**Section 112.3 Receipt of Cash Benefits Beyond the 60-Month Lifetime Limit**

a) An exception to the 60-month lifetime limit on the receipt of TANF cash benefits (89 Ill. Adm. Code 112.1) may be granted in accordance with this Section. The client must request an exception in writing. A notice will be mailed to the client when the client has received 57 months of TANF cash benefits. The notice will inform the client of the projected month in which the limit will be reached, the reasons an exception may be granted and the procedure for requesting an exception. A form to request an exception will be included with the notice.

b) The reasons the Department will grant an exception are:

1) The client has an application for Supplemental Security Income (SSI) pending at the Social Security Administration and the Department determines the client is probably eligible for SSI. If the client is in the appeal stage of the SSI application, there must be legal or advocacy representation, unless the client can show legal representation is unavailable.

2) The Department determines that the client has a medical barrier that prevents the client from obtaining or retaining employment of at least 30 hours per week.

3) The client is in an approved education and training program that will be completed in six months or less after the client's 60th month.

4) The client is in an intensive service program to help overcome a barrier to work, including but not limited to programs under mental health, substance abuse, vocational rehabilitation, domestic or sexual violence, homeless services and involvement with the Department of Children and Family Services. An exception to the 60-month limit will be granted for this reason only if the client's involvement in the program precludes the ability to obtain or retain employment of at least 30 hours per week.

5) The client has a severely disabled child approved for a waiver under the Home & Community Based Care Program (89 Ill. Adm. Code 140.645).

6) The client is the only adult in the assistance unit and is the primary caregiver for a child under age 18 with a physical or mental health problems, or is the primary caregiver for his or her spouse who has a physical or mental health problems and the demands of caregiving do not allow the caregiver to obtain or retain employment that would satisfy Section 112.1(b).

c) The client shall be notified in writing of the decision on the request for an exception and shall have the right to appeal that decision (89 Ill. Adm. Code 14).

d) A client may file a written request for an exception at any time; however, requests filed prior to the 57th month of receipt of TANF cash benefits will not be considered. If a client files a written request for an exception within 10 work days after the date the client would have received TANF cash benefits for the 61st month, and is found eligible under this Section, there will be no loss of benefits. If the request is received after the 10th work day the client would have received TANF cash benefits for the 61st month, the request will be considered as a new application for TANF cash benefits, cash assistance will begin in accordance with 89 Ill. Adm. Code 10.430 and the client must meet all TANF eligibility factors, as well as the eligibility factors in this Section.

e) The Department shall periodically review each case to determine whether the client remains eligible for an exception. The client will have to meet all eligibility factors for TANF cash benefits, as well as all eligibility factors in this Section. When it is determined that a client is no longer eligible for an exception, the client will be notified and will be given an additional three months of eligibility for TANF cash assistance while the client seeks employment.

(Source: Amended at 34 Ill. Reg. 10085, effective July 1, 2010)