



Senate

General Assembly

File No. 248

January Session, 2003

Substitute Senate Bill No. 745

Senate, April 9, 2003

The Committee on Human Services reported through SEN. HANDLEY of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING EDUCATION AND OUTREACH EFFORTS TO INDIVIDUALS RECEIVING TEMPORARY FAMILY ASSISTANCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-112 of the general statutes, as amended by
2 section 13 of public act 03-2, is repealed and the following is
3 substituted in lieu thereof (*Effective from passage*):

4 (a) The Department of Social Services shall administer a temporary
5 family assistance program under which cash assistance shall be
6 provided to eligible families in accordance with the temporary
7 assistance for needy families program, established pursuant to the
8 Personal Responsibility and Work Opportunity Reconciliation Act of
9 1996. Under the temporary family assistance program, benefits shall be
10 provided to a family for not longer than twenty-one months, except as
11 provided in subsections (b) and (c) of this section. For the purpose of
12 calculating said twenty-one-month time limit, months of assistance
13 received on and after January 1, 1996, pursuant to time limits under

14 the aid to families with dependent children program, shall be
15 included. For purposes of this section, "family" means one or more
16 individuals who apply for or receive assistance together under the
17 temporary family assistance program.

18 (b) The Commissioner of Social Services shall exempt a family from
19 such time-limited benefits for circumstances including, but not limited
20 to: (1) A family with a needy caretaker relative who is incapacitated or
21 of an advanced age, as defined by the commissioner, if there is no
22 other nonexempt caretaker relative in the household; (2) a family with
23 a needy caretaker relative who is needed in the home because of the
24 incapacity of another member of the household, if there is no other
25 nonexempt caretaker relative in the household; (3) a family with a
26 caretaker relative who is not legally responsible for the dependent
27 children in the household if such relative's needs are not considered in
28 calculating the amount of the benefit and there is no other nonexempt
29 caretaker relative in the household; (4) a family with a caretaker
30 relative caring for a child who is under one year of age and who was
31 born not more than ten months after the family's enrollment if there is
32 no other nonexempt caretaker relative in the household; (5) a family
33 with a pregnant or postpartum caretaker relative if a physician has
34 indicated that such relative is unable to work and there is no other
35 nonexempt caretaker relative in the household; (6) a family with a
36 caretaker relative determined by the commissioner to be unemployable
37 and there is no other nonexempt caretaker relative in the household;
38 and (7) minor parents attending and satisfactorily completing high
39 school or high school equivalency programs.

40 (c) A family who is subject to time-limited benefits may petition the
41 Commissioner of Social Services for six-month extensions of such
42 benefits. The commissioner shall grant not more than [two] three
43 extensions to such family who has made a good faith effort to comply
44 with the requirements of the program and despite such effort has a
45 total family income at a level below the payment standard, or has
46 encountered circumstances preventing employment including, but not
47 limited to: (1) Domestic violence or physical harm to such family's

48 children; or (2) other circumstances beyond such family's control. The
49 commissioner shall disregard ninety dollars of earned income in
50 determining applicable family income. The commissioner may grant a
51 fourth or a subsequent six-month extension if each adult in the family
52 meets one or more of the following criteria: (A) The adult is precluded
53 from engaging in employment activities due to domestic violence or
54 another reason beyond the adult's control; (B) the adult has two or
55 more substantiated barriers to employment including, but not limited
56 to, the lack of available child care, substance abuse or addiction, severe
57 mental or physical health problems, one or more severe learning
58 disabilities, domestic violence or a child who has a serious physical or
59 behavioral health problem; (C) the adult is working thirty-five or more
60 hours per week, is earning at least the minimum wage and continues
61 to earn less than the family's temporary family assistance payment
62 standard; or (D) the adult is employed and works less than thirty-five
63 hours per week due to (i) a documented medical impairment that
64 limits the adult's hours of employment, provided the adult works the
65 maximum number of hours that the medical condition permits, or (ii)
66 the need to care for a disabled member of the adult's household,
67 provided the adult works the maximum number of hours the adult's
68 caregiving responsibilities permit. Families receiving temporary family
69 assistance shall be notified by the department of the right to petition
70 for such extensions. Notwithstanding the provisions of this section, the
71 commissioner shall not provide benefits under the state's temporary
72 family assistance program to a family that is subject to the twenty-one
73 month benefit limit and has received benefits beginning on or after
74 October 1, 1996, if such benefits result in that family's receiving more
75 than sixty months of time-limited benefits unless that family
76 experiences domestic violence, as defined in Section 402(a)(7)(B), P.L.
77 104-193. For the purpose of calculating said sixty-month limit: (I) A
78 month shall count toward the limit if the family receives assistance for
79 any day of the month, and (II) a month in which a family receives
80 temporary family assistance benefits that are issued from a jurisdiction
81 other than Connecticut shall count toward the limit.

82 (d) Medicaid eligibility shall be extended for two years to a family

83 who becomes ineligible for cash assistance while employed or a family
84 with an adult who, within six months of becoming ineligible, becomes
85 employed.

86 (e) Under said program (1) no family shall be eligible that has total
87 gross earnings exceeding the federal poverty level, however, in the
88 calculation of the benefit amount for eligible families and previously
89 eligible families that become ineligible temporarily because of receipt
90 of workers' compensation benefits by a family member who
91 subsequently returns to work immediately after the period of receipt of
92 such benefits, earned income shall be disregarded up to the federal
93 poverty level; (2) the increase in benefits to a family in which an infant
94 is born after the initial ten months of participation in the program shall
95 be limited to an amount equal to fifty per cent of the average
96 incremental difference between the amounts paid per each family size;
97 and (3) a disqualification penalty shall be established for failure to
98 cooperate with the biometric identifier system. Except when
99 determining eligibility for a six-month extension of benefits pursuant
100 to subsection (c) of this section, the commissioner shall disregard the
101 first fifty dollars per month of income attributable to child support that
102 a family receives in determining eligibility and benefit levels for
103 temporary family assistance.

104 (f) A family receiving assistance under said program shall cooperate
105 with child support enforcement, under title IV-D of the Social Security
106 Act. A family shall be ineligible for benefits for failure to cooperate
107 with child support enforcement.

108 (g) The Department of Social Services, upon qualifying a family for
109 assistance under said program, shall provide such family with
110 informational materials which address the time-limited eligibility
111 requirements of the program, criteria used to determine whether a
112 family shall be exempt from time-limited eligibility requirements
113 under the program, and criteria used to determine whether a family
114 qualifies for an extension of program benefits. The department shall
115 also provide notice to families receiving benefits under the program of

116 changes to federal law which affect eligibility requirements. The
117 department shall distribute informational materials produced in
118 accordance with this subsection to community-based organizations
119 providing services to families receiving assistance under the
120 temporary family assistance program and to the Infoline of
121 Connecticut. Not later than January 1, 2004, and annually thereafter,
122 the commissioner shall file a report with the council to monitor the
123 implementation of the temporary family assistance program and
124 employment services program established pursuant to section 17b-29,
125 on the efforts of the department to provide the informational materials
126 required under this subsection.

127 [(g)] (h) A family leaving assistance at the end of (1) said twenty-
128 one-month time limit, including a family with income above the
129 payment standard, or (2) the sixty-month limit shall have an interview
130 for the purpose of being informed of services that may continue to be
131 available to such family, including employment services available
132 through the Labor Department. Said interview shall contain a
133 determination of benefits available to said family provided by the
134 Department of Social Services. Said interview shall also include a
135 determination of whether such family is eligible for food stamps or
136 Medicaid. Information and referrals shall be made to such a family for
137 services and benefits including, but not limited to, the earned income
138 tax credit, rental subsidies emergency housing, employment services
139 and energy assistance.

140 [(h)] (i) An applicant or recipient of temporary family assistance
141 who is adversely affected by a decision of the Commissioner of Social
142 Services may request and shall be provided a hearing in accordance
143 with section 17b-60.

144 [(i)] (j) The commissioner may continue to operate under all or
145 portions of the federal waivers granted under Section 1115 of the Social
146 Security Act for the demonstration entitled "Reach For Jobs First".
147 Notwithstanding continuation of the provisions of said federal
148 waivers, the commissioner shall continue the evaluation of the

149 effectiveness of the temporary family assistance program and may
150 continue to utilize a control group using different program
151 requirements.

152 [(j)] (k) The commissioner shall report, annually on or before
153 November fifteenth, to the joint standing committees of the General
154 Assembly having cognizance of matters relating to human services and
155 appropriations and the budgets of state agencies on the funding
156 requirements necessary to support the programs funded by the
157 temporary assistance for needy families block grant.

158 [(k)] (l) The Commissioner of Social Services shall implement
159 policies and procedures necessary for the purposes of this section
160 while in the process of adopting such policies and procedures in
161 regulation form, provided the commissioner prints notice of intention
162 to adopt the regulations in the Connecticut Law Journal within twenty
163 days of implementing such policies and procedures. Final regulations
164 shall be submitted to the legislative regulation review committee no
165 later than November 15, 1997. Policies and procedures implemented
166 pursuant to this subsection shall be valid until the time final
167 regulations are effective.

168 Sec. 2. Subsection (b) of section 17b-749 of the general statutes, as
169 amended by section 16 of public act 03-2, is repealed and the following
170 is substituted in lieu thereof (*Effective from passage*):

171 (b) The commissioner shall establish income standards for
172 applicants and recipients at a level to include a family with gross
173 income up to fifty per cent of the state-wide median income, except the
174 commissioner (1) may increase the income level to up to seventy-five
175 per cent of the state-wide median income, and (2) upon the request of
176 the Commissioner of Children and Families, may waive the income
177 standards for adoptive families so that children adopted on or after
178 October 1, 1999, from the Department of Children and Families are
179 eligible for the child care subsidy program. [, and (3) on and after
180 March 1, 2003, the commissioner shall reduce the income eligibility
181 level to up to fifty-five per cent of the state-wide median income for

182 applicants and recipients who qualify based on their loss of eligibility
 183 for temporary family assistance.] The commissioner may adopt
 184 regulations, in accordance with chapter 54, to establish income criteria
 185 and durational requirements for such waiver of income standards.

186 Sec. 3. (*Effective from passage*) The sum of one hundred eighty-five
 187 thousand eight hundred seventy-nine dollars is appropriated to the
 188 Department of Social Services, from the General Fund, for the fiscal
 189 year ending June 30, 2003, for the purpose of restoring funding to
 190 Safety Net Services.

191 Sec. 4. (*Effective July 1, 2003*) The sum of three million seven hundred
 192 seventeen thousand five hundred eighty dollars is appropriated to the
 193 Department of Social Services, from the General Fund, for the fiscal
 194 year ending June 30, 2004, for the purpose of restoring funding to
 195 Safety Net Services.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>July 1, 2003</i>

HS *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 03\$	FY 04\$	FY 05\$
Dept of Social Services	GF - Cost	185,879	7,317,580	6,900,000

Municipal Impact: None

Explanation

This bill makes several programmatic restorations within the Department of Social Services (DSS). First, it increases from two to three the number of extensions that a Temporary Family Assistance (TFA) recipient can receive following the exhaustion of the basic 21 months of benefits. This change is expected to cost \$2.4 million in FY04 and \$5.7 million in FY05. Second, the bill increases the income eligibility level for transitional child care benefits from 55% to 75% of the state wide median income for recipients and applicants who qualify based on their loss of TFA eligibility. This change is expected to cost \$1.2 million annually. Finally, the bill appropriates \$185,879 in FY03 and \$3,717,580 in FY04 to restore funding for the Safety Net Services program. These changes all reverse adjustments made in P.A. 03-2, *AAC Modifications to Current and Future State Expenditures and Revenues*.

The bill also requires DSS to provide TFA families with certain informational materials concerning eligibility criteria and changes in federal law and establishes a new reporting mandate for the department. These requirements are expected to lead to additional administrative costs to the department. However, these costs are expected to be minimal.

OLR Bill Analysis

sSB 745

AN ACT CONCERNING EDUCATION AND OUTREACH EFFORTS TO INDIVIDUALS RECEIVING TEMPORARY FAMILY ASSISTANCE**SUMMARY:**

This bill makes several changes in the laws related to the Temporary Family Assistance (TFA) and child care subsidy programs. It:

1. increases from two to three the number of "good faith effort" extensions to the 21-month TFA time limit the Department of Social Services (DSS) may grant (Section 13 of PA 03-2 reduced this number from three to two),
2. increases DSS' Child Care Assistance Program income limit for working families transitioning off TFA from 55% to 75% of the statewide median (Section 16 of PA 03-2 reduced the limit), and
3. requires DSS to provide certain information to families applying for and receiving TFA benefits and requires the DSS commissioner to report the department's progress in doing so to the Temporary Assistance for Needy Families (TANF) advisory council.

The bill also appropriates \$185,879 to DSS for FY 2002-03 to restore funding for Safety Net services. It appropriates an additional \$3,717,580 in FY 2003-04 for these services. Safety Net services help families who have lost or are at risk of losing their TFA benefits and do not qualify for extensions for failure to comply with the TFA program's work requirements.

EFFECTIVE DATE: Upon passage except the funding for Safety Net services in FY 2003-04 is effective on July 1, 2003.

DSS INFORMATION AND REPORT TO TANF COUNCIL

Under the bill, once DSS determines a family is eligible for TFA, it must provide it with informational materials that address the (1) time-

limited eligibility requirements of the program, (2) criteria used to determine whether a family will be exempt from these requirements, and (3) criteria used to determine whether someone qualifies for an extension of benefits. DSS must also provide notice to recipient families of changes in the federal law that affect their program eligibility. And it must distribute such informational materials to (1) community-based organizations that provide services to TFA families and (2) Infoline of Connecticut.

The bill also requires the commissioner to file annual reports with the TANF Council on its efforts to provide these materials. The first report must be filed by January 1, 2004.

BACKGROUND

TANF and Extensions

Congress enacted the TANF provisions in 1996. They included the establishment of block grants for states to use to pay for activities designed to help low-income families become self-sufficient. The law requires states to meet a minimum work participation rate and limits the amount of time a family can receive TANF-funded “assistance” to five years. Connecticut’s TFA program is funded by the block grant.

TFA is the cash-assistance portion of the state’s Jobs First program. It is generally available for 21 months but certain families are exempt from the time limit (and hence the work requirement). Time-limited families can ask for six-month extensions under a two-step system. Under the first step, families (1) that have made a good faith effort to comply with program requirements and despite their efforts have a family income below their TFA payment and (2) that have encountered circumstances preventing employment, including domestic violence, can get extensions. Under the second step, additional extensions can be granted under certain circumstances. But no family can receive more than 60 months of benefits in a lifetime, except those experiencing domestic violence.

Child Care Assistance Program

Families that are transitioning off TFA are eligible to receive child care assistance. These families can continue to receive this help as long as they meet the eligibility criteria. These include passing an income test and showing a continuing need for child care (e.g., family still has a

non-special needs child under the age of 13). DSS re-determines family eligibility for this assistance every six months.

Related Act

sHB 5865, favorably reported by the Human Services Committee, also increases the number of good faith effort extensions from two to three.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 12 Nay 6