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Reference: Department of Children and Families (DCF)

DEO Communiqué

DATE: November 3, 2011

TO: Workforce Florida, Inc., and Regional Workforce Boards

FROM: Lois A. Scott, Program Manager, One-Stop and Program Support 

SUBJECT: Temporary Suspension of TCA Applicant Drug Testing

PURPOSE

To inform Regional Workforce Boards (RWBs) of the suspension of the Temporary Cash Assistance (TCA) applicant Drug Testing Policy.

BACKGROUND

During the 2011 legislative session, the Florida Legislature passed HB 353, creating Section 414.0652, F.S., requiring Temporary Cash Assistance (TCA) applicants to pass a drug test as a condition of eligibility. The law went into effect on July 1, 2011.

On October 24, 2011 the United States District Court, Middle District of Florida, Orlando Division issued an injunction instructing the Department of Children and Families (DCF) to discontinue drug testing of TCA applicants as a condition of cash eligibility pending the outcome of the complaint filed by the American Civil Liberties Union (ACLU) on September 2, 2011.

Regional Impact

The RWBs should expect to see an increase in the number of participants referred to the Welfare Transition (WT) program for engagement as a result of the suspension of the drug testing policy. The Department of Children and Families (DCF) will be approving applicants who were otherwise eligible for Temporary Cash Assistance (TCA) and providing retroactive cash payments to applicants who were eligible. Although these cash payments will be retroactive, the approvals ***will not*** have an impact on participation rates because these cases are not considered recurring. Cases that have been recently approved retroactively as a result of the drug testing suspension will not count on the recurring benefit payroll, which is one of the requirements used by the state for inclusion in the participation rate denominators.

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ACTION REQUIRED

Regional Workforce Boards should review and share the attached memorandum from DCF with appropriate staff, providers and other interested parties.

AUTHORITY

Department of Children and Families

ATTACHMENT

TCA Drug Test Suspension.pdf