



General Assembly

January Session, 2007

Raised Bill No. 1361

LCO No. 4634

04634_____HS_

Referred to Committee on Human Services

Introduced by:
(HS)

AN ACT CONCERNING ADMINISTRATION OF THE TEMPORARY FAMILY ASSISTANCE PROGRAM.

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

1 Section 1. Section 17b-104 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) The Commissioner of Social Services shall administer the
4 program of state supplementation to the Supplemental Security
5 Income Program provided for by the Social Security Act and state law.
6 The commissioner may delegate any powers and authority to any
7 deputy, assistant, investigator or supervisor, who shall have, within
8 the scope of the power and authority so delegated, all of the power
9 and authority of the Commissioner of Social Services. [On and after
10 January 1, 1994, the] The commissioner shall establish a standard of
11 need based on the cost of living in this state for the temporary family
12 assistance program and the state-administered general assistance
13 program. The commissioner shall make a reinvestigation, at least every
14 twelve months, of all cases receiving aid from the state, except that
15 such reinvestigation may be conducted every twenty-four months for
16 recipients of assistance to the elderly or disabled with stable

17 circumstances, and shall maintain all case records of the several
18 programs administered by the Department of Social Services so that
19 such records show, at all times, full information with respect to
20 eligibility of the applicant or recipient. In the determination of need
21 under any public assistance program, such income or earnings shall be
22 disregarded as federal law requires, and such income or earnings may
23 be disregarded as federal law permits. The commissioner shall
24 encourage and promulgate such incentive earning programs as are
25 permitted by federal law and regulations.

26 (b) [On July 1, 1988, and annually thereafter, the] On July 1, 2007,
27 the commissioner shall increase the payment standard under the
28 temporary family assistance program by ten per cent over the payment
29 standard in effect on June 30, 2007. On July 1, 2008, and annually
30 thereafter, the commissioner shall increase the payment standards over
31 those of the previous fiscal year under the [aid to families with
32 dependent children program,] temporary family assistance program
33 and the state-administered general assistance program by the
34 percentage increase, if any, in the most recent calendar year average in
35 the consumer price index for urban consumers over the average for the
36 previous calendar year, provided the annual increase, if any, shall not
37 exceed five per cent.], except that the payment standards for the fiscal
38 years ending June 30, 1992, June 30, 1993, June 30, 1994, June 30, 1995,
39 June 30, 1996, June 30, 1997, June 30, 1998, June 30, 1999, June 30, 2000,
40 June 30, 2001, June 30, 2002, June 30, 2003, June 30, 2004, June 30, 2005,
41 June 30, 2006, and June 30, 2007, shall not be increased. On January 1,
42 1994, the payment standards shall be equal to the standards of need in
43 effect July 1, 1993.]

44 [(c) On and after July 1, 1995, the payment standards for families
45 receiving assistance under the temporary family assistance program
46 and the state-administered general assistance program shall be equal
47 to seventy-three per cent of the AFDC standards of need in effect June
48 30, 1995.]

49 [(d)] (c) For a family living in subsidized housing, income shall be
50 attributed to such family which shall be eight per cent of the payment
51 standard for such family.

52 Sec. 2. Section 17b-112 of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective July 1, 2007*):

54 (a) The Department of Social Services shall administer a temporary
55 family assistance program under which cash assistance shall be
56 provided to eligible families in accordance with the temporary
57 assistance for needy families program, established pursuant to the
58 Personal Responsibility and Work Opportunity Reconciliation Act of
59 1996. Under the temporary family assistance program, benefits shall be
60 provided to a family for not longer than twenty-one months, except as
61 provided in subsections (b) and (c) of this section. For the purpose of
62 calculating said twenty-one-month time limit, months of assistance
63 received on and after January 1, 1996, pursuant to time limits under
64 the aid to families with dependent children program, shall be
65 included. For purposes of this section, "family" means one or more
66 individuals who apply for or receive assistance together under the
67 temporary family assistance program. If the commissioner determines
68 that federal law allows individuals not otherwise in an eligible covered
69 group for the temporary family assistance program to become covered,
70 such family may also, at the discretion of the commissioner, be
71 composed of (1) a pregnant woman, or (2) a parent, both parents or
72 other caretaker relative and at least one child who is under the age of
73 eighteen, or who is under the age of nineteen and a full-time student in
74 a secondary school or its equivalent. A caretaker relative shall be
75 related to the child or children by blood, marriage or adoption or shall
76 be the legal guardian of such a child or pursuing legal proceedings
77 necessary to achieve guardianship. If the commissioner elects to allow
78 state eligibility consistent with any change in federal law, the
79 commissioner may administratively transfer any qualifying family
80 cases under the cash assistance portion of the state-administered
81 general assistance program to the temporary family assistance

82 program without regard to usual eligibility and enrollment
83 procedures. If such families become an ineligible coverage group
84 under the federal law, the commissioner shall administratively transfer
85 such families back to the cash assistance portion of the state-
86 administered general assistance program without regard to usual
87 eligibility and enrollment procedures to the degree that such families
88 are eligible for the state program.

89 (b) The Commissioner of Social Services shall exempt a family from
90 such time-limited benefits for circumstances including, but not limited
91 to: (1) A family with a needy caretaker relative who is incapacitated or
92 of an advanced age, as defined by the commissioner, if there is no
93 other nonexempt caretaker relative in the household; (2) a family with
94 a needy caretaker relative who is needed in the home because of the
95 incapacity of another member of the household, if there is no other
96 nonexempt caretaker relative in the household; (3) a family with a
97 caretaker relative who is not legally responsible for the dependent
98 children in the household if such relative's needs are not considered in
99 calculating the amount of the benefit and there is no other nonexempt
100 caretaker relative in the household; (4) a family with a caretaker
101 relative caring for a child who is under one year of age and who was
102 born not more than ten months after the family's enrollment if there is
103 no other nonexempt caretaker relative in the household; (5) a family
104 with a pregnant or postpartum caretaker relative if a physician has
105 indicated that such relative is unable to work and there is no other
106 nonexempt caretaker relative in the household; (6) a family with a
107 caretaker relative determined by the commissioner to be unemployable
108 and there is no other nonexempt caretaker relative in the household;
109 [and] (7) a family that meets all of the following criteria: (A) Income
110 below the payment standard, (B) a caretaker relative who is employed
111 but works less than thirty-five hours a week due to a documented
112 medical impairment that limits the caretaker relative's hours of
113 employment, provided such caretaker relative works the maximum
114 number of hours that his or her medical impairment permits, and (C)
115 there is not another caretaker relative in the family who is subject to

116 time limited benefits, provided that such family shall be subject to
117 employment and training requirements to the extent permitted by the
118 impairment and that prior to discontinuing cash assistance benefits or
119 imposing a sanction on such family, an individualized assessment of
120 the family is performed and based on the findings of such assessment,
121 an appropriate accommodation, if required, is made to enable the
122 family to meet such employment and training requirements; and (8)
123 minor parents attending and satisfactorily completing high school or
124 high school equivalency programs.

125 (c) A family who is subject to time-limited benefits may petition the
126 Commissioner of Social Services for six-month extensions of such
127 benefits. The commissioner shall grant not more than two extensions to
128 such family who has made a good faith effort to comply with the
129 requirements of the program and despite such effort has a total family
130 income at a level below the payment standard, or has encountered
131 circumstances preventing employment including, but not limited to:
132 (1) Domestic violence or physical harm to such family's children; or (2)
133 other circumstances beyond such family's control. The commissioner
134 shall disregard ninety dollars of earned income in determining
135 applicable family income. The commissioner may grant a subsequent
136 six-month extension if each adult in the family meets one or more of
137 the following criteria: (A) The adult is precluded from engaging in
138 employment activities due to domestic violence or another reason
139 beyond the adult's control; (B) the adult has two or more substantiated
140 barriers to employment including, but not limited to, the lack of
141 available child care, substance abuse or addiction, severe mental or
142 physical health problems, one or more severe learning disabilities,
143 domestic violence or a child who has a serious physical or behavioral
144 health problem; (C) the adult is working thirty-five or more hours per
145 week, is earning at least the minimum wage and continues to earn less
146 than the family's temporary family assistance payment standard; or
147 (D) the adult is employed and works less than thirty-five hours per
148 week due to (i) a documented medical impairment that limits the
149 adult's hours of employment, provided the adult works the maximum

150 number of hours that the medical condition permits, or (ii) the need to
151 care for a disabled member of the adult's household, provided the
152 adult works the maximum number of hours the adult's caregiving
153 responsibilities permit. Families receiving temporary family assistance
154 shall be notified by the department of the right to petition for such
155 extensions. Notwithstanding the provisions of this section, the
156 commissioner shall not provide benefits under the state's temporary
157 family assistance program to a family that is subject to the twenty-one
158 month benefit limit and has received benefits beginning on or after
159 October 1, 1996, if such benefits result in that family's receiving more
160 than sixty months of time-limited benefits unless that family
161 experiences domestic violence, as [defined] described in [Section
162 402(a)(7)(B), P.L. 104-193.] 42 USC 608 (a)(7)(C)(iii). For the purpose of
163 calculating said sixty-month limit: (I) A month shall count toward the
164 limit if the family receives temporary family assistance for any day of
165 the month, and (II) a month in which a family receives temporary
166 assistance for needy families benefits that are issued from a jurisdiction
167 other than Connecticut shall count toward the limit.

168 (d) Under said program (1) no family shall be eligible that has total
169 gross earnings exceeding the federal poverty level, however, in the
170 calculation of the benefit amount for eligible families and previously
171 eligible families that become ineligible temporarily because of receipt
172 of workers' compensation benefits by a family member who
173 subsequently returns to work immediately after the period of receipt of
174 such benefits, earned income shall be disregarded up to the federal
175 poverty level; (2) the increase in benefits to a family in which an infant
176 is born after the initial ten months of participation in the program shall
177 be limited to an amount equal to fifty per cent of the average
178 incremental difference between the amounts paid per each family size;
179 and (3) a disqualification penalty shall be established for failure to
180 cooperate with the biometric identifier system. Except when
181 determining eligibility for a six-month extension of benefits pursuant
182 to subsection (c) of this section, the commissioner shall disregard the
183 first fifty dollars per month of income attributable to current child

184 support that a family receives in determining eligibility and benefit
185 levels for temporary family assistance. Any current child support in
186 excess of fifty dollars per month collected by the department on behalf
187 of an eligible child shall be considered in determining eligibility but
188 shall not be considered when calculating benefits and shall be taken as
189 reimbursement for assistance paid under this section, except that when
190 the current child support collected exceeds the family's monthly award
191 of temporary family assistance benefits plus fifty dollars, the current
192 child support shall be paid to the family and shall be considered when
193 calculating benefits.

194 (e) A family receiving assistance under said program shall cooperate
195 with child support enforcement, under title IV-D of the Social Security
196 Act. A family shall be ineligible for benefits for failure to cooperate
197 with child support enforcement.

198 (f) A family leaving assistance at the end of (1) said twenty-one-
199 month time limit, including a family with income above the payment
200 standard, or (2) the sixty-month limit shall have an interview for the
201 purpose of being informed of services that may continue to be
202 available to such family, including employment services available
203 through the Labor Department and cash assistance benefits available
204 as provided in section 3 of this act. Said interview shall contain a
205 determination of benefits available to said family provided by the
206 Department of Social Services. Said interview shall also include a
207 determination of whether such family is eligible for food stamps or
208 Medicaid. Information and referrals shall be made to such a family for
209 services and benefits including, but not limited to, the earned income
210 tax credit, rental subsidies emergency housing, employment services
211 and energy assistance.

212 (g) An applicant or recipient of temporary family assistance who is
213 adversely affected by a decision of the Commissioner of Social Services
214 may request and shall be provided a hearing in accordance with
215 section 17b-60.

216 Sec. 3. (NEW) (*Effective July 1, 2007*) (a) Not later than January 1,
217 2008, the Department of Social Services shall establish and administer a
218 work transition program that shall provide cash assistance benefits to:
219 (1) A family subject to time-limited temporary family assistance
220 program benefits, who: (A) Is ineligible for an extension of cash
221 assistance benefits because of gross earnings in excess of the payment
222 standard attributable in part to earned income, (B) has made a good
223 faith effort to comply with program requirements, and (C) is engaged
224 in activities that meet federal temporary assistance for needy families
225 participation requirements; (2) a family that loses eligibility for
226 temporary family assistance program benefits because of earned
227 income at or above the federal poverty level and is engaged in
228 activities that meet federal temporary assistance for needy families
229 participation requirements; and (3) a family receiving temporary
230 family assistance program benefits that is engaged in activities that
231 meet federal temporary assistance for needy families participation
232 requirements but who chooses to receive benefits from the work
233 transition program rather than to continue in the temporary family
234 assistance program pursuant to this act.

235 (b) Cash assistance benefits under the work transition program shall
236 be available for one year following the date that such family is
237 determined to be eligible for benefits. Eligible families may receive not
238 more than twelve months of benefits payable as follows: (1) For the
239 first six months of eligibility, a family shall receive benefits in an
240 amount that is equal to two-thirds of the amount that the family
241 received under the temporary family assistance program; and (2) a
242 family that is deemed eligible to receive benefits beyond six months
243 shall receive not more than an additional six months of benefits in an
244 amount that is equal to one-third of the amount that the family
245 received under the temporary family assistance program.

246 (c) Work transition program benefits shall be entirely state-funded
247 and shall not be considered when calculating time limited benefits
248 received under the temporary family assistance program pursuant to

249 section 17b-112 of the general statutes, as amended by this act.

250 Sec. 4. Section 17b-112e of the general statutes is repealed and the
251 following is substituted in lieu thereof (*Effective July 1, 2007*):

252 (a) The Department of Social Services shall provide safety net
253 services for certain families no longer receiving benefits or who are at
254 risk of losing benefits under the temporary family assistance program.
255 Such families include those who are not eligible for six-month
256 extensions of benefits due to: (1) The receipt of two sanctions from the
257 department during the first twenty months of the twenty-one-month
258 time limit of said temporary family assistance program; [or] (2) the
259 determination by the department that such a family has not made a
260 good-faith effort to seek and maintain employment; or (3) the family
261 having reached a time limit that precludes the granting of an extension
262 provided the family's total income is at a level below the payment
263 standard.

264 (b) Said safety net shall consist of services provided through the
265 existing community service delivery network with additional
266 resources provided by the Department of Social Services. Services shall
267 be provided in-kind or through vendor or voucher payment. Services
268 may include the following: (1) Food, shelter, clothing and employment
269 assistance; (2) eviction prevention; (3) intensive case management; (4)
270 continuous monitoring for child abuse or neglect; and (5) for families
271 at risk of losing benefits under the temporary family assistance
272 program, individual performance contracts that shall be administered
273 by the Labor Department and that require job training, job searching,
274 volunteer work, participation in parenting programs or counseling or
275 any other requirements deemed necessary by the Labor Commissioner.

276 (c) Families successfully meeting the program requirements
277 established by the individual performance contracts in subdivision (5)
278 of subsection (b) of this section prior to the end of the twenty-one-
279 month time limit shall be considered to have made a good faith effort
280 to comply with the requirements of the program for the purposes of

281 qualifying for a six-month extension, provided they have made a good
282 faith effort to comply with the individual performance contract or have
283 not incurred a sanction subsequent to completing the individual
284 performance contract.

285 (d) The Commissioner of Social Services shall implement policies
286 and procedures necessary for the purposes of this section while in the
287 process of adopting such policies and procedures in regulation form,
288 provided the commissioner prints notice of intention to adopt the
289 regulations in the Connecticut Law Journal [within] not later than
290 twenty days [of] after the date of implementing such policies and
291 procedures. Policies and procedures implemented pursuant to this
292 subsection shall be valid until the time final regulations are effective.

293 Sec. 5. Section 17b-688c of the general statutes is repealed and the
294 following is substituted in lieu thereof (*Effective July 1, 2007*):

295 (a) The Department of Social Services shall administer, in
296 accordance with sections 17b-688h and 17b-688i, an employment
297 services program for the purpose of providing employment services to
298 recipients of benefits under the temporary assistance for needy
299 families program pursuant to Title IV-A of the Social Security Act. Said
300 program shall include the provision of employment services to
301 recipients of temporary family assistance that will enable [them] such
302 recipients to become employed and independent of cash assistance
303 [within] not later than twenty-one months [of] after commencing
304 receipt of temporary family assistance.

305 (b) The Commissioner of Social Services shall, to the extent
306 permitted by federal law, permit the maximum number of temporary
307 family assistance recipients to satisfy federally defined work activity
308 requirements through participation in community service activities
309 that are under the administrative supervision of a community action
310 agency. Any community action agency that supervises such recipients
311 in the performance of community service shall be preapproved by the
312 department. Not later than July 1, 2008, and annually thereafter, the

313 commissioner shall report to the council established pursuant to
314 section 17b-29 on the number of temporary family assistance recipients
315 who satisfy work activity requirements through participation in
316 community service activities.

317 [(b)] (c) In no event shall temporary family assistance be granted to
318 an applicant for such assistance, who is not exempt from participation
319 in the employment services program, prior to the applicant's
320 attendance at an initial scheduled employment services assessment
321 interview and participation in the development of an employment
322 services plan. The Department of Social Services shall not delay
323 temporary family assistance to an applicant in cases where the
324 department schedules the initial employment services assessment
325 interview more than ten business days after the date on which
326 application for assistance is made, or in cases where the Labor
327 Department does not complete an employment services plan for the
328 benefit of the applicant within ten business days of the date on which
329 the applicant attends an employment services assessment interview.
330 The Commissioner of Social Services shall refer any applicant denied
331 temporary family assistance, who may be in need of emergency
332 benefits, to other services offered by the Department of Social Services
333 or community services that may be available to such applicant. The
334 Department of Social Services shall reduce the benefits awarded to a
335 family under the temporary family assistance program when a
336 member of the family who is required to participate in employment
337 services fails to comply with an employment services requirement
338 without good cause. The first instance of noncompliance with an
339 employment services requirement shall result in a twenty-five per cent
340 reduction of such benefits for three consecutive months. The second
341 instance of noncompliance with such requirement shall result in a
342 thirty-five per cent reduction of such benefits for three consecutive
343 months. A third or subsequent instance of noncompliance with such
344 requirement shall result in the termination of such benefits for three
345 consecutive months. If only one member of a family is eligible for
346 temporary family assistance and such member fails to comply with an

347 employment services requirement, the department shall terminate all
348 benefits of such family for three consecutive months. Notwithstanding
349 the provisions of this subsection, the department shall terminate the
350 benefits awarded to a family under the temporary family assistance
351 program if a member of the family who is not exempt from the twenty-
352 one-month time limit specified in subsection (a) of section 17b-112
353 fails, without good cause, to: (1) Attend any scheduled assessment
354 appointment or interview relating to the establishment of an
355 employment services plan, except that such individual's benefits shall
356 be reinstated if the individual attends a subsequently scheduled
357 appointment or interview within thirty days of the date on which the
358 department has issued notification to the individual that benefits have
359 been terminated, or (2) comply with an employment services
360 requirement during a six-month extension of benefits. Any individual
361 who fails to comply with the provisions of subdivision (1) of this
362 subsection may submit a new application for such benefits at any time
363 after termination of benefits.

364 [(c)] (d) The Department of Social Services shall not enter into or
365 renew any contractual obligations for the employment services
366 program that extend beyond June 30, 1998. Within fifteen days after
367 execution of such contractual obligations, the Department of Social
368 Services shall send to the Labor Department a copy of such contracts
369 for the information of the Labor Department.

370 [(d)] (e) The Commissioner of Social Services shall implement
371 policies and procedures necessary to carry out the purposes of this
372 section while in the process of adopting such policies and procedures
373 in regulation form, provided notice is published in the Connecticut
374 Law Journal within twenty days of implementation of such policies
375 and procedures. Policies and procedures implemented pursuant to this
376 section shall be valid until the time final regulations are effective.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2007</i>	17b-104
Sec. 2	<i>July 1, 2007</i>	17b-112
Sec. 3	<i>July 1, 2007</i>	New section
Sec. 4	<i>July 1, 2007</i>	17b-112e
Sec. 5	<i>July 1, 2007</i>	17b-688c

Statement of Purpose:

To make programmatic changes to the temporary family assistance program that are designed to help program beneficiaries achieve economic stability and self-sufficiency.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]