

R-39 Rev. 03/2012
(Title page)

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of

NAME OF AGENCY Department of Social Services	
Concerning	
SUBJECT MATTER OF REGULATION Temporary Family Assistance EBT Transactions	

(NEW)

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date:	Transmittal:	8570.32
Section: Jobs First		Type: POLICY
Chapter: Benefit Issuance		Program: TFA
Subject: Restriction on Use of Cash Benefits		

A. Definitions

For purposes of this section, the following definitions shall apply:

1. "Adult-oriented entertainment establishment" means a venue in which performers disrobe or perform in an unclothed state for the patrons' entertainment and that restricts admission to adults;
2. "Casino, gambling casino or gaming establishment" means an off-track betting branch facility authorized pursuant to section 12-571a of the Connecticut General Statutes or a gaming facility as defined in section 30-37k(a)(2) of the Connecticut General Statutes, but does not include an establishment that offers casino, gambling or gaming activities incidental to the principal purpose of the business;
3. "Electronic benefit transfer transaction" or "EBT transaction" has the same meaning as provided in 42 USC 608(a)(12)(B)(iii); and
4. "Liquor store" means an establishment with a package store permit issued pursuant to subsection (a) of section 30-20 of the Connecticut General Statutes.

B. Restriction on Use of Electronic Benefits Transfer (EBT) Card

No person receiving cash assistance under the Temporary Family Assistance (TFA) program shall conduct an electronic benefit transfer transaction involving such cash assistance in a liquor store, adult-oriented entertainment establishment or casino, gambling casino or gaming establishment.

C. Penalties for Failure to Comply with Restriction

1. Any person receiving cash assistance through the TFA program who uses an EBT card in violation of paragraph B of this section shall be subject to the following penalties:
 - a. For the first violation, a warning that a prohibited transaction occurred;
 - b. For the second violation, a penalty in the amount of the EBT transaction that occurred at the prohibited location;
 - c. For the third violation, a penalty of one month's suspension of the head of household's TFA benefits, in addition to the amount of the EBT transaction that occurred in the prohibited location; and
 - d. For the fourth violation, the Department, at its discretion, may suspend the head of household's TFA benefits for any length of time that the Department determines to be appropriate or may terminate the head of household's TFA benefits permanently.
2. The Department shall construe all prohibited transactions that occur during the same calendar month as one cumulative transaction constituting a single violation.
3. For purposes of calculating a suspension penalty under subdivision 1.c. or 1.d. of this paragraph, the Department shall reduce the assistance unit size by one member for the period of time that the suspension is in effect.
4. Whenever a penalty is imposed under this paragraph, the Department may appoint a protective payee pursuant to section 8570.25 of the UPM, based on financial mismanagement of TFA cash assistance, as described in section 8570.15 of the UPM.
5. The Department shall provide any person subject to a penalty under this section, which penalty causes a reduction, suspension or loss of benefits, with at least ten days advance notice before imposing such penalty.
6. Individuals who are notified that the Department intends to impose a penalty pursuant to this section, including a warning that a prohibited transaction has occurred, shall have the right to a hearing to contest the penalty in accordance with section 8525.05 of the UPM.

D. Notification of Policy

The Department shall provide TFA cash assistance recipients with information about the restrictions and penalties established in this section before imposing any of the penalties set forth in paragraph C of this section.

E. Enforcement of Penalty Provisions

The Department may audit the EBT transaction history of TFA recipients and such other evidence as necessary to ensure compliance with the restrictions set forth in this section.

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

To bring the state into compliance with the requirements of Section 4004 of Public Law 112-96, which requires that states maintain policies and practices to prevent individuals receiving assistance under the Temporary Family Assistance program from using such assistance in an electronic benefits transfer transaction in a liquor store, casino, gambling casino, gaming establishment or retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.