TANF in the Nation
- Serves Tribal families in Kitsap County and all Indian families living on the reservation

# Tribal TANF (continue)

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- Tribal TANF provides benefits for children placed in relative care as well as families with one/two parents.
- Relative caregivers must be approved by ICW before TANF would pay benefits for a child.

# Tribal Child Support

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- The Port Gamble S' Klallam court has been issuing child support orders since the early 1980' s.
- The Tribe first received IV-D funding in April 2002
- Our Program is agreement based and promotes cooperation and agreement by the parents regarding fulfillment of their duties to their children.

# Why Assign Child Support

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- Under 45CFR § 286.155 Tribes have the option to assign child support as a condition of receiving Tribal TANF
- Port Gamble chose to assign child support
  - Tribes retain \$ to be used to further TANF Programs
  - Payments are reliable. Grant doesn't fluctuate due to child support payments



# Working Together for Tribal Children and Families

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- Policies created so that TANF Clients must cooperate with CS\*
- TANF clients are referred to our Program
- TANF clients receive up to \$100 per month if NCP pays support “Pass Through”.
- CS Program is responsible for tracking TANF dates, assigning support, distributing payments, and total versus total

\*Exception are made in certain situation such as domestic violence.

# Information TANF Provides to Child Support

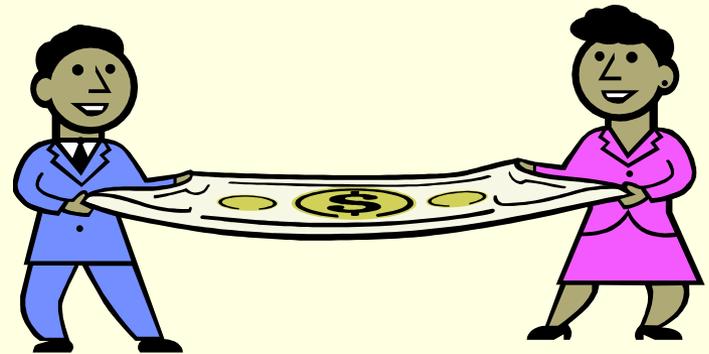
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- Basic client information and dates client went on & off TANF
- Monthly report of Clients who are on TANF
  - Amount of grant monies received
  - Type of Grant
  - # of persons in the household

# Why Does TANF Need to Share Information with Child Support?



- Prevents Double Dipping
- TANF Pass through
- Locate
- Distribution
- Total vs Total
- Establish Paternity & CS orders





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# Collaboration- Why it Works at Port Gamble

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- We are in the same building
- We have the same boss
- We have a teamwork approach
- We communicate on a daily basis



# Benefits to our Clients

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- Our Location is on the Reservation
- We have an open door policy.
- One stop shop
- Case workers see clients face to face.

# What happens when Tribal TANF Clients previously received State TANF?

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- The Tribe has a government to government working relationship with the State of Washington
- We have worked out agreements with Division of Child Support to coordinate child support services.
  - Case by case basis
  - Is there a CS order?
  - Who is better at collecting the support?
  - The State will either send a referral to the Tribe or the Tribe will send a referral to the State

# Agreements with DSHS

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- The State and Tribe have worked out agreements
  - Read only access to SEMS
  - Read only access to ACES\*
  - Locate
  - Medical Child Support
  - IRS intercept
  - Employment Security
- \*Full access to ACES through the Medicaid pilot project

# Why Operate a TANF or Child Support Program?

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- Sovereignty
- Resources to the Community
- The Programs are operated to reflect the value and culture of the Tribe's Community



# Challenges

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- TANF Program uses Eaglesun system & the CS Program does not have a computer system
- The Feds will not pay for CS Program to use Eaglesun
- Information shared between TANF & CS is manual (paper)

“The most important thing about child support is that a child knows his parents care.”

*by Rose E. Purser,  
Tribal Elder*

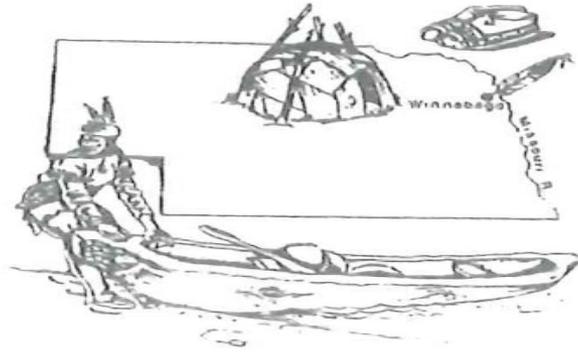


# More Information

- Community Services Director – Contact Cheryl Miller at (360) 297-9665, [cmiller@pgst.nsn.us](mailto:cmiller@pgst.nsn.us)
- Tribal TANF-Contact Stacy Mills at (360) 297-9650, [stacym@pgst.nsn.us](mailto:stacym@pgst.nsn.us)
- Child Support-Contact Maria Huynh at (360) 297-9668, [mtran@pgst.nsn.us](mailto:mtran@pgst.nsn.us)
- Visit the Port Gamble S’Klallam Tribe website

<http://www.pgst.nsn.us/>





# WINNEBAGO TRIBE OF NEBRASKA

## TRIBAL TANF PROGRAM

THE WINNEBAGO TRIBE TANF  
PROGRAM STARTED IN 2001 WITH  
THE GOAL:

THE TANF PROGRAM WILL  
PROMOTE STRONG FAMILIES.

## To achieve these goals TANF will:

Discourage dependency by assisting each family to develop a plan to reduce dependency and to assure each family works to the best of their ability;

Provide funds and/or services to families at risk of welfare dependence;

Encourage all participants to complete at least a high school education;

Discourage unwed pregnancies, especially among teens.

# A strong partnership between the two Tribal Programs are essential to meet the needs of Native Families.

There has to be open communication between the programs to be able to help the families in the community.

This is done through direct phone contact and monthly meetings.

# TANF Process

The applicant will fill out an application for TANF and provide all documentation that is necessary including the Child Support application.

The TANF program directs the client to fill out an application with the Child Support office.

Once the Child Support application is finished and has all that is required, the Child Support case manager will call and inform the TANF case manager of all that has been submitted.

During this time, TANF will open the case and enter all data on TAS, send a referral to the Child Support office to start their process.

This is where the two programs must continue to communicate with one another to give help to the families in need.