



General Assembly

Substitute Bill No. 314

February Session, 2016



AN ACT CONCERNING THE TEMPORARY FAMILY ASSISTANCE PROGRAM AND THE PENALTY FOR THE FRAUDULENT RECEIPT OF UNEMPLOYMENT COMPENSATION BENEFITS.

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 Section 17b-112 of the general statutes is repealed and the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 October 1, 2016*):

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

47 (b) The Commissioner of Social Services shall exempt a family from
48 such time-limited benefits for circumstances including, but not limited
49 to: (1) A family with a needy caretaker relative who is incapacitated or
50 of an advanced age, as defined by the commissioner, if there is no
51 other nonexempt caretaker relative in the household; (2) a family with
52 a needy caretaker relative who is needed in the home because of the

53 incapacity of another member of the household, if there is no other
54 nonexempt caretaker relative in the household; (3) a family with a
55 caretaker relative who is not legally responsible for the dependent
56 children in the household if such relative's needs are not considered in
57 calculating the amount of the benefit and there is no other nonexempt
58 caretaker relative in the household; (4) a family with a caretaker
59 relative caring for a child who is under one year of age and who was
60 born not more than ten months after the family's enrollment if there is
61 no other nonexempt caretaker relative in the household; (5) a family
62 with a pregnant or postpartum caretaker relative if a physician has
63 indicated that such relative is unable to work and there is no other
64 nonexempt caretaker relative in the household; (6) a family with a
65 caretaker relative determined by the commissioner to be unemployable
66 and there is no other nonexempt caretaker relative in the household;
67 and (7) minor parents attending and satisfactorily completing high
68 school or high school equivalency programs.

69 (c) A family who is subject to time-limited benefits may petition the
70 Commissioner of Social Services for six-month extensions of such
71 benefits. The commissioner shall grant not more than two extensions to
72 such family who has made a good faith effort to comply with the
73 requirements of the program and despite such effort has a total family
74 income at a level below the payment standard, or has encountered
75 circumstances preventing employment including, but not limited to:
76 (1) Domestic violence or physical harm to such family's children; or (2)
77 other circumstances beyond such family's control. The commissioner
78 shall disregard ninety dollars of earned income in determining
79 applicable family income. The commissioner may grant a subsequent
80 six-month extension if each adult in the family meets one or more of
81 the following criteria: (A) The adult is precluded from engaging in
82 employment activities due to domestic violence or another reason
83 beyond the adult's control; (B) the adult has two or more substantiated
84 barriers to employment including, but not limited to, the lack of
85 available child care, substance abuse or addiction, severe mental or
86 physical health problems, one or more severe learning disabilities,

87 domestic violence or a child who has a serious physical or behavioral
88 health problem; (C) the adult is working thirty-five or more hours per
89 week, is earning at least the minimum wage and continues to earn less
90 than the family's temporary family assistance payment standard; or
91 (D) the adult is employed and works less than thirty-five hours per
92 week due to (i) a documented medical impairment that limits the
93 adult's hours of employment, provided the adult works the maximum
94 number of hours that the medical condition permits, or (ii) the need to
95 care for a disabled member of the adult's household, provided the
96 adult works the maximum number of hours the adult's caregiving
97 responsibilities permit. Families receiving temporary family assistance
98 shall be notified by the department of the right to petition for such
99 extensions. Notwithstanding the provisions of this section, the
100 commissioner shall not provide benefits under the state's temporary
101 family assistance program to a family that is subject to the [twenty-one
102 month] twenty-one-month benefit limit and has received benefits
103 beginning on or after October 1, 1996, if such benefits result in that
104 family's receiving more than sixty months of time-limited benefits
105 unless that family experiences domestic violence, as defined in Section
106 402(a)(7)(B), P.L. 104-193. For the purpose of calculating said sixty-
107 month limit: (I) A month shall count toward the limit if the family
108 receives assistance for any day of the month, and (II) a month in which
109 a family receives temporary assistance for needy families benefits that
110 are issued from a jurisdiction other than Connecticut shall count
111 toward the limit.

112 (d) Under said program (1) no family shall be eligible that has total
113 gross earnings exceeding the federal poverty level, however, in the
114 calculation of the benefit amount for eligible families and previously
115 eligible families that become ineligible temporarily because of receipt
116 of workers' compensation benefits by a family member who
117 subsequently returns to work immediately after the period of receipt of
118 such benefits, earned income shall be disregarded up to one hundred
119 fifty per cent of the federal poverty level; and (2) the increase in
120 benefits to a family in which an infant is born after the initial ten

121 months of participation in the program shall be limited to an amount
122 equal to fifty per cent of the average incremental difference between
123 the amounts paid per each family size. Except when determining
124 eligibility for a six-month extension of benefits pursuant to subsection
125 (c) of this section, the commissioner shall disregard the first fifty
126 dollars per month of income attributable to current child support that a
127 family receives in determining eligibility and benefit levels for
128 temporary family assistance. Any current child support in excess of
129 fifty dollars per month collected by the department on behalf of an
130 eligible child shall be considered in determining eligibility but shall
131 not be considered when calculating benefits and shall be taken as
132 reimbursement for assistance paid under this section, except that when
133 the current child support collected exceeds the family's monthly award
134 of temporary family assistance benefits plus fifty dollars, the current
135 child support shall be paid to the family and shall be considered when
136 calculating benefits.

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

141 (f) A family leaving assistance at the end of (1) said twenty-one-
142 month time limit, including a family with income above the payment
143 standard, or (2) the sixty-month limit shall have an interview for the
144 purpose of being informed of services that may continue to be
145 available to such family, including employment services available
146 through the Labor Department. Said interview shall contain a
147 determination of benefits available to said family provided by the
148 Department of Social Services. Said interview shall also include a
149 determination of whether such family is eligible for supplemental
150 nutrition assistance or Medicaid. Information and referrals shall be
151 made to such a family for services and benefits including, but not
152 limited to, the earned income tax credit, rental subsidies emergency
153 housing, employment services and energy assistance.

154 (g) Notwithstanding the provisions of subsection (d) of this section,
155 a family receiving assistance under said program during the twenty-
156 one-month time period shall continue to receive assistance during such
157 twenty-one-month time period when a family member becomes
158 employed, provided the sum of the family member's wages and such
159 assistance shall not exceed one hundred fifty per cent of the federal
160 poverty level.

161 (h) Any member of a family leaving assistance at the end of (1) the
162 twenty-one-month time limit, including a family with income above
163 the payment standard, or (2) the sixty-month limit, who was not
164 employed during the period such family received assistance shall
165 receive a one-time benefit of one thousand dollars from the program
166 upon securing employment.

167 ~~[(g)]~~ (i) An applicant or recipient of temporary family assistance
168 who is adversely affected by a decision of the Commissioner of Social
169 Services may request and shall be provided a hearing in accordance
170 with section 17b-60.

171 Sec. 2. Subsection (f) of section 31-273 of the general statutes is
172 repealed and the following is substituted in lieu thereof (*Effective*
173 *October 1, 2016*):

174 (f) Any person who knowingly makes a false statement or
175 representation or fails to disclose a material fact in order to obtain,
176 increase, prevent or decrease any benefit, contribution or other
177 payment under this chapter, or under any similar law of another state
178 or of the United States in regard to which this state acted as agent
179 pursuant to an agreement authorized by section 31-225, whether to be
180 made to or by himself or herself or any other person, and who receives
181 any such benefit, pays any such contribution or alters any such
182 payment to his or her advantage by such fraudulent means [(1)] shall
183 be guilty of a class A misdemeanor. [if such benefit, contribution or
184 payment amounts to five hundred dollars or less or (2) shall be guilty
185 of a class D felony if such benefit, contribution or payment amounts to

186 more than five hundred dollars.] Notwithstanding the provisions of
187 section 54-193, no person shall be prosecuted for a violation of the
188 provisions of this subsection committed on or after October 1, 1977,
189 except within five years next after such violation has been committed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	17b-112
Sec. 2	<i>October 1, 2016</i>	31-273(f)

LAB *Joint Favorable Subst.*