

Effective 5/12/2015

Superseded 5/10/2016

35A-3-102 Definitions.

As used in this chapter:

- (1) "Adjudicative proceeding" has the same meaning as defined in Section 63G-4-103.
- (2) "Administrative order" means an order issued by the department that addresses an overpayment of public assistance.
- (3) "Applicant" means a person who requests assistance under this chapter.
- (4) "Assignment of support" means the transfer to the state of a recipient's right to receive support from another person that accrues during the period the recipient receives public assistance, including a right to receive support on behalf of any family member for whom the recipient is applying for or receiving assistance.
- (5) "Average monthly number of families" means the average number of families who received cash assistance on a monthly basis during the previous federal fiscal year.
- (6) "Cash assistance" means the monthly dollar amount a recipient is eligible to receive under the Family Employment Program under Section 35A-3-302.
- (7) "Child care services" means care of a child by a responsible person who is not the child's parent or legal guardian, for a portion of the day that is less than 24 hours in a qualified setting, as defined by rules made by the department in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (8)
 - (a) "Civic organization" means an organization that provides services to its community.
 - (b) "Civic organization" includes a community service club or organization, a charitable health care or service organization, a fraternal organization, a labor union, a minority or ethnic organization, a commercial or industrial organization, a commerce or business club, a private nonprofit organization, a private nonprofit corporation that provides funding to a community service organization, an organization that advocates or provides for the needs of persons with low incomes, a religious organization, and an organization that fosters strong neighborhoods and communities.
- (9) "Court order" means a judgment or order of a court of this state, another state, or the federal government that addresses an overpayment of public assistance.
- (10) "Date of enrollment" means the date on which the applicant was approved as eligible for cash assistance.
- (11) "Director" means the director of the division assigned by the department to administer a program.
- (12) "Diversion" or "diversion payment" means a one-time cash assistance payment under Section 35A-3-303 to a recipient who is eligible for cash assistance, but does not require extended cash assistance under Part 3, Family Employment Program.
- (13) "Education or training" means:
 - (a) basic remedial education;
 - (b) adult education;
 - (c) high school education;
 - (d) education to obtain the equivalent of a high school diploma;
 - (e) education to learn English as a second language;
 - (f) applied technology training;
 - (g) employment skills training; or
 - (h) on-the-job training.

- (14) "Full-time education or training" means training on a full-time basis as defined by the educational institution attended by the parent recipient.
- (15) "General assistance" means financial assistance provided to a person under Part 4, General Assistance.
- (16) "Notice of agency action" means the notice required to commence an adjudicative proceeding as described in Section 63G-4-201.
- (17) "Obligor" means an individual:
 - (a) who is liable to the state under Section 35A-3-603 and applicable federal statutes and regulations; or
 - (b) against whom an administrative or judicial order determining overpayment has been obtained.
- (18)
 - (a) "Overpayment" means money, public assistance, or another item of value provided under a state or federally funded benefit program to a person that is not entitled to receive it or is not entitled to receive it at the level provided.
 - (b) "Overpayment" includes money paid to a provider under this title in connection with public assistance or another publicly funded assistance program to the extent that the provider receives payment:
 - (i) for goods or services not provided; or
 - (ii) in excess of the amount to which the provider is entitled.
- (19) "Parent recipient" means a person who enters into an employment plan with the department to qualify for cash assistance under Part 3, Family Employment Program.
- (20) "Performance goals" means a target level of performance that will be compared to actual performance.
- (21) "Performance indicators" means actual performance information regarding a program or activity.
- (22) "Performance monitoring system" means a process to regularly collect and analyze performance information, including performance indicators and performance goals.
- (23) "Plan" or "state plan" means the state plan submitted to the Secretary of the United States Department of Health and Human Services to receive funding from the United States through the Temporary Assistance for Needy Families Block Grant in accordance with 42 U.S.C. Sec. 602.
- (24) "Recipient" means a person who is qualified to receive, is receiving, or has received assistance under this chapter.
- (25) "Single minor parent" means a person under 18 years of age who is not married and has a minor child in the person's care and custody.
- (26) "Transitional cash assistance" means assistance provided to a recipient to stabilize employment and reduce the future use of cash assistance provided under Part 3, Family Employment Program.