

**STATE OF RHODE ISLAND  
DEPARTMENT OF HUMAN SERVICES**

**PUBLIC NOTICE**

In accordance with the requirements of the Social Services Block Grant under P.L. 97-35, Chapter 73 Administering Block Grants, a Pre-Expenditure Report for the use of funds has been developed for the period July 1, 2010 – June 30, 2011.

**TITLE XX  
SOCIAL SERVICES BLOCK GRANT  
JULY 1, 2010 – JUNE 30, 2011**

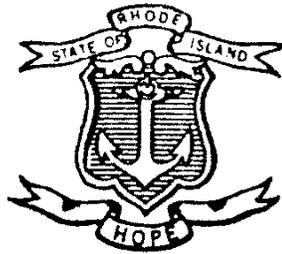
The Pre-Expenditure Report is accessible on the R.I. Secretary of State website (<http://www.sec.state.ri.us/ProposedRules/>) and the DHS website ([www.dhs.ri.gov](http://www.dhs.ri.gov)) or available in hard copy upon request (401 462-2018 or RI Relay, dial 711).

The Department of Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap.

Gary D. Alexander  
Director

Donald L. Carcieri  
Governor

Rhode Island  
Department of Human Services



TITLE XX/SOCIAL SERVICES BLOCK GRANT  
PRE-EXPENDITURE REPORT

JULY 1, 2010 –JUNE 30, 2011

**RI DEPARTMENT OF HUMAN SERVICES**

**SOCIAL SERVICES BLOCK GRANT**

**PRE-EXPENDITURE REPORT SUMMARY**

**July 1, 2010 – June 30, 2011**

	Proposed FFY 2011 Funding Level
SOCIAL SERVICES	
PERSONNEL & ADMINISTRATION	\$ 1,599,276.00
PURCHASE OF SERVICES:	
Housing & Emergency Shelter	\$ 1,933,914.00
Residential Services	\$ 1,100,000.00
Services for Elderly and Individuals with Disabilities	\$ 255,152.00
Information & Referral	
Counseling and Support Services	\$ 255,757.00
Child Care	\$ 784,793.00
TOTAL	<u>\$ 5,928,892.00</u>

## I. DESCRIPTION OF STATE AGENCY

The Department of Human Services (DHS) has been designated by the Governor as the agency responsible for the planning and administration of the Social Services Block Grant.

The Department of Human Services is a multi-service agency which administers a broad range of financial aid, medical assistance and social services programs under several funding sources. The Director is appointed by the Governor with the advice and consent of the Senate (Title 40 of the General Laws of Rhode Island). The Director provides leadership in planning and directing all activities and functions of the Department; serves as liaison with all other state agencies and federal agencies; coordinates Department activities in respect to state and federal legislation; and responds to inquiries and requests regarding departmental activities from individuals and organizations outside of the Department. The Director is assisted in the discharge of his responsibility by Associate Directors who head the divisions of the Department: (1) Economic Support Programs, (2) Management Services, (3) Medical Services, (4) Veteran's Affairs. Associate Directors are responsible for overall leadership of major programs. They are responsible for establishing priorities, program standards and policies, insuring provision for training of staff within their programs and providing general assistance to staff in program areas under their supervision. Within the divisions, specific programs are headed by an Administrator (or equivalent title) that has day to day responsibility for program operation.

The Division of Economic Support Programs has overall responsibility for the operation of the Assistance Payments Programs (TANF and GPA), Supplemental Nutrition Assistance Program (SNAP) and Social Service and Child Care Programs and the Social Service Block Grant.

The Division of Medical Services serves as the administrative authority for the various agencies of the Department that have a medical component to their programs. The major program in this Division is Medical Assistance (Title XIX)

The Division of Veterans Affairs has administrative responsibility for the Veterans Home, Veterans Cemetery and other veteran's affairs.

## II. A PLAN FOR THE USE OF FEDERAL FUNDS

Federal funds will be expended in accordance with Title XX of the Social Security Act, also called the Social Services Block Grant (SSBG)

GOALS – Services are directed at the goals of:

1. Achieving or maintaining economic self-support to prevent, reduce or eliminate dependency;
2. Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
3. Preventing or remedying neglect, abuse or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating or reuniting families;

4. Preventing or reducing inappropriate institutional care by providing for family centered neighborhood/community/home-based care, or other forms of less intensive care; and,
5. Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions.

## RESOURCES

Funds to support the Block Grant (SSBG) are appropriated by the Rhode Island General Assembly to the Department of Human Services as a component of the total budget of the Department for the variety of services it provides. When expenditures are made for social service activities, federal and state resources are distributed concurrently. Federal funds received by the state are deposited in the General Fund. The estimate of the amount of federal reimbursement is considered one of the revenue sources when the State Budget is developed and is considered by the Legislature when appropriations are made.

## SERVICES

- A. Services provided directly by the Department of Human Services consist primarily of casework counseling, and case management and include the cost of planning and administration of all SSBG activities and some staff training. They also include the referral to and authorization of contracted services.

Health services assist people to attain and maintain better physical and mental health by helping them to identify and understand their health needs and resources available to them including the Rhode Island Medical Assistance Program, EPSDT and Residential Services.

Housing services help people to obtain and retain adequate housing in the community, avert heating and utility shutoffs, mediate landlord/tenant problems, and address emergency shelter needs.

The Department's social workers play a key role in the area of Information and Referral Services linking people with appropriate community resources. Crisis intervention and follow-up activities are included in this component.

Specialized services are provided to individuals with physical or mental disabilities including individuals who are blind or visually impaired.

- B. Purchase of service agreements and contracts are negotiated with a number of community agencies and organizations for the provision of specific services.

Emergency Shelter services provide housing when a client's dwelling is made uninhabitable as the result of catastrophe such as fire or flood, or when severe domestic problems endanger the safety of family members. Through the Department of Administration, Office of Housing and Community Development, funding is provided to community agencies for the establishment and operation of shelters for the homeless.

Information and Referral Services are purchased from community-based agencies.

Maternity Home Services are provided by contract. A residential maternity home placement facility provides counseling and related services to unmarried pregnant girls.

Family Planning Services enable individuals of childbearing age voluntarily to limit their family size by providing counseling, information, and medical services. (Medical Services are provided through title XIX for persons eligible for that program).

The Department of Elderly Affairs provides transportation to individuals with disabilities to meet the special needs of people who are unable to use other means of travel. It does so through subcontracts with agencies which also provide transportation for senior citizens.

The Department of Behavioral Health, Developmental Disabilities and Hospitals provides residential services to individuals with mental health and/or substance abuse issues who cannot be cared for at home and could not otherwise afford to have access to treatment.

## **GENERAL PROVISIONS**

Services are available in every community in the State of Rhode Island. All persons in the State may apply for social services. There is no requirement of citizenship nor are there requirements related to duration of residence.

Although an individual or family may be eligible for most Block Grant Social Services, this does not mean that entitlement for a specific service exists. Additional eligibility requirements may be prescribed by the governing contracts and/or DHS Policy Manual. For example, transportation is only provided for individuals with disabilities, and documentation of the disability is required.

Provision of services depends not only upon the need of the individual or family, but also upon the availability of funding and the capacity of the provider agency. Waiting lists may be established when a provider is at the limit of its capacity to respond.

Agencies which enter into a contract with the Department of Human Services (or have subcontracts under Title XX) may not charge a fee for Title XX services, except in connection with an approved co-payment system. An agency may, of course, charge for other services not funded by DHS.

The State provides a system and procedure for fair hearings under which applicants or recipients may appeal denial, reduction or termination of services or failure to act upon a request for service within a reasonable time.

Medical care may be provided only as an integral but subordinate part of a social service.

Room and board will only be provided for a short-term as an integral but subordinate part of a social service or when temporary emergency shelter is provided as a protective service.

All providers agree to meet the requirements of all applicable State and Federal law including Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, as well as the longstanding policies of nondiscrimination in all DHS programs and the Drug Free Workplace Regulations. All providers agree to comply with the requirements of the Governor's Executive Order No. 05-01 and the Federal Anti-Drug Abuse Act of 1988.

All providers agree to report to DHS and to submit economy, efficiency and program results, reviews, investigations and evaluations and audits which may be required on a quarterly fiscal basis with annual audits.

Public participation and comment are encouraged in all DHS programs and facilitated through wide dissemination of this report, by the legislative hearings open to the public, through the accessibility of all levels of department staff from field worker to the Office of the Director.

Specific comments regarding this plan may be addressed to the Division of Economic Support Programs Services, Office of the Associate Director, 57 Howard Avenue, Cranston, Rhode Island 02920.

Comments will be considered when Social Service Block Grant plans and reports are developed.

## **RHODE ISLAND DEPARTMENT OF HUMAN SERVICES**

### **NOTICE TO DEPARTMENT OF HUMAN SERVICES SERVICE PROVIDERS OF THEIR RESPONSIBILITIES UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

PUBLIC AND PRIVATE AGENCIES, ORGANIZATIONS, INSTITUTIONS, AND PERSONS THAT RECEIVE FEDERAL FINANCIAL ASSISTANCE THROUGH THE DEPARTMENT OF HUMAN SERVICES (**DHS**) ARE SUBJECT TO THE PROVISIONS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND THE IMPLEMENTING REGULATIONS OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS), WHICH IS LOCATED AT 45 CFR, PART 80, COLLECTIVELY REFERRED TO HERINAFTER AS TITLE VI. **DHS** CONTRACTS WITH SERVICE PROVIDERS INCLUDE A **PROVIDER'S** ASSURANCE THAT IN COMPLIANCE WITH TITLE VI AND THE IMPLEMENTING REGULATIONS, NO PERSON SHALL BE EXCLUDED FROM PARTICIPATION IN, DENIED THE BENEFITS OF, OR BE OTHERWISE SUBJECTED TO DISCRIMINATION IN ITS PROGRAMS AND ACTIVITIES ON THE GROUNDS OF RACE, COLOR, OR NATIONAL ORIGIN. ADDITIONAL DHHS GUIDANCE IS LOCATED AT 68 FR 47311-02.

**DHS** RESERVES ITS RIGHT TO AT ANY TIME REVIEW SERVICE **PROVIDERS** TO ASSURE THAT THEY ARE COMPLYING WITH THESE REQUIREMENTS. FURTHER, **DHS** RESERVES ITS RIGHT TO AT ANY TIME REQUIRE FROM SERVICE **PROVIDER'S** CONTRACTORS, SUB-CONTRACTORS AND VENDORS THAT THEY ARE ALSO COMPLYING WITH TITLE VI.

THE SERVICE **PROVIDER** SHALL HAVE POLICIES AND PROCEDURES IN EFFECT, INCLUDING, A MANDATORY WRITTEN COMPLIANCE PLAN, WHICH ARE DESIGNED TO ASSURE COMPLIANCE WITH TITLE VI. AN ELECTRONIC COPY OF THE SERVICE **PROVIDERS** WRITTEN COMPLIANCE PLAN AND ALL RELEVANT POLICIES, PROCEDURES, WORKFLOWS AND RELEVANT CHART OF RESPONSIBLE PERSONNEL MUST BE SUBMITTED TO RHODE ISLAND DEPARTMENT OF HUMAN SERVICES WITHIN 90 DAYS OF THE DATE OF EXECUTION OF THIS DOCUMENT AND THEN ON AN ANNUAL BASIS THEREAFTER.

THE SERVICE **PROVIDERS** WRITTEN COMPLIANCE PLAN MUST ADDRESS THE FOLLOWING REQUIREMENTS:

- ❑ WRITTEN POLICIES, PROCEDURES AND STANDARDS OF CONDUCT THAT ARTICULATE THE ORGANIZATION'S COMMITMENT TO COMPLY WITH ALL TITLE VI STANDARDS.
- ❑ DESIGNATION OF A COMPLIANCE OFFICER WHO IS ACCOUNTABLE TO THE SERVICE **PROVIDER'S** SENIOR MANAGEMENT.
- ❑ EFFECTIVE TRAINING AND EDUCATION FOR THE COMPLIANCE OFFICER AND THE ORGANIZATION'S EMPLOYEES.
- ❑ ENFORCEMENT OF STANDARDS THROUGH WELL-PUBLICIZED GUIDELINES.
- ❑ PROVISION FOR INTERNAL MONITORING AND AUDITING.
- ❑ WRITTEN COMPLAINT PROCEDURES
- ❑ PROVISION FOR PROMPT RESPONSE TO ALL COMPLAINTS, DETECTED OFFENSES OR LAPSES, AND FOR DEVELOPMENT AND IMPLEMENTATION OF CORRECTIVE ACTION INITIATIVES.

- PROVISION THAT ALL CONTRACTORS, SUB-CONTRACTORS AND VENDORS OF THE SERVICE **PROVIDER** EXECUTE ASSURANCES THAT SAID CONTRACTORS, SUB-CONTRACTORS AND VENDORS ARE IN COMPLAINE WITH TITLE VI.

THE SERVICE **PROVIDER** MUST ENTER INTO AN AGREEMENT WITH EACH CONTRACTOR, SUB-CONTRACTOR OR VENDOR UNDER WHICH THERE IS THE PROVISION TO FURNISH TO IT, DHHS OR **DHS** ON REQUEST FULL AND COMPLETE INFORMATION RELATED TO TITLE VI COMPLIANCE.

THE SERVICE **PROVIDER** MUST SUBMIT, WITHIN THIRTY-FIVE (35) DAY OF THE DATE OF A REQUEST BY DHHS OR **DHS**, FULL AND COMPLETE INFORMATION ON TITLE VI COMPLAINE BY THE SERVICE PROVIDER AND/OR ANY CONTRACTOR, SUB-CONTRACTOR OR VENDOR OF THE SERVICE PROVIDER.

IT IS THE RESPONSIBILITY OF EACH SERVICE **PROVIDER** TO ACQUAINT ITSELF WITH ALL OF THE PROVISIONS OF THE TITLE VI REGULATIONS. A COPY OF THE REGULATIONS IS AVAILABLE UPON REQUEST FROM THE COMMUNITY RELATIONS LIAISON OFFICER, DEPARTMENT OF HUMAN SERVICES, 600 NEW LONDON AVENUE, CRANSTON, RI 02920; TELEPHONE NUMBER: (401)462-2130.

**THE REGULATIONS ADDRESS THE FOLLOWING TOPICS:**

**SECTION:**

80.1	PURPOSE
80.2	APPLICATION OF THIS REGULATION
80.3	DISCRIMINATION PROHIBITED
80.4	ASSURANCES REQUIRED
80.5	ILLUSTRATIVE APPLICATIONS
80.6	COMPLIANCE INFORMATION
80.7	CONDUCT OF INVESTIGATIONS
80.8	PROCEDURE FOR EFFECTING COMPLIANCE
80.9	HEARINGS
80.10	DECISIONS AND NOTICES
80.11	JUDICIAL REVIEW
80.12	EFFECT ON OTHER REGULATIONS; FORMS AND INSTRUCTIONS
80.13	DEFINITION

RHODE ISLAND DEPARTMENT OF HUMAN SERVICES

**NOTICE TO DEPARTMENT OF HUMAN SERVICES SERVICE PROVIDERS OF THEIR RESPONSIBILITIES UNDER SECTION USC 504 OF THE REHABILITATION ACT OF 1973**

PUBLIC AND PRIVATE AGENCIES, ORGANIZATIONS, INSTITUTIONS, AND PERSONS THAT RECEIVE FEDERAL FINANCIAL ASSISTANCE THROUGH THE DEPARTMENT OF HUMAN SERVICES (**DHS**) ARE SUBJECT TO THE PROVISIONS OF SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE IMPLEMENTING REGULATIONS OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS), WHICH ARE LOCATED AT 45 CFR, PART 84 HERINAFTER COLLECTIVELY REFERRED TO AS SECTION 504. **DHS** CONTRACTS WITH SERVICE **PROVIDERS** INCLUDE THE **PROVIDER'S** ASSURANCE THAT IT WILL COMPLY WITH SECTION 504 OF THE REGULATIONS, WHICH PROHIBITS DISCRIMINATION AGAINST HANDICAPPED PERSONS IN PROVIDING HEALTH, WELFARE, OR OTHER SOCIAL SERVICES OR BENEFITS.

THE SERVICE **PROVIDER** SHALL HAVE POLICIES AND PROCEDURES IN EFFECT, INCLUDING, A MANDATORY WRITTEN COMPLIANCE PLAN, WHICH ARE DESIGNED TO ASSURE COMPLIANCE WITH SECTION 504. AN ELECTRONIC COPY OF THE SERVICE **PROVIDERS** WRITTEN COMPLIANCE PLAN AND ALL RELEVANT POLICIES, PROCEDURES, WORKFLOWS AND RELEVANT CHART OF RESPONSIBLE PERSONNEL MUST BE SUBMITTED TO RHODE ISLAND DEPARTMENT OF HUMAN SERVICES WITHIN 90 DAYS OF THE DATE OF EXECUTION OF THIS DOCUMENT AND THEN ON AN ANNUAL BASIS THEREAFTER.

THE SERVICE **PROVIDERS** WRITTEN COMPLIANCE PLAN MUST ADDRESS THE FOLLOWING REQUIREMENTS:

- ❑ WRITTEN POLICIES, PROCEDURES AND STANDARDS OF CONDUCT THAT ARTICULATE THE ORGANIZATION'S COMMITMENT TO COMPLY WITH ALL SECTION 504 STANDARDS.
- ❑ DESIGNATION OF A COMPLIANCE OFFICER WHO IS ACCOUNTABLE TO THE SERVICE **PROVIDER'S** SENIOR MANAGEMENT.
- ❑ EFFECTIVE TRAINING AND EDUCATION FOR THE COMPLIANCE OFFICER AND THE ORGANIZATION'S EMPLOYEES.
- ❑ ENFORCEMENT OF STANDARDS THROUGH WELL-PUBLICIZED GUIDELINES.
- ❑ PROVISION FOR INTERNAL MONITORING AND AUDITING.
- ❑ WRITTEN COMPLAINT PROCEDURES
- ❑ PROVISION FOR PROMPT RESPONSE TO ALL COMPLAINTS, DETECTED OFFENSES OR LAPSES, AND FOR DEVELOPMENT AND IMPLEMENTATION OF CORRECTIVE ACTION INITIATIVES.
- ❑ PROVISION THAT ALL CONTRACTORS, SUB-CONTRACTORS AND VENDORS OF THE SERVICE **PROVIDER** EXECUTE ASSURANCES THAT SAID CONTRACTORS, SUB-CONTRACTORS AND VENDORS ARE IN COMPLIANCE WITH SECTION 504.

THE SERVICE **PROVIDER** MUST ENTER INTO AN AGREEMENT WITH EACH CONTRACTOR, SUB-CONTRACTOR OR VENDOR UNDER WHICH THERE IS THE PROVISION TO FURNISH TO IT, DHHS OR **DHS** ON REQUEST FULL AND COMPLETE INFORMATION RELATED TO SECTION 504 COMPLIANCE.

THE SERVICE **PROVIDER** MUST SUBMIT, WITHIN THIRTY-FIVE (35) DAY OF THE DATE OF A REQUEST BY DHHS OR **DHS**, FULL AND COMPLETE INFORMATION ON SECTION 504 COMPLAINT BY THE SERVICE **PROVIDER** AND/OR ANY CONTRACTOR, SUB-CONTRACTOR OR VENDOR OF THE SERVICE **PROVIDER**.

IT IS THE RESPONSIBILITY OF EACH SERVICE **PROVIDER** TO ACQUAINT ITSELF WITH ALL OF THE PROVISIONS OF THE SECTION 504 REGULATIONS. A COPY OF THE REGULATIONS, TOGETHER WITH AN AUGUST 14, 1978 POLICY INTERPRETATION OF GENERAL INTEREST TO PROVIDERS OF HEALTH, WELFARE, OR OTHER SOCIAL SERVICES OR BENEFITS, IS AVAILABLE UPON REQUEST FROM THE COMMUNITY RELATIONS LIAISON OFFICER, DEPARTMENT OF HUMAN SERVICES, 600 NEW LONDON AVENUE, CRANSTON, RI 02920; TELEPHONE NUMBER (401) 462-2130.

**PROVIDERS** SHOULD PAY PARTICULAR ATTENTION TO SUBPARTS A, B, C, AND F OF THE REGULATIONS WHICH PERTAIN TO THE FOLLOWING:

#### **SUBPART A - GENERAL PROVISIONS**

**SECTION:**

84.1	PURPOSE
84.2	APPLICATIONS
84.3	DEFINITIONS
84.4	DISCRIMINATION PROHIBITED
84.5	ASSURANCE REQUIRED
84.6	REMEDIAL ACTION, VOLUNTARY ACTION, AND SELF-EVALUATION
84.7	DESIGNATION OF RESPONSIBLE EMPLOYEE AND ADOPTIVE GRIEVANCE PROCEDURES
84.8	NOTICE
84.9	ADMINISTRATIVE REQUIREMENTS FOR SMALL RECIPIENTS
84.10	EFFECT OF STATE OR LOCAL LAW OR OTHER REQUIREMENTS AND EFFECT OF EMPLOYMENT OPPORTUNITIES

#### **SUBPART B - EMPLOYMENT PRACTICES**

**SECTION:**

84.11	DISCRIMINATION PROHIBITED
84.12	REASONABLE ACCOMMODATION
84.13	EMPLOYMENT CRITERIA
84.14	PREEMPLOYMENT INQUIRIES
84.15 - 84.20	(RESERVED)

#### **SUBPART C - PROGRAM ACCESSIBILITY**

**SECTION:**

84.21

DISCRIMINATION PROHIBITED

84.22

EXISTING FACILITIES

84.23

NEW CONSTRUCTION

84.24 - 84.30

(RESERVED)

**SUBPART F - HEALTH, WELFARE, AND SOCIAL SERVICES**

**SECTION:**

84.51

APPLICATION OF THIS SUBPART

84.52

HEALTH, WELFARE, AND OTHER SOCIAL SERVICES

84.53

DRUG AND ALCOHOL ADDICTS

84.54

EDUCATION AND INSTITUTIONALIZED PERSONS

## **CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE**

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

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Gary D. Alexander, Director  
Rhode Island Department of Human Services

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Date

## **CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

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This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

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### Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

*Controlled substance* means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

*Conviction* means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

*Criminal drug statute* means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

*Employee* means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

### Certification Regarding Drug-Free Workplace Requirements

#### Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about:
  - a. The dangers of drug abuse in the workplace;
  - b. The grantee's policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
4. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
  - a. Abide by the terms of the statement; and
  - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted:
  - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
8. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

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Check if there are workplaces on file that are not identified here.

#### Alternate II. (Grantees Who Are Individuals)

1. The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
2. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

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Gary D. Alexander, Director  
Rhode Island Department of Human Services

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Date

## CERTIFICATION REGARDING LOBBYING

### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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Gary D. Alexander, Director  
Rhode Island Department of Human Services

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Date

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

### Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

#### Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from

covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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Gary D. Alexander, Director  
Rhode Island Department of Human Services

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Date