



General Assembly

Raised Bill No. 895

January Session, 2015

LCO No. 3366



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT CONCERNING 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 Section 17b-112 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 (a) The Department of Social Services shall administer a temporary
4 family assistance program under which cash assistance shall be
5 provided to eligible families in accordance with the temporary
6 assistance for needy families program, established pursuant to the
7 Personal Responsibility and Work Opportunity Reconciliation Act of
8 1996. The Commissioner of Social Services may operate portions of the
9 temporary family assistance program as a solely state-funded
10 program, separate from the federal temporary assistance for needy
11 families program, if the commissioner determines that doing so will
12 enable the state to avoid fiscal penalties under the temporary
13 assistance for needy families program. Families receiving assistance
14 under the solely state-funded portion of the temporary family
15 assistance program shall be subject to the same conditions of eligibility
16 as those receiving assistance under the federal temporary assistance for

17 needy families program. Under the temporary family assistance
18 program, benefits shall be provided to a family for not longer than
19 twenty-one months, except as provided in subsections (b) and (c) of
20 this section and section 17b-112k. For the purpose of calculating said
21 twenty-one-month time limit, months of assistance received on and
22 after January 1, 1996, pursuant to time limits under the aid to families
23 with dependent children program, shall be included. For purposes of
24 this section, "family" means one or more individuals who apply for or
25 receive assistance together under the temporary family assistance
26 program. If the commissioner determines that federal law allows
27 individuals not otherwise in an eligible covered group for the
28 temporary family assistance program to become covered, such family
29 may also, at the discretion of the commissioner, be composed of (1) a
30 pregnant woman, or (2) a parent, both parents or other caretaker
31 relative and at least one child who is under the age of eighteen, or who
32 is under the age of nineteen and a full-time student in a secondary
33 school or its equivalent. A caretaker relative shall be related to the
34 child or children by blood, marriage or adoption or shall be the legal
35 guardian of such a child or pursuing legal proceedings necessary to
36 achieve guardianship. If the commissioner elects to allow state
37 eligibility consistent with any change in federal law, the commissioner
38 may administratively transfer any qualifying family cases under the
39 cash assistance portion of the state-administered general assistance
40 program to the temporary family assistance program without regard
41 to usual eligibility and enrollment procedures. If such families become
42 an ineligible coverage group under the federal law, the commissioner
43 shall administratively transfer such families back to the cash assistance
44 portion of the state-administered general assistance program without
45 regard to usual eligibility and enrollment procedures to the degree that
46 such families are eligible for the state program.

47 (b) For purposes of this subsection, "incapacitated" means a medical
48 impairment that limits work activity to not more than ten hours per
49 week. The Commissioner of Social Services shall exempt a family from
50 such time-limited benefits for circumstances including, but not limited

51 to: (1) A family with a needy caretaker relative who is incapacitated or
52 of an advanced age, as defined by the commissioner, if there is no
53 other nonexempt caretaker relative in the household; (2) a family with
54 a needy caretaker relative who is needed in the home because of the
55 incapacity of another member of the household, if there is no other
56 nonexempt caretaker relative in the household; (3) a family with a
57 caretaker relative who is not legally responsible for the dependent
58 children in the household if such relative's needs are not considered in
59 calculating the amount of the benefit and there is no other nonexempt
60 caretaker relative in the household; (4) a family with a caretaker
61 relative caring for a child who is under one year of age [and who was
62 born not more than ten months after the family's enrollment] if there is
63 no other nonexempt caretaker relative in the household; (5) a family
64 with a pregnant or postpartum caretaker relative if a physician has
65 indicated that such relative is unable to work and there is no other
66 nonexempt caretaker relative in the household; (6) a family with a
67 caretaker relative determined by the commissioner to be unemployable
68 and there is no other nonexempt caretaker relative in the household;
69 [and] (7) minor parents attending and satisfactorily completing high
70 school or high school equivalency programs; (8) a family with a
71 caretaker relative attending and satisfactorily completing high school
72 or a high school equivalency program; and (9) a family with a
73 caretaker relative who is (A) acquiring advanced and technical skills to
74 increase employability and sustainable employment, or (B) enrolled in
75 higher education courses, including, but not limited to, actively
76 pursuing and satisfactorily completing an associate's degree or an
77 apprenticeship program.

78 (c) (1) A family who is subject to time-limited benefits may petition
79 the Commissioner of Social Services for six-month extensions of such
80 benefits. [The] Except as provided in subdivision (2) of this subsection,
81 the commissioner shall grant not more than two extensions under this
82 subdivision to such family who has made a good faith effort to comply
83 with the requirements of the program and despite such effort has a
84 total family income at a level below the payment standard, or has

85 encountered circumstances preventing employment including, but not
 86 limited to: [(1)] (A) Domestic violence or physical harm to such
 87 family's children; or [(2)] (B) other circumstances beyond such family's
 88 control. The commissioner shall disregard ninety dollars of earned
 89 income and the cost of child care for needy families with income above
 90 the payment standard in determining applicable family income. The
 91 commissioner may grant a subsequent six-month extension if each
 92 adult in the family meets one or more of the following criteria: [(A)] (i)
 93 The adult is precluded from engaging in employment activities due to
 94 domestic violence or another reason beyond the adult's control; [(B)]
 95 (ii) the adult has two or more substantiated barriers to employment
 96 including, but not limited to, the lack of available child care, substance
 97 abuse or addiction, severe mental or physical health problems, one or
 98 more severe learning disabilities, domestic violence or a child who has
 99 a serious physical or behavioral health problem; [(C)] (iii) the adult is
 100 working thirty-five or more hours per week, is earning at least the
 101 minimum wage and continues to earn less than the family's temporary
 102 family assistance payment standard; or [(D)] (iv) the adult is employed
 103 and works less than thirty-five hours per week due to [(i)] a
 104 documented medical impairment that limits the adult's hours of
 105 employment, provided the adult works the maximum number of
 106 hours that the medical condition permits, or [(ii)] the need to care for a
 107 disabled member of the adult's household, provided the adult works
 108 the maximum number of hours the adult's caregiving responsibilities
 109 permit. Families receiving temporary family assistance shall be
 110 notified by the department of the right to petition for such extensions.

111 (2) In addition to any extension available pursuant to subdivision
 112 (1) of this subsection, the commissioner shall grant two six-month
 113 extensions to a family in which the caretaker relative has made a good
 114 faith effort to comply with the requirements of the program, has
 115 become employed while receiving cash assistance and applies for the
 116 extensions available under this subdivision at the end of the family's
 117 initial twenty-one months of assistance, provided the family has a total
 118 family income at or above the payment standard but less than the

119 federal poverty level. The commissioner shall disregard ninety dollars
120 of earned income and the cost of child care for a needy family with
121 income above the payment standard in determining applicable family
122 income. The benefit available to such family shall be limited to an
123 amount equal to two-thirds of the benefit available to a family in such
124 circumstances with total family income at a level below the payment
125 standard for the first six-month extension and one-third of the benefit
126 available to a family in such circumstances with total family income at
127 a level below the payment standard for the second six-month
128 extension.

129 (3) Notwithstanding the provisions of this section, the commissioner
130 shall not provide benefits under the state's temporary family assistance
131 program to a family that is subject to the twenty-one month benefit
132 limit and has received benefits beginning on or after October 1, 1996, if
133 such benefits result in that family's receiving more than sixty months
134 of time-limited benefits unless that family experiences domestic
135 violence, as defined in Section 402(a)(7)(B), P.L. 104-193. For the
136 purpose of calculating said sixty-month limit: [(I)] (A) A month shall
137 count toward the limit if the family receives assistance for any day of
138 the month, and [(II)] (B) a month in which a family receives temporary
139 assistance for needy families benefits that are issued from a jurisdiction
140 other than Connecticut shall count toward the limit.

141 (d) Under said program (1) no family shall be eligible that has total
142 gross earnings exceeding the federal poverty level, however, in the
143 calculation of the benefit amount for eligible families and previously
144 eligible families that become ineligible temporarily because of receipt
145 of workers' compensation benefits by a family member who
146 subsequently returns to work immediately after the period of receipt of
147 such benefits, earned income shall be disregarded up to the federal
148 poverty level; and (2) [the increase in benefits to a family in which an
149 infant is born after the initial ten months of participation in the
150 program shall be limited to an amount equal to fifty per cent of the
151 average incremental difference between the amounts paid per each

152 family size. Except] when determining eligibility for a six-month
153 extension of benefits pursuant to subsection (c) of this section, the
154 commissioner shall disregard the first fifty dollars per month of
155 income attributable to current child support that a family receives in
156 determining eligibility and benefit levels for temporary family
157 assistance. Any current child support in excess of fifty dollars per
158 month collected by the department on behalf of an eligible child shall
159 be considered in determining eligibility but shall not be considered
160 when calculating benefits and shall be taken as reimbursement for
161 assistance paid under this section, except that when the current child
162 support collected exceeds the family's monthly award of temporary
163 family assistance benefits plus fifty dollars, the current child support
164 shall be paid to the family and shall be considered when calculating
165 benefits.

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

170 (f) A family leaving assistance at the end of (1) said twenty-one-
171 month time limit, or any extension granted pursuant to subsection (c)
172 of this section, including a family with income above the payment
173 standard, or (2) the sixty-month limit shall have an interview for the
174 purpose of being informed of services that may continue to be
175 available to such family, including employment services available
176 through the Labor Department. [Said] Such interview shall contain a
177 determination of benefits available to [said] such family provided by
178 the Department of Social Services. [Said] Such interview shall also
179 include a determination of whether such family is eligible for
180 supplemental nutrition assistance or Medicaid. Information and
181 referrals shall be made to such [a] family for services and benefits
182 including, but not limited to, the earned income tax credit, rental
183 subsidies emergency housing, employment services and energy
184 assistance.

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

189 (h) Funds authorized for the temporary assistance for needy
190 families program, established pursuant to the Personal Responsibility
191 and Work Opportunity Reconciliation Act of 1996, shall not be
192 included in the General Fund, but shall be included in the budget of,
193 and administered solely by, the Department of Social Services, as
194 authorized by this section and federal law.

195 Sec. 2. Section 17b-688c of the general statutes is repealed and the
196 following is substituted in lieu thereof (*Effective July 1, 2015*):

197 (a) The Department of Social Services shall administer, in
198 accordance with sections 17b-688h and 17b-688i, an employment
199 services program for the purpose of providing employment services to
200 recipients of benefits under the temporary assistance for needy
201 families program pursuant to Title IV-A of the Social Security Act.
202 [Said] The employment services program shall include the provision of
203 employment services, including, but not limited to, access to child care
204 to recipients of temporary family assistance that will enable them to
205 become employed and independent of cash assistance within twenty-
206 one months of receipt of temporary family assistance.

207 (b) The Department of Social Services shall ensure access to high
208 school or a high school equivalency program to caretaker relatives in
209 families receiving benefits under the temporary assistance for needy
210 families program who have not completed high school or a high school
211 equivalency program. To the extent permissible under federal law, the
212 department shall include among eligible employment participation
213 activities, adult education and workforce training.

214 [(b)] (c) In no event shall temporary family assistance be granted to
215 an applicant for such assistance, who is not exempt from participation

216 in the employment services program, prior to the applicant's
217 attendance at an initial scheduled employment services assessment
218 interview and participation in the development of an employment
219 services plan. The Department of Social Services shall not delay
220 temporary family assistance to an applicant in cases where the
221 department schedules the initial employment services assessment
222 interview more than ten business days after the date on which
223 application for assistance is made, or in cases where the Labor
224 Department does not complete an employment services plan for the
225 benefit of the applicant within ten business days of the date on which
226 the applicant attends an employment services assessment interview.
227 The Commissioner of Social Services shall refer any applicant denied
228 temporary family assistance, who may be in need of emergency
229 benefits, to other services offered by the Department of Social Services
230 or community services that may be available to such applicant. The
231 Department of Social Services shall reduce the benefits awarded to a
232 family under the temporary family assistance program when a
233 member of the family who is required to participate in employment
234 services fails to comply with an employment services requirement
235 without good cause. The first instance of noncompliance with an
236 employment services requirement shall result in a twenty-five per cent
237 reduction of such benefits for three consecutive months. The second
238 instance of noncompliance with such requirement shall result in a
239 thirty-five per cent reduction of such benefits for three consecutive
240 months. A third or subsequent instance of noncompliance with such
241 requirement shall result in the termination of such benefits for three
242 consecutive months. If only one member of a family is eligible for
243 temporary family assistance and such member fails to comply with an
244 employment services requirement, the department shall terminate all
245 benefits of such family for three consecutive months. Notwithstanding
246 the provisions of this subsection, the department shall terminate the
247 benefits awarded to a family under the temporary family assistance
248 program if a member of the family who is not exempt from the twenty-
249 one-month time limit specified in subsection (a) of section 17b-112, as
250 amended by this act, fails, without good cause, to: (1) Attend any

251 scheduled assessment appointment or interview relating to the
252 establishment of an employment services plan, except that such
253 individual's benefits shall be reinstated if the individual attends a
254 subsequently scheduled appointment or interview within thirty days
255 of the date on which the department has issued notification to the
256 individual that benefits have been terminated, or (2) comply with an
257 employment services requirement during a six-month extension of
258 benefits. Any individual who fails to comply with the provisions of
259 subdivision (1) of this subsection may submit a new application for
260 such benefits at any time after termination of benefits.

261 [(c)] (d) The Department of Social Services shall not enter into or
262 renew any contractual obligations for the employment services
263 program that extend beyond June 30, 1998. Within fifteen days after
264 execution of such contractual obligations, the Department of Social
265 Services shall send to the Labor Department a copy of such contracts
266 for the information of the Labor Department.

267 [(d)] (e) The Commissioner of Social Services shall implement
268 policies and procedures necessary to carry out the purposes of this
269 section while in the process of adopting such policies and procedures
270 in regulation form, provided notice is published [in the Connecticut
271 Law Journal within] on the department's Internet web site and the
272 eRegulations System not later than twenty days after the date of
273 implementation of such policies and procedures. Policies and
274 procedures implemented pursuant to this section shall be valid until
275 the time final regulations are effective.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	17b-112
Sec. 2	July 1, 2015	17b-688c

HS *Joint Favorable C/R* APP