



ADMINISTRATIVE RULES OF MONTANA



37.78.216 TANF: TANF CASH ASSISTANCE FIA/WORC EMPLOYABILITY PLAN (FIA/EP)

- (1) The FIA/WoRC Employability Plan (FIA/EP) is a negotiated document listing eligibility requirements, allowable work activities as defined in ARM 37.78.103 and 37.78.807, and mutual obligations of the state and the participant regarding the course of action leading to the individual's employment and the number of hours and the time limits within which such activities and obligations shall be performed.
 - (a) The following individuals are required to negotiate and comply with a FIA/EP as a condition of eligibility in the TANF Cash Assistance Program or TANF Cash Assistance Post-Employment Program:
 - (i) natural or adoptive adult parents of a minor child in the household;
 - (ii) nonrecipient or disqualified individuals who are a natural or adoptive parent of a minor child in the household unless the nonrecipient or disqualified individual is:
 - (A) a minor parent who is not the head of a household or the spouse as a head of the household;
 - (B) an ineligible alien; or
 - (C) a recipient of Supplemental Security Income (SSI) benefits;
 - (iii) adult spouse of a natural or adoptive parent of a minor child in the household;
 - (iv) adult specified caretaker relative who has requested to be included in the assistance unit;
 - (v) minor children age 16 or 17 not attending school full-time;
 - (vi) teen parents not living independently and not attending school full-time;
 - (vii) teen parents who have been approved to live independently; and
 - (viii) minor parents.
 - (b) A participant who is receiving extended benefits as specified in ARM 37.78.202 must enter into a FIA/EP. The FIA/EP activities for a participant who is eligible for TANF extended benefits will take into consideration any limitations which are the basis for the extension.
 - (c) The FIA/EP will be reviewed at least once every 12 months by the eligibility case manager and at least monthly by the WoRC case manager. They may also be renegotiated as needed or at the request of either the participant, the eligibility case manager, or the WoRC case manager.

- (d) Once the FIA/EP is completed, it is signed by the participant, the eligibility case manager and the WoRC case manager. The participant receives a signed copy.
 - (e) Failure to perform the activities required in the FIA/EP and/or to provide verification and/or documentation of participation in the activities on a timely basis will result in sanctions in accordance with ARM 37.78.506, unless the individual is receiving TANF cash assistance through the Post-Employment Program, in which case failure will result in case closure.
- (2) Because entering into a FIA/EP is a condition of eligibility for TANF Cash Assistance and the TANF Cash Assistance Post-Employment Program, failure or refusal without good cause to enter into a FIA/EP initially or to renegotiate and/or sign a new FIA/EP when requested will result in the denial of or termination of assistance for the entire assistance unit.

Authorizing statute(s): 53-4-212, MCA

Implementing statute(s): 53-4-211, 53-4-601, 53-4-606, 53-4-608, MCA

History: NEW, 1996 MAR p. 284, Eff. 1/26/96; AMD, 1998 MAR p. 3284, Eff. 12/18/98; TRANS, from SRS, 2000 MAR p. 3414; AMD, 2002 MAR p. 952, Eff. 3/29/02; AMD, 2004 MAR p. 1482, Eff. 7/2/04; AMD, 2007 MAR p. 976, Eff. 7/6/07; AMD, 2008 MAR p. 1154, Eff. 6/13/08.