

Human Services Committee, February 19, 2015
Testimony submitted by Lucy Potter, Attorney
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S.B. 895 AN ACT CONCERNING TEMPORARY FAMILY ASSISTANCE, to improve outcomes for needy families receiving assistance. SUPPORT

I am an attorney at Greater Hartford Legal Aid and have represented many clients who receive or are seeking Temporary Family Assistance (TFA) from DSS. This bill springs from the ideas explored in a work group (with representatives from DSS, the Commission on Children, the Office of the Child Advocate, Legal Services and others) that reviewed Connecticut's TFA program. It aims to support TFA parents while they receive assistance so they can be as prepared as possible to work and support their families when benefits stop.

As you know, the family assistance program in Connecticut and throughout the country has been a time limited, "Temporary Family Assistance" program since 1996. The program also has mandatory work and training requirements. Connecticut boasted the shortest time limit in the country, -21 months--when it established the TFA program in 1996. Experience has shown, however, that 21 months, even with two 6 month extensions allowable in some cases, is too short a period to help people address the issues that limit their ability to work. TFA parents typically have limited education, and a high incidence of health and family issues that impact their ability to find and keep a job. This bill aims to alter the time limits in specific situations to allow those who are making progress, or whose health limitations limit their ability to work more, to continue to receive benefits.

I want to specifically address the exemption for parents who can work only a limited amount and stopping the clock for people progressing in educational or apprentice programs.

Allow medically disabled recipients to work fewer than 10 hours per week and be exempt from time limits. Section 1, 17b-112(b). Under present rules, if a person has the ability to work "at all" she is subject to the time limits and work requirements under the TFA program. This rule can keep people who are severely disabled from the transitional benefit they need while they are waiting to qualify for Social Security disability. I have had a number of clients in this situation. The screening and job search process that the TFA program requires frequently surfaces physical and mental health issues that the person either was unaware of or was able to cope with in a non-job setting. People can attempt work and find that they are unsuccessful because, e.g., severe depression keeps them from regular attendance or back pain precludes a regular weekly schedule. But some manage to work in a limited capacity with a sympathetic employer. Such a job provides a vital connection for the person and enables her and the employer to maximize her ability to contribute to the economy. But under current rules, such a job disqualifies her from receiving TFA. By contrast, Social Security disability allows limited work for people with disabilities, and even allows a transition period for those whose earnings suggest that they are no longer disabled.

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I represented one disabled client who did piece work at home for an employer she had previously worked on-site for. She earned about \$50 per week. She applied and ultimately qualified for Social Security disability benefits. But during the two years that it took her to qualify for Social Security, her \$50 per week job disqualified her from receiving TFA. (She had used up 21 months and 2 extensions.) She and her family struggled during this period, facing utility shut-offs, and a threatened eviction from subsidized housing. She ultimately qualified for Social Security disability benefits. For the Social Security Administration, this part time job was not inconsistent with her being disabled, because it was well short of "substantial gainful activity."

The TFA program should mirror the work incentive policy of the Social Security Administration and other disability programs by encouraging people with disabilities to maximize their ability without having to sacrifice their subsistence income to do so. This bill would allow those with disabilities to work up to 10 hours per week, and still be considered exempt from the TFA work requirements, so long as there was medical documentation of their disability.

Stop the clock for those in work or training programs, Section 1, 17b-112(b)(8) and (9).

This provision would exempt parents who are in high school or an equivalency program-- or an associate's degree, apprenticeship or technical skills program --from the time limits while they are making satisfactory progress in such a program. This revision improves the likelihood of people becoming employed, but also improves the investment in programs they take part in. As noted above, Connecticut has a very short time limit. 21 months is too short a time for someone to complete a high school equivalency program, e.g. Once benefits end, clients are no longer eligible for the programs. So I have had clients begin programs that they were never able to complete, wasting both the client's time and the program's resources. This change would ensure that program participants have enough time to complete the program, by exempting them from time limits while they are enrolled and making satisfactory progress. The change would buttress the likelihood that TFA recipients acquire useable job skills and prevent the waste of time and resources that are sometimes the unfortunate result of Connecticut's short time limit.