

Regulatory Analysis Form

(Completed by Promulgating Agency)



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2009 AUG 31 PM 4: 25

INDEPENDENT REGULATORY
REVIEW COMMISSION

SECTION I: PROFILE

(1) Agency:

Department of Public Welfare
Office of Income Maintenance
Bureau of Employment and Training Programs

(2) Agency Number: 14-517

Identification Number:

IRRC Number:

2784.

(3) Short Title:

Revisions to the Special Allowance for Supportive Services Requirements

(4) PA Code Cite:

55 Pa. Code Chapter 165

Road to Economic Self-sufficiency through Employment and Training (RESET) Program

(5) Agency Contacts (List Telephone Number, Address, Fax Number and Email Address):

Primary Contact: Dr. Bryon C. Noon, Director, Bureau of Employment and Training, 717-787-1302, 900 N. 6th Street, Harrisburg, PA 17102, Fax number 717-787-4106, bnoon@state.pa.us

Secondary Contact: Tamila Lay, Division Director, Division of Policy, Research, Development and CAO Programs, 717-787-1302900 N. 6th Street, Harrisburg, PA 17102, Fax number 717-787-4106, tlay@state.pa.us

(6) Primary Contact for Public Comments (List Telephone Number, Address, Fax Number and Email Address) – Complete if different from #5:

Edward J. Zogby, Director, Bureau of Policy, (717) 787-4081, 4th floor, Health and Welfare Building, Harrisburg, Pennsylvania 17105, ezogby@state.pa.us, (717) 787-6765

(All Comments will appear on IRRC'S website)

(7) Type of Rulemaking (check applicable box):

- Proposed Regulation
- Final Regulation
- Final Omitted Regulation
- Emergency Certification

Regulation;

- Certification by the Governor
- Certification by the Attorney

General

Regulatory Analysis Form

(8) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

The purpose of this final-omitted rulemaking is to enhance program integrity and effectiveness so that funds for special allowances are available to the greatest number of participants with a verifiable and documented need for supportive services. This rulemaking amends regulations pertaining to special allowances for supportive services payments that the Department provides to individuals who apply for and receive cash assistance or food stamp only benefits who are participating in approved work or work-related activities.

(9) Include a schedule for review of the regulation including:

- A. The date by which the agency must receive public comments: N/A
- B. The date or dates on which public meetings or hearings will be held: Department not planning on having public meetings
- C. The expected date of promulgation of the proposed regulation as a final-form regulation: N/A
- D. The expected effective date of the final-form regulation: Upon publication in the Pennsylvania Bulletin
- E. The date by which compliance with the final-form regulation will be required: Upon publication in the Pennsylvania Bulletin
- F. The date by which required permits, licenses or other approvals must be obtained: N/A

(10) Provide the schedule for continual review of the regulation.

This rulemaking will be subject to internal review through the Department's Quality Control and Corrective Action review process which is monitored by the Federal Department of Health and Human Services.

Regulatory Analysis Form

SECTION II: STATEMENT OF NEED

(11) State the statutory authority for the regulation. Include specific statutory citation.

Sections 201(2), 403(b) and 408(c) of the Public Welfare Code P.L. 31, No. 21 (62 P.S. §§ 201(2), 403(b) and 408(c). and 7 CFR § 273.7.

(12) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

This rulemaking complies with 62 P.S. § 408(c) which states "...the department shall take into account availability, costs and the number of recipients needing services within the geographic area and shall seek to provide essential service to the greatest number of recipients."

Federal food stamp regulation at 7 CFR § 273.7 (relating to work requirements) requires State agencies to provide payment to participants in employment and training programs to cover expenses that are reasonably necessary and directly related to participation in these programs. A food stamp only recipient may receive a special allowance for supportive services payment for up to 90 days after the individual participated in food stamp work-related activities that assisted the recipient obtain employment.

(13) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

This rulemaking is needed to enhance program integrity and effectiveness so that funds for special allowances are available to the greatest number of participants with a verifiable and documented need for supportive services. The Department is amending the maximum amount and the frequency of special allowances to maximize scarce resources so that funds for special allowances are available to the greatest number of participants pursuant to state law.

This rulemaking will benefit individuals who agree to participate or are participating in employment and training activities. There are approximately 13,260 participants receiving special allowances for supportive services that enable them to fully participate in activities that lead to self-sufficiency.

(14) If scientific data, studies, references are used to justify this regulation, please submit material with the regulatory package. Please provide full citation and/or links to internet source.

Departmental data was used to support this regulation. The reduction in the maximum allowance and frequency of special allowance payments for tools and equipment, books and supplies, and fees will not adversely affect participants who request these supportive services. Findings support the average amount per issuance for some of these supportive services was notably less than the currently regulated maximum allowance. For example, the average payment is \$385.15 for tools and equipment, \$294.10 for books and supplies, and \$77.24 for fees. In addition, Departmental data indicates that participants have rarely utilized special allowances relating to adult incapacitated care, meals, lodging, moving and relocation.

Regulatory Analysis Form

(15) Describe who and how many will be adversely affected by the regulation. How are they affected?

This rulemaking enhances program integrity and effectiveness so that funds for special allowances are available to the greatest number of participants with a verifiable and documented need for supportive services. This rulemaking benefits TANF and GA cash assistance and food stamp only recipients who are participating in approved work or work-related activities. Without special allowances for supportive services payments, individuals may otherwise be unable to participate in approved work-related activities including employment.

Based on current regulation, the Department authorizes special allowances for supportive services to food stamp only recipients to maintain employment. In accordance with section 4108 of the 2008 Farm Bill (Pub. L. 110-234), this rulemaking clarifies that these individuals may qualify for special allowances for up to 90 days after the individual participated in food stamp work-related activities that assisted the participant obtain employment. Approximately 8,486 food stamp only recipients receive special allowances. The Department estimates that approximately 50% or 4,243 participants may no longer qualify for a special allowance.

(16) List the persons, groups or entities that will be required to comply with the regulation. Approximate the number of people who will be required to comply.

Cash assistance participants and food stamp only recipients who are complying with the work requirements as specified on an Agreement of Mutual Responsibility (AMR) or Employment Development Plan (EDP) and request special allowances will be required to comply with this rulemaking. This is approximately 155,673 participants.

Submitted 5/23/10

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures that may be required.

There are no costs or savings to the regulated community associated with compliance.

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures that may be required.

There are no costs or savings to local governments associated with compliance. Not applicable.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures that may be required:

The Department is reducing the maximum amount for: 1) work training and education allowance, limiting the total amount to a \$2,000 lifetime limit; 2) Certain transportation changes, limiting the total to \$1,500 annually for public transportation and \$1,500 for private transportation; 3) changes in the Clothing and Uniform policy which allows an annual maximum limit of \$150; 4) savings from eliminating certain allowances issued by contractors and the Department; and 5) savings based on enhanced program oversight and effectiveness. Savings from these changes is estimated at \$13.673 million (\$10.897 million in State funds) in Fiscal Year 2009-2010 with full-year implementation savings estimated at \$18.232 million (\$14.529 million in State funds) in Fiscal Year 2010-2011.

The Department is increasing the maximum amount for: 1) Mileage reimbursement for RESET related activities from \$0.12 per mile to \$.25 per mile; and 2) Motor vehicle purchase allowance increase from \$750 per issuance to \$1,500, but only once per lifetime. The total of these two initiatives is estimated at \$8.349 million (\$6.654 million in State funds) in Fiscal Year 2009-2010 with full-year implementation costs estimated at \$11.133 million (\$8.872 million in State funds) in Fiscal Year 2010-2011.

In total, these regulations are expected to save \$5.324 million (\$4.243 million in State funds) in Fiscal Year 2009-2010 with full-year savings estimated at \$7.099 million (\$5.657 million in State funds) in Fiscal Year 2010-2011.

Handwritten notes:
 1/2/2017
 2/1/17

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(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:						
Regulated Community						
Local Government						
State Government	\$4.243M	\$5.657 M	\$6.363 M	\$7.335 M	\$8.565 M	\$8.565 M
Total Savings						
COSTS:						
Regulated Community						
Local Government						
State Government	\$0	\$0	\$0	\$0	\$0	\$0
Total Costs						
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government	\$0	\$0	\$0	\$0	\$0	\$0
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.

The above estimates were based on revisions to reimbursement amounts, historical cost data, expected utilization trends and includes an adjustment for those special allowances being eliminated.

Regulatory Analysis Form

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(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
Cash Grants	\$478.338 M	\$254.459 M	\$258.079 M	\$268.579 M

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(21) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The maximum allowance for purchase of required clothing has been adjusted to more adequately reflect the costs of goods and services. The Department is also amending the allowance for private transportation from 12 cents per mile to a rate determined by the Department, not to exceed the Commonwealth reimbursement rate for actual cost of gasoline.

Further, departmental data indicates the average amount per issuance for some supportive services was notably less than what is currently regulated. The amendments which categorize types of supportive services allow participants to choose how to utilize special allowance payments to best meet their needs. In addition, this rulemaking provides special allowances payments to the greatest number of participants with a verified and documented need for supportive services.

(22) Describe the communications with and input from the public and any advisory council/group in the development and drafting of the regulation. List the specific persons and/or groups who were involved.

The Department did not receive input from the public in the development of this regulation. The Department drafted this rulemaking in response to reviews of Departmental data and intra-agency recommendations that change is needed to protect the integrity and fiscal viability of the program.

(23) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

Nonregulatory alternatives were not considered since existing regulations needed to be amended to provide for these changes. It is necessary to amend the regulations to revise payment levels and rate of frequency of certain special allowances. The Department is amending both the maximum amount and the frequency for special allowances to maximize scarce resources so that funds for special allowances are available to the greatest number of participants with a verifiable and documented need for supportive services.

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

No, this rulemaking is not more stringent than Federal standards.

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(25) How does this regulation compare with those of other states? How will this affect Pennsylvania's ability to compete with other states?

As a result of implementing a maximum amount for each category of allowances, Pennsylvania's policies relating to special allowances for supportive services will be more comparable with those of other states.

A comparison with other states special allowance regulations indicates that Washington State has a limit of \$3,000 per participant per program year (July 1- June 30). Washington provides allowances such as educational expenses in the amount of \$300 per request, mileage reimbursement that is at the State employee rate and up to \$300 for each professional fee. Mississippi offers 3 categories of assistance. One is for transportation related items which has a maximum of \$300 per month. Another is for work-related items which has a maximum of \$500 per year. The third category pays for items for individuals enrolled in an unpaid activity. It limits payment up to \$5 per day and up to \$25 per week. Rhode Island does not categorize types of special allowances. However, this state offers a yearly maximum of \$200 for auto repair, books, clothing, and tools.

A comparison with neighboring states indicates that several of these states' special allowance payment levels are lower than Pennsylvania's. For example, New Jersey has a lifetime limit of \$500 to pay for all work-related expenses and a per diem rate for transportation. Once the lifetime limit is reached, there are no further issuances.

Delaware and Maryland have no allowances at the State level. Each county or contractor is given a lump sum and the individual county or contractor has the authority to establish allowances and limits. Similarly, each district in New York submits a local employment plan describing which supportive services may be provided to individuals to participate in an employment and training program. There are no State regulations determining the maximum amounts or frequency of each special allowance. For example, one district may pay up to \$400 while another district may pay up to \$1,000 for vehicle repairs or vehicle insurance or both. Some districts may pay tuition or academic fees up to \$1,500 or \$2,100 per 12-month period.

This rulemaking will not put Pennsylvania at a competitive disadvantage.

(26) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This rulemaking will not affect existing or regulations.

(27) Submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

Documentation is required for all types of verification for special allowances for supportive services. Verification of the need for special allowances is required prior to authorization. Further, a participant is also required to verify actual expenses. In addition, a provider of supportive services also may be required to verify the receipt of supportive services and the amount of payment.

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(28) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

There are no special provisions to this rulemaking.

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**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU**

(Pursuant to Commonwealth Documents Law)

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Copy below is hereby approved
as to form and legality.
Attorney General

Copy below is hereby certified to be a true and
correct copy of a document issued, prescribed or
promulgated by:

Copy below is hereby approved as to
Form and legality. Executive or
Independent Agencies

By: _____
(Deputy Attorney General)

DEPARTMENT OF PUBLIC WELFARE

(Agency)

BY: _____

Andrew C. Clark
AUG 28 2009

Date of Approval

LEGAL COUNSEL: *Andrew Clark*

DOCUMENT/FISCAL NOTE NO. 14-517

Date of Approval

DATE OF ADOPTION: _____

(Deputy General Counsel)
(~~Chief Counsel, Independent Agency~~)
(~~Strike inapplicable title~~)

BY: *Esteele B. Richman*

TITLE: **SECRETARY OF PUBLIC WELFARE**
(Executive Officer, Chairman or Secretary)

Check if applicable. No Attorney
General approval or objection
within 30 days after submission.

Check if applicable
Copy not approved.
Objections attached.

**NOTICE OF FINAL-OMITTED RULEMAKING WITHOUT PUBLICATION
AS PROPOSED**

DEPARTMENT OF PUBLIC WELFARE

OFFICE OF INCOME MAINTENANCE

[55 Pa.Code Chapter 165]

Road to Economic Self-sufficiency through Employment and Training (RESET) Program

Revisions to the Special Allowance for Supportive Services Requirement

Statutory Authority

Notice is hereby given that the Department of Public Welfare (Department) under the authority of sections 201(2), 403(b) and 408(c) of the Public Welfare Code, Act of June 13, 1967, P.L. 31, No. 21, 62 P.S. §§201(2), 403(b) and 408(c) and 7 CFR § 273.7 intends to amend the regulation set forth in Annex A.

Omission of Proposed Rulemaking

Notice of proposed rulemaking is omitted in accordance with § 204(1)(iv) and (3) of the Commonwealth Documents Law (45 P.S. §1204(1)(iv) and (3)) and 1 Pa.Code § 7.4(1)(iv) and (3) (relating to omission of notice of proposed rulemaking) because this final-omitted rulemaking relates to special allowances for supportive services, which is a Commonwealth grant and benefit. Further, the Department finds that notice of proposed rulemaking is, under the circumstances, impracticable and contrary to the public interest. Given the current economic and budget crises, stringent Federal work participation requirements, and the Department's goal of moving families towards self-sufficiency through work and work-related activities, it is contrary to the public interest and impracticable to delay revising the requirements and amounts for special allowances for supportive services for individuals receiving cash assistance or food stamp benefits who are participating in work or work-related activities. The Department is amending both the maximum amount and the frequency for special allowances to maximize scarce resources so that funds for special allowances are available to the

greatest number of participants with a verifiable and documented need for supportive services. Without special allowances for supportive services payments, individuals may otherwise be unable to participate in approved work-related activities including employment. The Department is also amending the verification requirements to enhance program integrity and effectiveness.

Purpose

The purpose of this final-omitted rulemaking is to enhance program integrity and effectiveness so that funds for special allowances are available to the greatest number of participants with a verifiable and documented need for supportive services. This rulemaking amends regulations pertaining to special allowances for supportive services payments that the Department provides to individuals who apply for and receive cash assistance or food stamp only benefits who are participating in approved work or work-related activities. The Department is amending Chapter 165 (relating to the Road to Economic Self-sufficiency through Employment and Training Program) and Appendix A (relating to employment and training special allowances) of this chapter. Appendix A enumerates the types of special allowances for supportive services for which the Department authorizes payment, including the rate and frequency of the payment.

This rulemaking accomplishes the objective of maintaining the availability of special allowances in a fiscally responsible and cost effective manner. This rulemaking amends both the maximum amount and the frequency for special allowances to maximize scarce resources so that funds for special allowances are available to the

greatest number of participants. Under 62 P.S. § 408(c) (relating to meeting special needs; work supports and incentives), the Department is required to “take into account availability, costs and the number of recipients needing services within the geographic area and shall seek to provide essential services to the greatest number of recipients.” By maximizing the Commonwealth’s scarce resources, this rulemaking complies with State law and ensures that assistance to pay for supportive services is available to the greatest number of participants who verify and document the need for services.

In addition, this rulemaking categorizes the type of special allowances into five general categories: public transportation; private transportation; motor vehicle purchase; clothing; and work, education and training. Each category includes the types of special allowances which may be issued by the Department and the maximum annual or lifetime amount.

Finally, this rulemaking provides for recoupment or reduction for an overpayment of a Temporary Assistance for Needy Families (TANF) or General Assistance (GA) cash assistance grant to recover a special allowance for supportive services payment. The Department will not use recoupment to recover a special allowance for supportive services payment issued from food stamp funds.

Background

With the enactment of the Deficit Reduction Act of 2005 (Pub. L. No. 109 -171), which reauthorized the TANF program, the Commonwealth is required to increase the work participation rate (WPR) for families or the Commonwealth will face financial penalty of up to \$36 million. To avoid financial penalty, the Department has intensified its efforts to meet the Federal WPR and instituted new initiatives to ensure that all work-eligible individuals participate in approved work or work-related activities. As these participants enroll in education or training activities, search for or obtain employment, the demand for special allowances for supportive services payments increases.

Further, under the Food, Conservation, and Energy Act of 2008 (Pub.L. 110 - 234), also known as the 2008 U.S. Farm Bill, section 4108 allows food stamp employment and training funds to be used for up to 90 days to provide support to food stamp only recipients who participated in other food stamp work-related activities and obtained employment. These funds allow the Department to provide additional support to these recipients. Without special allowances for supportive services payments, individuals may otherwise be unable to participate in approved work-related activities including employment.

Requirements

The following is a summary of the major provisions in the rulemaking:

§165.1 (relating to general)

The Department is revising §165.1(b) and adding subsection (d) to clarify that the provisions of this chapter apply to participants who receive TANF and GA cash assistance and that the requirements in §§165.41-165.46 related to special allowances for supportive services also apply to participants who receive food stamp only benefits, with the following exceptions. A food stamp only recipient may receive a special allowance for supportive services for up to 90 days after the individual participated in food stamp work-related activities that assisted the individual to obtain employment. In accordance with 7 CFR § 273.7(relating to work provisions), a food stamp only recipient may receive a special allowance for supportive services to accept employment, once per job, up to the maximum limits allowed in Appendix A and until the start date since Federal regulations do not allow supportive services to be provided to a recipient to maintain employment.

The Department is amending subsection (b) to clarify that special allowances for supportive services payments are made for the least costly item or service which is available and practical considering the location and hours of scheduled employment or training, and the location of the participant's residence in relation to the provider of the item or service.

§165.2 (relating to definitions)

The Department is defining "food stamp only recipient" as an individual who applies for and receives food stamp only benefits but does not receive cash assistance under the TANF or GA programs.

§165.41 (relating to eligibility for special allowances for supportive services).

The Department is amending subsection (c) to clarify that a special allowance is made only to the extent that item or service is not available from either a public or non-profit source. In addition, because of the scarcity of Commonwealth resources, the Department may request that a participant contribute toward the cost of an item or services, if a participant has available resources. Finally, the Department is deleting the reference to parental choice since that exception relates to the deleted child care provisions. Those provisions are now codified at Chapter 168 (relating to child care).

Since special allowance for supportive services also apply to food stamp only recipients, the Department is amending the language in subsections (d) and (e) to clarify this intent. In addition, the Department is also amending the same language in § 165.44(b)(1) for conformity.

The Department is also amending subsection (f) to provide that special allowances for supportive services payments are granted up to a maximum payment level and frequency established by the Department in Appendix A.

§§165.42(a) and (c), 165.44(c) and 165.46(a) (relating to advance payment of special allowances for supportive services; verification for special allowances for supportive services; types of special allowances for supportive services).

The Department is amending these subsections to delete all references to child care, as the regulations governing child care may be found in 55 Pa. Code Chapter 168.

§165.44 (relating to verification for special allowances for supportive services).

The Department is amending the verification requirements in this section to enhance program integrity and effectiveness. Verification of the need for special allowances for supportive services is required prior to authorization. Further, acceptable verification for special allowances may consist of written statements, collateral contacts or completed Departmental forms. If collateral contacts are used, it shall be documented in the participant's file.

The Department is also amending subsection (b) to require that the participant must verify actual costs incurred for a recurring or nonrecurring special allowance for supportive services. In addition, a provider of supportive services may be required to provide verification that a participant received a supportive service in the amount the participant was eligible to receive.

Finally, the Department is further amending subsection (b) to provide that the Department will process an overpayment referral to recover special allowance for supportive services. Subsection (b) describes circumstances for which a referral may be appropriate.

§165.46 (relating to types of special allowances for supportive services).

The Department is deleting provisions relating to incapacitated care. Since the Department is responsible to provide essential services to the greatest number of recipients, the Department is deleting this provision since the use of this type of special allowance is uncommon. As a result of the deletions of subsections (a) and (b), subsections (c) - (d) are redesignated as § 165.46(a) - (c), respectively. Likewise, to maximize the Commonwealth's scarce resources, the special allowances for supportive services relating to moving, relocation, air and long distance rail, lodging and food are also being deleted. The Department is including motor vehicle insurance in the motor vehicle-related special allowances if it is necessary for an individual to participate in a work or work-related activity, subject to the maximum allowance and frequency established in Appendix A. A special allowance for motor vehicle insurance was previously administered by employment and training contractors, and the Department has eliminated all contractor-issued special allowances for support services.

Finally, the Department is amending the language regarding union dues and professional fees. The Department is clarifying that for food stamp only recipients, a special allowance is only available up to 90 days after participation in a food stamp work-related activity and that a special allowance is not available for reoccurring fees, such as license fees.

§ 165.91 (relating to restitution)

The Department is amending this section to clarify the Department is proposing to recover TANF-funded special allowance for supportive services overpayments through grant reduction or recoupment. Title II of the Family Support Act of 1988 (Pub. L. 100 - 485) created the Job Opportunities and Basic Skills (JOBS) Training Program. Under the JOBS program, states were prohibited from recovering special allowances for supportive services overpayments through recoupment. Since the JOBS Program was repealed with the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104 -193), states are no longer subject to this prohibition. This revision does not apply to special allowances for supportive services payments issued using food stamp funds.

Appendix A (relating to employment and training special allowances)

The Department is amending the maximum amount and frequency of payments issued for special allowances. Participants will be offered special allowance payments up to a maximum amount in an annual or lifetime limit. In addition, the Department is amending Appendix A to clearly show that food stamp only recipients may qualify for payment of special allowances for supportive services.

Affected Individuals and Organizations

This rulemaking affects individuals who receive TANF and GA cash assistance who are participating in approved work or work-related activities as specified on an approved Agreement of Mutual Responsibility (AMR). This rulemaking also affects food

stamp only recipients who participate in approved work or work-related activities according to the provisions of their approved Employment Development Plan (EDP).

Accomplishments and Benefits

This rulemaking enhances program integrity and effectiveness so that funds for special allowances are available to the greatest number of participants with a verifiable and documented need for supportive services. This rulemaking benefits TANF and GA cash assistance and food stamp only recipients who are participating in approved work or work-related activities. Without special allowances for supportive services payments, individuals may otherwise be unable to participate in approved work-related activities including employment.

In addition, the maximum allowances for the purchase of motor vehicle has been adjusted to reflect the fact that the Department has eliminated contractor issued supportive allowances. The Department is also amending the allowance for private transportation from 12 cents per mile to a rate determined by the Department, not to exceed the Commonwealth reimbursement rate for actual cost of gasoline. Further, the Department's proposal to reorganize special allowances into categories allows participants to choose how to utilize these allowances to best meet their needs.

The Department's rationale for offering a maximum limit for categories of special allowances is based on data collected and maintained by the Department that indicates

current maximums established for these particular allowances are higher than actual usage supports.

Fiscal Impact

The changes in the maximum amount for special allowances have savings which is estimated at \$13.673 million in Fiscal Year 2009-2010 with full-year implementation savings of \$18.232 million. The changes in the maximum allowance of payment for the purchase of a motor vehicle and mileage reimbursement is will result in a cost to the Commonwealth of \$8.349 million in Fiscal Year 2009-2010 with full-year implementation costs of \$11.133 million. The net result of these changes is an estimated savings of \$5.324 million in Fiscal Year 2009-2010 with full-year savings of \$7.099 million.

Paperwork Requirements

Documentation is required for all types of verification for special allowances for supportive services. Verification of the need for special allowances is required prior to authorization. Further, a participant is also required to verify actual expenses. In addition, a provider of supportive services also may be required to verify the receipt of supportive services and the amount of payment.

Public Comment

Although this regulation is being adopted without publication as proposed rulemaking, interested persons are invited to submit written comments, suggestions or

objections regarding the regulation to the Department at the following address: Edward J. Zogby, Director, Bureau of Policy, 4th Floor, Health and Welfare Building, Harrisburg, Pennsylvania 17105 at telephone number (717) 787-4081.

Persons with a disability who require an auxiliary aid or service may submit comments by using the AT&T Relay Service at 1-800-654-5984 (TDD users) or 1-800-654-5988 (voice users).

Regulatory Review Act

Under §5.1(c) of the Regulatory Review Act (71 P.S. §745.5a(c)), on **AUG 31 2009** the Department submitted a copy of this regulation, with proposed rulemaking omitted, to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare. On the same date, this final-omitted regulation was submitted to the Office of the Attorney General for review and approval pursuant to the Commonwealth Attorneys Act.

In accordance with §5.1(j.1) and (j.2) of the Regulatory Review Act, this regulation was approved by the Committees on _____. The IRRC met on _____ and approved the regulation.

In addition to submitting the final-omit rulemaking, the Department has provided the IRRC and the Committees with a copy of a Regulatory Analysis Form prepared by the Department. A copy of this form is available to the public upon request.

Order

The Department finds:

(a) Notice of proposed rulemaking is omitted in accordance with §204(1)(iv) and (3) of the Commonwealth Documents Law (45 P.S. §1204(1)(iv) and (3)) and 1 Pa.Code §7.4(1)(iv) and (3) because the regulation relates to Commonwealth grants and benefits. Further, the Department finds that notice of proposed rulemaking is, under the circumstances, impracticable and contrary to the public interest. Given the current economic and budget crises, stringent Federal work participation requirements, and the Department's goal of moving families towards self-sufficiency through work and work-related activities, it is contrary to the public interest and impracticable to delay revising the requirements and amounts for special allowances for supportive services for individuals receiving cash assistance or food stamp benefits who are participating in work or work-related activities.

(b) That the adoption of this regulation in the manner provided by this Order is necessary and appropriate for the administration and enforcement of 62 P.S. § 408(c).

The Department acting pursuant to the Public Welfare Code, Act of June 13, 1967, P.L. 31, No. 21, 62 P.S. §§201(2), 403(b) and 408(c) orders:

(a) The regulation of the Department is amended to read as set forth in Annex A of this Order.

(b) The Secretary of the Department shall submit this Order and Annex A to the Offices of General Counsel and Attorney General for approval as to legality and form as required by law.

(c) The Secretary of the Department shall certify and deposit this Order and Annex A with the Legislative Reference Bureau as required by law.

(d) This Order shall take effect upon final publication in the *Pennsylvania Bulletin*.

ANNEX A

TITLE 55. PUBLIC WELFARE

PART II. PUBLIC ASSISTANCE MANUAL

Subpart C. ELIGIBILITY REQUIREMENTS

CHAPTER 165. ROAD TO ECONOMIC SELF-SUFFICIENCY THROUGH
EMPLOYMENT AND TRAINING (RESET) PROGRAM

GENERAL RESET PROVISIONS

§165.1. General.

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(b) The Department will provide RESET participants, to the extent necessary, case management and approved special allowances for supportive services as may be necessary to support participants in becoming self-sufficient. The Department will authorize special allowances for supportive services for the least costly item or service that is available and practical considering the location and hours of scheduled employment or training, and the location of the participant's residence in relation to the provider of the item or service. In addition, participants will be provided with or referred to education, training, and employment-related activities designed to break the cycle of welfare dependency. To the extent it deems possible, the Department will identify and promote resources in the public and private sectors that may assist participants to prepare for and obtain employment in jobs they may realistically be expected to obtain.

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(d) The provisions of this chapter apply to recipients of TANF and GA cash assistance. The provisions of §§ 165.41-165.46 also apply to food stamp only recipients as defined in §165.2 (relating to definitions), with the following exceptions:

(1) A food stamp only recipient may receive a special allowance for supportive services for up to 90 days after the individual has participated in food stamp work-related activities that assisted the recipient to obtain employment.

(2) A food stamp only recipient may receive a special allowance for supportive services to accept employment up to the maximum limits allowed in Appendix A and until the start date of the employment.

§165.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

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Food stamp only recipient - An individual who applies for and receives food stamp benefits but does not receive cash assistance under the TANF or GA programs.

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SPECIAL ALLOWANCES FOR SUPPORTIVE SERVICES

§165.41. Eligibility for special allowances for supportive services.

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(c) A special allowance for supportive services is made only to the extent that the item or service is not available from another public or non-profit source [at no cost to the individual, does not interfere with parental choice as specified in §§ 165.46(a)(5) and 168.11(b) (relating to types of special allowances for supportive services; and general requirements),] and cannot be met by educational assistance. Based on a participant's additional available resources, the Department may request the participant contribute toward the cost of the item or service. The activity may not be secondary education or an equivalent level of vocational or technical training, unless the individual is [a] pregnant [female] or a custodial parent.

(d) The CAO will inform the individual, in writing and orally, of the availability of special allowances for supportive services at application, [reapplication] redetermination, recertification and whenever the AMR or EDP is developed or revised.

(e) The CAO shall assist the participant to obtain supportive services necessary to participate in employment, education, training and job search activities,

including precomponent activities such as orientation as specified on an AMR or EDP,
with one exception. Supportive services are not available for a food stamp only recipient
to maintain current employment.

(f) Except as otherwise restricted in this chapter, special allowances for
supportive services may be granted [as often as required to enable the individual to
participate in an approved education or training activity and once for each job] up to the
maximum amount and frequency established by the Department in Appendix A (relating
to employment and training special allowances).

§165.42. Advance payment of special allowances for supportive services.

(a) Special allowances for supportive services [, including child care,]
shall be paid in advance of the date that payment is required by the provider, consistent
with the requirements and time frames in §[§]165.45 [and 168.1(b)(3)] (relating to time
frames for authorization of payment of special allowances for supportive services[; and
policy on payment of child care]).

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[(c) This section does not apply to vendor payments for child care under
§165.46(a) (11) (ii) (relating to types of special allowances for supportive services).]

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§165.44. Verification for special allowances for supportive services.

(a) *Verification needed to authorize payment.*

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(2) Verification of the need for special allowances for supportive services is required [only when it is not readily apparent] prior to authorization.

(3) Acceptable verification [of information needed for initial authorization] consists of collateral [contracts] contacts, written statements or completed Departmental forms, obtained from sources such as employers, prospective employers, school officials, training providers or providers of supportive services. If collateral contacts are used, it shall be documented in the participant's file.

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(b) Verification needed [to review continued eligibility] for recurring and nonrecurring special allowances for supportive services.

(1) The participant's [continued] eligibility for a special allowance for a supportive service is reviewed monthly, or more often if costs are likely to change,

at each [reapplication,] redetermination or recertification, whenever a change in employment or training is reported by the participant or the training provider , and whenever the AMR or EDP is revised.

[(2) To review the participant's continued eligibility, the CAO shall require verification of] (i) A participant shall verify the actual costs incurred by the participant for the supportive service and [verification of] the participant's attendance at an education or training activity or at employment. The Department may require that the provider of the supportive services verify that a participant received a supportive service and that payment was received for the amount the participant was eligible to receive.

[(3)] (ii) When verification provided [to the CAO] indicates a change in eligibility, payment of the special allowance to the participant shall be reduced, terminated or increased, as appropriate, upon issuance of a confirming notice to the participant, in accordance with §133.4(c) (relating to procedures).

(2) The Department will process an overpayment referral to recover a special allowance for supportive services in accordance with §165.91 (relating to restitution) and Chapter 255 (relating to restitution). Circumstances for which a referral may be appropriate include the following:

(i) The participant was ineligible for cash assistance or food stamp only benefits in the month the Department issued a special allowance for supportive services.

(ii) The participant did not use the special allowance for supportive services for its intended purpose.

(iii) The actual cost of the supportive services was less than the estimated cost of the service.

(iv) The participant provided falsified or erroneous documentation to obtain a special allowance for supportive services.

(v) The participant received a recurring special allowance for supportive services when the need no longer existed.

(vi) The participant did not provide verification that the supportive services requested were obtained using the special allowance payment.

[(c) Special requirements related to child care for GA recipients.

(1) Child care costs shall be verified through a collateral contact by the CAO with the child care provider, by a written statement signed by the provider or on a form specified by the Department.

(2) When a special allowance for child care is authorized based on a collateral contact or a written statement from the provider, verification of the charge for child care on a form specified by the Department shall be submitted to the CAO within 30 days of the first day child care costs were incurred. The CAO shall assist the client, as needed, to obtain a completed verification form from the provider.

(3) Verification of factors other than cost relating to the need for child care shall consist of collateral contacts with, or written statement from, employers, prospective employers, physicians, licensed psychologists, school officials, or training providers or copies of court orders or pay stubs. The client's statement regarding suspected child abuse is acceptable evidence. Information previously verified need not be repeated unless it is subject to change.]

§165.46. Types of special allowances for supportive services.

(a) [*Child care for GA recipients.*

(1) Payment for child care is made to enable the caretaker/relative or custodial parent to participate in an approved education or training activity or to apply for employment.

(2) The CAO shall promptly inform an ETP participant who is in need of child care about the following:

(i) The types and locations of child care providers reasonably accessible to the participant.

(ii) The assistance available to help the participant select an appropriate child care provider.

(iii) The assistance available on request to help the participant obtain a child care provider.

(iv) That child care payments shall be paid in advance of the date that payment is required by the provider, consistent with the requirements and time frames in § 165.45 (relating to time frames for authorization of payment of special allowances for supportive services), to ensure that the participant will have access to the child care provider of the participant's choice.

(3) Special allowances for child care are available for the following types of providers, including the following:

(i) Center-based care.

(ii) Group family day care.

(iii) Family day care.

(iv) Department of Education administered day care.

(v) Unregulated care.

(4) Child care payments may be made only to a person or business entity who allows parental access to the child while a child is in care without the need for prior notification and who provides care in accordance with applicable Federal, State and local law.

(5) The caretaker/relative shall have the right to choose from any type of child care that is available under this chapter and the right to choose any child care provider who meets the requirements of this chapter.

(6) Payments are made for care of a child who is one of the following:

(i) Twelve years of age or younger, living in the home of the parent or caretaker/relative and receiving cash assistance, or who would be eligible to receive cash assistance except for the receipt of SSI or foster care under Title IV-E of the Social Security Act (42 U.S.C.A. §§ 670—677).

(ii) Thirteen years of age or older if it has been verified by a physician or licensed psychologist that the child is not physically or mentally capable of

caring for himself or it is verified that the child is under a court order requiring adult supervision, the child is living in the home of the parent or caretaker/relative and is receiving cash assistance, or who would be eligible to receive cash assistance except for the receipt of SSI or foster care under Title IV-E of the Social Security Act.

(7) Payment is made for the eligible cost of child care up to the maximum allowance established by the Department in § 168.1 (relating to policy on payment of child care) or the rate charged the general public, whichever is less, per child. Recipients receiving special allowances for child care before implementation of the maximum allowances continue to receive payment for actual reasonable costs incurred for child care. Eligible costs include charges for days on which the child does not attend due to illness, vacation, or the like. Charges for transporting the child to or from care are included if not levied as a separate charge by the provider.

(8) Payment for providing care of children will not be made to the following persons or business entities owned by:

- (i) A biological or adoptive parent of the child.
- (ii) A legal guardian of the child.
- (iii) A stepparent of the child living in the home.

(iv) Persons receiving TANF as essential persons.

(v) Other members of the budget group of which the child is a member.

(9) Payment for child care shall be made for persons awaiting entry into, or during breaks in, approved education training or employment for one of the following:

(i) Up to 2 weeks.

(ii) Up to 30 days when it is verified that the arrangements would otherwise be lost in the interim period.

(10) Payment of child care shall be reasonably related to the hours of employment or ETP participation, including travel time.

(11) Payment for child care may be made by one of the following:

(i) Direct payment to the recipient when the provider is unregulated or is regulated but is not enrolled in the Department's child care vendor payment system.

(ii) Vendor payment to a regulated provider who has signed the Department's vendor payment agreement and who is enrolled in the Department's child care vendor payment system.

(iii) Restricted endorsement check to the recipient and provider.

(iv) The earned income deductions in §§ 183.94(3) and 183.95(2) (relating to TANF earned income deductions; and GA earned income deductions) for employed clients, except that clients earning wages in a work experience training activity may receive payment for the difference between the child care deduction and the maximum child care allowance established by the Department in § 168.1 when the cost of child care exceeds the deductions in §§ 183.94(3) and 183.95(2).

(12) Child care services are not considered as needed when an unemployed biological or adoptive parent, specified relative or legal guardian is in the home unless that person is physically or mentally incapable of providing care or is involved in education, training, job search or employment related activities, or the child is at risk due to suspected child abuse or the custodial parent is participating in a Single Point of Contact or Department or Department of Education Pregnant and Parenting Youth Program.

(13) Preexpenditure approval is required unless the child care is for a job interview and the client is unable to contact the worker prior to the scheduled interview.

(b) *Care of incapacitated adults.* Payments are made for the eligible costs of nonmedical care up to the maximum rates established for infant care of an incapacitated adult living in the same home if care is required to enable a recipient to participate in an approved education or training activity or to apply for employment and no other sensible plan can be made for care of the incapacitated adult. Costs for care of incapacitated adults for maintaining employment are met by the earned income deductions in §§ 183.94(3) and 183.95(2) to help meet except that clients earning wages in a training activity, such as work experience, may receive payment for the difference between the deduction for care of an incapacitated adult found in §§ 183.94(3) and 183.95(2) and the actual non-medical cost incurred

(1) There shall be verification of the person's incapacity and the need for the care.

(2) Payment will be made for the actual cost of care.

(3) Payment for providing care will not be made to the following:

(i) The spouse of an incapacitated person.

(ii) An essential person.

(iii) Other members of the budget group of which the recipient or incapacitated adult is a member.

(4) Preexpenditure approval is required.

(c) *Transportation and related expenses.* [Payments are made for eligible transportation costs incurred due to participation in ETP activities or for accepting employment. Transportation costs under paragraph (1) or (2) for maintaining employment are met by the earned income deductions in §§ 183.94(1) and 183.95(2).] The Department will pay for transportation and related expenses necessary for an individual to engage in approved work-related activities up to the maximum allowance established in Appendix A (relating to employment and training special allowances). Payment is made for the least costly type of transportation which is available and practical considering the location and hours of scheduled employment or training, the client's physical condition and the need to transport children to a child care provider. Payment for transportation-related costs is not made if the activity is secondary education or an equivalent level of vocational or technical training unless the person is [a] pregnant [female] or a custodial parent.

(1) *Public transportation.* Payment is made for costs incurred for transportation provided by bus, subway, commuter [or long distance] rail, taxi, [air,] paratransit or other recognized modes of transportation.

(i) Payment for public transportation is the actual cost to the client up to the maximum [monthly] amount established by the Department in Appendix A (relating to employment and training special allowances).

(ii) [Except for air or long distance rail travel, preexpenditure approval is not required.] Verification of the need and the cost of transportation is required [within 30 days of the date the transportation expense was incurred].

(2) *Private transportation.* Payment is made for costs incurred for transportation provided by privately owned vehicles, ride sharing and car or van pools.

(i) Payment for transportation provided by a vehicle owned by the client is the mileage rate established by the Department in Appendix A and the actual cost of parking and highway or bridge tolls up to the maximum [monthly] amount established by the Department in Appendix A.

(ii) [For an allowance provided for the client to ride with] Payment for transportation by a volunteer [car and] driver, [the volunteer driver is paid at] or if the individual is permitted to use another person's vehicle, is the mileage rate established by the Department in Appendix A, and the actual cost of the parking and highway or bridge tolls up to the maximum [monthly] amount established by the Department in Appendix A.

(iii) [For an allowance provided for transportation] Payment for transportation provided by a car or van pool [,] is the [client receives a] participant's proportionate share of the cost up to the maximum [monthly] amount established by the Department in Appendix A. If the [client's] participant's share is a flat fee, the payment is the actual fee [is used] up to the maximum [monthly] amount established by the Department in Appendix A.

(3) *Motor vehicle purchase or repair.* When there is no other type of practical transportation available or other available transportation is more expensive, a special allowance may be authorized toward the purchase, down payment [to purchase] or repair of a motor vehicle for an individual to accept a firm job offer, to prevent the loss of current employment, to attend an approved education or training activity or to transport children to day care while the client is employed or participates in an approved education or training activity.

(i) The maximum total allowance toward a motor vehicle purchase, down payment and repair is limited to [a] the rate and frequency established by the Department in Appendix A.

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(4) *Motor vehicle-related expenses.* The cost of a driver's license, State inspection fee, emission control inspection fee, license plates, motor vehicle

insurance and vehicle registration fee may be authorized if they are [needed] necessary for an individual to accept a firm job offer, to attend an approved education or training activity, or to transport children to day care while the client participates in an approved education or training activity.

(i) Payment is made for actual cost up to the maximum allowance and frequency established by the Department in Appendix A.

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(iii) The allowance for motor vehicle insurance is only provided to participants who use their own vehicles.

[(5) *Moving/relocation costs.* A special allowance may be granted if an individual is relocating to accept a verified offer of gainful, permanent employment and if the individual has not received a moving allowance for any reason within the previous 12 months.

(i) Payment is not made for moves by unlicensed moving companies except as provided for in § 175.23(b)(3)(i)(C) (relating to requirements).

(ii) The maximum allowance toward moving/relocation costs is limited to the rate established by the Department in Appendix A, in a 12-month period. The 12-month period begins with the first authorization of this allowance.

(iii) Preexpenditure approval is required.

(6) *Lodging and food.* A special allowance toward lodging and food may be granted if an individual has to be away from home one or more nights to apply for employment or an approved education or training activity or to attend training.

(i) Payment for lodging will be made for actual costs up to the rates established for Commonwealth employees by the Office of Administration. These rates will be available upon request at the CAO. When lodging cannot be located with a reasonable effort within these rates, the rates may be exceeded. The rate may also be exceeded if the client is required to stay in a specific hotel or motel. A complete explanation of lodging costs in excess of the rate shall be documented in the CAO record.

(ii) Payment for food will be made for each 24-hour period the individual has to be away from home in accordance with the rates established for Commonwealth employees by the Office of Administration and the Office of the Budget. These rates will be available upon request at the CAO. Overnight travel of less than 24 hours will be divided into 6-hour periods and reimbursed at the fractional day allowance rates. An allowance will not be provided for less than 3 hours. Payment will not be made for meals provided by a prospective employer or included as part of registration fees.

(iii) Preexpenditure approval is required.]

[(d)] (b) *Other expenses related to employment and training.* Special allowances may be authorized for other items related to applying for or accepting employment or for participating in approved education or training activities. Preexpenditure approval is required. The maximum allowances for these items are subject to the rates and frequencies established by the Department in Appendix A.

(1) *Clothing.* [A special allowance may be authorized for street or business] The Department may refer a participant to other public or nonprofit sources that provide clothing and grooming items at no cost. If these sources are not available or do not have appropriate clothing or other required items, the Department may authorize a special allowance for supportive services payment for clothing and grooming items [needed to make a client presentable] necessary to accept a job or to enter an approved education or training activity or specialized clothing, such as uniforms or safety shoes verified by the employer or training provider as needed for the client to work at a job or to participate in an approved education or training activity.

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(3) *Books and supplies.* A special allowance may be authorized for books and supplies , such as pens, pencils, wristwatches or thermometers which an employer or training provider specifies are necessary for a client to attend an approved education or training activity if these items are not provided by the employer or training provider and are not available under Federal, State or other educational grants.

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(5) *Union dues and professional fees.* If payment of union dues or professional fees is a condition of employment, a special allowance for supportive services may be [granted] authorized for participants who receive TANF or GA cash assistance for the initial fee only and for the period up to the date of the [client's] participant's first pay. For food stamp only recipients, a special allowance for supportive services may be authorized up to the employment start date, with the following exceptions. A food stamp only recipient may receive a special allowance for supportive services for up to 90 days after an individual has participated in food stamp work-related activities that assisted the recipient to obtain employment. A special allowance for supportive services may not be issued to pay for recurring fees, such as license fees, even if they are necessary for the individual to maintain employment.

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RESTITUTION

§ 165.91. Restitution.

The Cash Assistance provisions of Chapter 255 (relating to restitution) apply except that the provision for recoupment of an overpayment does not apply to special allowances for supportive services issued to food stamp only recipients.

APPENDIX A

EMPLOYMENT AND TRAINING SPECIAL ALLOWANCES

<i>Allowance</i>	<i>Frequency</i>	<i>Maximum Allowance</i>
Child Care	—as required for education, training, job application or job interview	—actual cost subject to the maximum established by the Department, for allowances granted after implementation of the maximum allowances —actual reasonable cost for recipients receiving child care allowances before implementation of the maximum allowances
Care of Incapacitated Adults	—as required for education, training, job application or job interview	—actual cost of nonmedical care up to the maximum rates established for infant care
Transportation Public —bus —subway —commuter rail —taxi —paratransit —air —long distance rail	—no limit on the number of trips for job interviews, education or training activities —for employment, may be authorized for the period up to the date of the first pay	— up to \$250 total per month as determined below: —actual cost except for air and long distance rail travel, which is provided at actual cost at the lowest available rate
Private —privately owned vehicle —volunteer car and driver	—no limit on the number of trips for job interviews, education or training activities —for employment, may be authorized for the period up to the date of the first pay	— \$.12 per mile plus the actual cost of parking and highway and bridge tolls
—car or van pool	—same as above	—proportionate share of cost as determined above or flat fee
Motor Vehicle Purchase and Repair	—once per job —as required for	—actual cost up to \$200 for purchase and repair

	education or training activities	
Motor Vehicle Related Expenses —driver's license —state inspection fee —emission control inspection fee —license plates —vehicle registration fee	—once per job —as required for education or training activities	—actual cost up to \$200.
Moving/Relocation Costs to Accept Employment	—no more than once in a 12-month period	—actual cost up to \$200.
Lodging	—once for each application or interview for a job —as required for education or training	—actual cost subject to the maximum rate established for Commonwealth employees by the Office of Administration
Food	—once for each application or interview for a job —as required for education or training	—actual cost subject to the maximum rate established for Commonwealth employees by the Office of Administration and the Office of the Budget.
Clothing	—once per job —as required for education or training activities	—actual cost up to \$75.
Tools and Equipment	—once per job —as required for education or training activities	—actual cost up to \$2,000.
Books and Supplies	—as required for education or training activities	—actual cost up to \$500.
Fees	—once per job —as required for education or training activities	—actual cost up to \$250.
Union Dues/Professional Fees	—once per job —may be authorized for the period up to date of the first pay	—actual cost up to \$250.]

<u>Type of Allowance</u>	<u>Frequency</u>		<u>Maximum Allowance</u>
	<u>TANF or GA</u>	<u>Food Stamp Only</u>	
<u>PUBLIC TRANSPORTATION RELATED ALLOWANCES</u>			-actual cost up to \$1,500 annually
<u>Transportation Public</u> —bus —subway —commuter rail —taxi —paratransit	- the number of trips is limited to what is required for job interviews, education or training activities	- the number of trips is limited to what is required for job interviews, education or training activities	
	-for employment, may be authorized for the period up to the date of the first pay	-for employment, may be authorized for the period up to the start date	
<u>PRIVATE TRANSPORTATION RELATED ALLOWANCES</u>			-actual cost up to \$1,500 annually
<u>Transportation Private</u> —privately-owned vehicle —volunteer car and driver	-the number of trips is limited to what is required for job interviews, education or training activities	-the number of trips is limited to what is required for job interviews, education or training activities	-mileage reimbursement rate will be set by the Department not to exceed Commonwealth reimbursement rate for actual cost of gasoline, plus the actual cost of parking and highway and bridge tolls
	-for employment, may be authorized for the period up to the date of the first pay	-for employment, may be authorized for the period up to the start date	

<u>Transportation</u> <u>Car or van pool</u>	<u>-the number of trips is limited to what is required for job interviews, education or training activities</u>	<u>-the number of trips is limited to what is required for job interviews, education or training activities</u>	
	<u>-for employment, may be authorized for the period up to the date of the first pay</u>	<u>-for employment, may be authorized for the period up to the start date</u>	
<u>Motor Vehicle Repair</u>	<u>-as required for employment, education or training activities</u>	<u>-as required for education or training activities or if required to accept employment</u>	
<u>Motor Vehicle-Related Expenses</u> <u>—driver's license</u> <u>—state inspection fee</u> <u>—emission control inspection fee</u> <u>—license plates</u> <u>—vehicle registration fee</u> <u>---motor vehicle insurance</u>	<u>-as required for employment, education or training activities</u>	<u>-as required for education or training activities or if required to accept employment</u>	
<u>MOTOR VEHICLE PURCHASE</u>	<u>-as required for employment, education or training activities</u>	<u>-as required for education or training activities or if required to accept employment</u>	<u>-actual cost for one vehicle up to \$1,500 in a lifetime.</u>
<u>CLOTHING</u>	<u>-as required for employment, education or training activities</u>	<u>-as required for education or training activities or if required to</u>	<u>-actual cost up to \$150 in a 12-month period</u>

		<u>accept employment</u>	
<u>WORK, EDUCATION AND TRAINING RELATED ALLOWANCES</u>			<u>-actual cost up to \$2,000 in a lifetime</u>
<u>Tools and Equipment</u>	<u>-as required for employment, education or training activities</u>	<u>-as required for education or training activities or if required to accept employment</u>	
<u>Books and Supplies</u>	<u>-as required for education or training activities</u>	<u>-as required for education or training activities</u>	
<u>Fees</u>	<u>-as required for employment, education or training activities</u>	<u>-as required for education or training activities or if required to accept employment</u>	
<u>Union Dues/Professional Fees</u>	<u>-may be authorized for the period up to date of first pay</u>	<u>-may be authorized for the period up to the start date</u>	

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 14-517
SUBJECT: ROAD TO ECONOMIC SELF-SUFFICIENCY THROUGH EMPLOYMENT
AND TRAINING (RESET) PROGRAM
AGENCY: DEPARTMENT OF PUBLIC WELFARE

TYPE OF REGULATION

- Proposed Regulation
- Final Regulation
- X Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
 - a. With Revisions
 - b. Without Revisions

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INDEPENDENT REGULATORY
REVIEW COMMISSION

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
8/31/09	<i>Arthur J. Tate</i>	HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES
X 8/31/09	<i>Paul Rucke</i>	MAJORITY CHAIRMAN <u>Oliver</u>
X 8/31/09	<i>J. Calin</i>	SENATE COMMITTEE ON PUBLIC HEALTH & WELFARE
X 8/31/09	<i>Linda Coffman</i>	MAJORITY CHAIRMAN <u>Erickson</u>
8/31/09	<i>Kathy Cooper</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
X 8/31/09	<i>Mary Mument</i>	ATTORNEY GENERAL (for Final Omitted only)
		LEGISLATIVE REFERENCE BUREAU (for Proposed only)