



House of Representatives

General Assembly

File No. 400

January Session, 2011

Substitute House Bill No. 5432

House of Representatives, April 6, 2011

The Committee on Human Services reported through REP. TERCYAK of the 26th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING LIMITS ON SANCTIONS UNDER THE
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM.***

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

1 Section 1. Subsection (b) of section 17b-688c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2011*):

4 (b) In no event shall temporary family assistance be granted to an
5 applicant for such assistance, who is not exempt from participation in
6 the employment services program, prior to the applicant's attendance
7 at an initial scheduled employment services assessment interview and
8 participation in the development of an employment services plan. The
9 Department of Social Services shall not delay temporary family
10 assistance to an applicant in cases where the department schedules the
11 initial employment services assessment interview more than ten
12 business days after the date on which application for assistance is
13 made, or in cases where the Labor Department does not complete an
14 employment services plan for the benefit of the applicant within ten

15 business days of the date on which the applicant attends an
16 employment services assessment interview. The Commissioner of
17 Social Services shall refer any applicant denied temporary family
18 assistance, who may be in need of emergency benefits, to other
19 services offered by the Department of Social Services or community
20 services that may be available to such applicant. The Department of
21 Social Services shall reduce the benefits awarded to a family under the
22 temporary family assistance program when a member of the family
23 who is required to participate in employment services fails to comply
24 with an employment services requirement without good cause. The
25 first instance of noncompliance with an employment services
26 requirement shall result in a twenty-five per cent reduction of such
27 benefits [for three consecutive months] until the family member
28 complies with the employment services requirement. The second
29 instance of noncompliance with such requirement shall result in a
30 thirty-five per cent reduction of such benefits [for three consecutive
31 months] until the family member complies with the employment
32 services requirement. A third or subsequent instance of noncompliance
33 with such requirement shall result in [the termination of such benefits
34 for three consecutive months] a fifty per cent reduction of such benefits
35 until the family member complies with the employment services
36 requirement. [If only one member of a family is eligible for temporary
37 family assistance and such member fails to comply with an
38 employment services requirement, the department shall terminate all
39 benefits of such family for three consecutive months.]
40 Notwithstanding the provisions of this subsection, the department
41 shall [terminate the] reduce by fifty per cent benefits awarded to a
42 family under the temporary family assistance program if a member of
43 the family who is not exempt from the twenty-one-month time limit
44 specified in subsection (a) of section 17b-112 fails, without good cause,
45 to: (1) Attend any scheduled assessment appointment or interview
46 relating to the establishment of an employment services plan, except
47 that such individual's full benefits shall be reinstated if the individual
48 attends a subsequently scheduled appointment or interview within
49 thirty days of the date on which the department has issued notification

50 to the individual that benefits have been [terminated] reduced, or (2)
 51 comply with an employment services requirement during a six-month
 52 extension of benefits. [Any individual who fails to comply with the
 53 provisions of subdivision (1) of this subsection may submit a new
 54 application for such benefits at any time after termination of benefits.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2011	17b-688c(b)

Statement of Legislative Commissioners:

In the new language of section 1, "employment service requirements" was changed to "employment services requirement" for internal consistency. In section 1(b)(1), "benefits have terminated" was changed to "benefits have been [terminated] reduced" for consistency and conformity with the other changes to the subsection.

HS *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Department of Social Services	GF - Cost	Up to \$100,000	Up to \$100,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill makes several changes that lessen the impact of sanctions on clients of the Temporary Family Assistance (TFA) program. These changes will result in increased costs to the TFA program. The extent of this increase will be dependent upon the future non-compliant activities of TFA families.

Currently, there are 280 TFA cases that are under sanction. The average TFA benefit per family is \$475 per month. For purposes of illustration, should this bill have the effect of reducing the current estimated sanctions impact by half, an additional annual state cost of up to \$100,000 would result.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Public Testimony

OLR Bill Analysis**sHB 5432*****AN ACT CONCERNING LIMITS ON SANCTIONS UNDER THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM.*****SUMMARY:**

This bill relaxes the sanctions (i.e., reduction in benefits) that the Department of Social Services (DSS) imposes on families receiving Temporary Family Assistance (TFA) when the adult in the family does not comply with an employment services requirement. Specifically, it (1) eliminates the minimum duration of the benefit reduction and instead requires benefits to be restored as soon as the adult is compliant and (2) reduces the reduction amount for the third and subsequent incidences of noncompliance.

The bill also reduces, from 100% to 50%, the amount by which DSS reduces a family's TFA benefit when the adult in the family, without good cause fails to (1) attend any scheduled assessment appointment or interview relating to the establishment of an employment plan or (2) comply with an employment services requirement during a six-month extension to the program's 21-month time limit.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2011

SANCTIONS FOR NONCOMPLIANCE***Limit on Amount and Duration of Sanction***

The bill requires DSS to reduce TFA benefits by a smaller amount and restore full benefits as soon as an adult in a family receiving TFA who is noncompliant with an employment services requirement and without good cause complies with his or her employment services plan. Table 1 illustrates the change.

Table 1: Sanctions for Noncompliance

Violation	Penalty	
	Current Law	Bill
1 st	25% of full family benefit for three consecutive months	25% of benefit until adult complies
2 nd	35% of benefit for three months	35% of benefit until adult complies
3 rd and subsequent	Full benefit reduction for three months	50% reduction of benefit until adult complies

Penalty for Nonattendance at Appointments or Noncompliance with Employment Services Requirement During an Extension

Regardless of the law described above, DSS currently must terminate TFA for a family when the adult in the family who is required by law to participate in an employment services activity fails, without good cause, to (1) attend any scheduled assessment appointment or interview related to establishing an employment plan or (2) comply with an employment services requirement during an extension to the law's 21-month limit on TFA benefits. If the individual attends a subsequently scheduled appointment or interview, benefits must be reinstated.

The bill requires DSS to reduce the family benefit by half, instead of the full amount, when this happens.

The law already prohibits DSS from granting TFA to an applicant before he or she attends an initial scheduled employment services assessment interview and participates in developing an employment plan with Department of Labor (DOL) staff. But it may not delay granting TFA if (1) it schedules the initial interview more than 10 business days after the application date or (2) DOL does not complete an employment services plan for the applicant within 10 business days of the date when the applicant attends an employment services assessment interview.

Although it is not clear, it does not appear that the bill's provision

regarding reducing the benefit for not attending an appointment or interview would conflict with this law since, in this instance, the family has not yet received TFA.

BACKGROUND

Jobs First

The state’s welfare-to-work program is called Jobs First. It consists of two parts—TFA, which generally provides cash assistance for 21 months to low-income families with dependent children and Employment Services, in which the able-bodied adult in the family is expected to participate in a work-related activity for 30 hours per week as a condition of the family receiving ongoing assistance. DSS runs the TFA program and the DOL runs Jobs First Employment Services. The federal Temporary Assistance for Needy Families (TANF) block grant provides most of the funding for Jobs First.

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 11 Nay 6 (03/22/2011)