



OLR RESEARCH REPORT

January 25, 2011

2011-R-0041

SANCTIONS IN OTHER STATES' TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)-FUNDED CASH ASSISTANCE PROGRAMS

By: Robin K. Cohen, Principal Analyst

You asked which states do not impose full-family sanctions for noncompliance with TANF-related work requirements.

SUMMARY

Federal law requires states to reduce TANF-funded cash assistance benefits in families for noncompliance with the state's work requirements (generally failure to comply without good cause), but it gives states a great deal of latitude in setting the amount and duration of the penalty. As of 2007, only five states and the District of Columbia (DC) did not impose full-family sanctions (i.e., stopped paying the entire family's benefits). Most states, including Connecticut, imposed full-family sanctions for noncompliance, either immediately or gradually. According to Mathematica Policy Research, a Washington, D.C.-based public policy think tank, the five states are California, Maine, Missouri, New York, and Vermont (*Using Work-Oriented Sanctions to Increase TANF Program Participation*, Mathematica Policy Research, Inc. (September 2007)).

SANCTIONS FOR NONCOMPLIANCE WITH TANF WORK REQUIREMENTS

The 1996 federal welfare reform law included the TANF block grant, which funds, among other things, state cash assistance programs for needy families with children. The law was designed to move people off welfare rolls more quickly and into employment. To ensure this, the law

contains minimum work participation rate requirements. In general, most able-bodied adult recipients of assistance must be engaged in at least 30 hours of a work activity each week within two years after receiving assistance. In most states these individuals must engage sooner. In Connecticut, families must begin the process of engaging in work-related activities as a condition of receiving Temporary Family Assistance (TFA)([CGS § 17b-688c](#)). (TFA is the state’s cash assistance program.)

Federal law also contains what some characterize as an incentive for individuals to work—sanctions for noncompliance with work participation requirements. Specifically, it requires states to reduce the family cash assistance benefit by at least a “pro rata” share or to stop the cash assistance if an individual in the family who is required to engage in a work-related activity refuses to do so (42 USC § 607). Neither federal law nor regulations define pro-rata and states’ interpretation of this varies considerably.

According to the Mathematica report, Connecticut is one of 23 states that imposed a gradual, full-family reduction in cash benefits. Twenty-one states imposed an immediate full-family reduction, and five states and the District of Columbia imposed partial sanctions. (Mathematica’s report does not include Wisconsin in these totals. Wisconsin’s welfare-to-work program is unique as it contains different components, with “strikes” for failure to comply with work requirements. Families are permanently ineligible for benefits in a particular component after a third strike.)

Connecticut law imposes a gradual, full-family reduction as follows: for a first violation, 25% of the family benefit is withheld for three months. For a second violation, 35% of the benefit is withheld for three months. After a third violation, the entire family benefit is withheld for three months ([CGS § 17b-688c](#)).

STATES THAT DO NOT IMPOSE FULL BENEFIT SANCTIONS

According to the Mathematica report and information we obtained when we contacted the states, five states and the District of Columbia partially reduce cash assistance benefits for noncompliance with work participation requirements. Table 1 lists the states and their sanction policies.

Table 1: States with Partial Penalties for Noncompliance with TANF Work Requirements

<i>State</i>	<i>Penalty</i>	<i>Duration</i>
California	Amount that “sanctioned” adult would have been paid (adult share)	Until compliance with work requirements
District of Columbia	Adult share	Until compliance
Maine	Adult share	1 st violation—until compliance 2 nd violation—longer of three months or compliance 3 rd and subsequent violations—longer of six months or compliance
Missouri	25% of benefit	1 st violation—until compliance 2 nd and subsequent violation—until longer of three months or compliance
New York	Adult share	1 st violation—until compliance 2 nd violation—longer of three months or compliance 3 rd and subsequent violation—longer of six months or compliance
Vermont	\$75 for first month for each adult not in compliance \$100 for second month \$125 for third month \$150 for fourth and subsequent noncompliance	Until compliance

California

California reduces a family’s cash assistance benefit by the amount that would have been paid to the sanctioned adult in the family. The sanction applies as long as the adult fails to comply with the state’s work requirements. This is actually a loosening of the state’s rules. Before 2007, the state imposed a minimum penalty period (similar to Connecticut), regardless of how quickly the adult in the family complied.

District of Columbia

According to a 2008 report by the Urban Institute, a Washington, D.C.-based think tank, the District of Columbia reduces a family's benefit by the noncompliant adult's share of the benefit until the adult complies with the district's work participation requirements.

Starting in FY 10, the district apparently reduced the benefit by 50% if the adult did not comply within six months. We have asked officials there to update us on the district's policy.

Maine

Maine has a graduated partial sanction policy. It increases the duration of the penalty period with each sanction. Like California, only the adult's portion of the benefit is reduced.

Missouri

Missouri reduces the family benefit by 25% for noncompliance with the work requirement. For a first violation, the penalty lasts until the adult complies. For second and subsequent violations, the penalty lasts for three months, or until compliance, whichever is longer.

New York

New York's welfare-to-work program imposes partial sanctions by removing the adult portion of the cash assistance payment. For the second penalty, the deduction lasts three months or until compliance, whichever is longer. And for third and subsequent violations, sanctions last for at least six months.

Vermont

In 2010, Vermont's legislature increased the amount of the partial penalty reduction for noncompliance with the family development plan or work requirements. Previously, the state reduced the family benefit by \$75 per month for the first two cumulative months during which the adult in the family was not complying with the work requirement. During the third month, the reduction rose to \$125 and to \$150 for the fourth and any subsequent month. In some instances, the \$150 can go as high as \$225 per month (i.e., sanctioned adult has received 60 or more cumulative months of cash assistance and has 12 or more cumulative months of sanctions).

The 2010 budget act (Act 156, codified in 33 VSA 1116) increased the reduction amounts for the second and third months to \$100 and \$125, respectively. According to Paula Gottwik, an attorney with Vermont's Agency for Human Services, Department for Children and Families, the change is being delayed because of the state's need to ensure that it can be carried out while the state's public assistance system undergoes a modernization initiative.

Gottwik also noted that the 2010 legislation was a compromise. The governor had proposed a full-family benefit reduction.

RC:ro