

# HOUSE BILL REPORT

## HB 2970

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**As Reported by House Committee On:**  
Children & Family Services

**Title:** An act relating to preserving the WorkFirst child safety net program.

**Brief Description:** Preserving the WorkFirst child safety net program.

**Sponsors:** Representatives Pettigrew, Haler, McIntire, Darneille, Hasegawa, Walsh, Clibborn, Cody, Hunt, Santos, Kessler, Appleton, Kenney, Roberts, P. Sullivan, Moeller, Schual-Berke, Springer, Simpson and Hudgins.

**Brief History:**

**Committee Activity:**

Children & Family Services: 1/30/06, 2/1/06 [DPS].

### Brief Summary of Substitute Bill

- Establishes a statutory child safety net payment under WorkFirst.

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## HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Roberts, Vice Chair; Hinkle, Assistant Ranking Minority Member; Darneille, Dickerson, Haler and Pettigrew.

**Minority Report:** Without recommendation. Signed by 3 members: Representatives Kagi, Chair; Walsh, Ranking Minority Member and Dunn.

**Staff:** Sydney Forrester (786-7120).

### Background:

WorkFirst is Washington's program of Temporary Assistance for Needy Families (TANF) established in 1997. WorkFirst requires that unless a good cause exemption applies, recipients of TANF grants must be engaged in work or work activities as a condition of continued eligibility. In cases where a recipient does not engage in work or work activities and is not eligible for a good cause exemption, the family's TANF grant is reduced by the recipient's share and, if the Department of Social and Health Services (DSHS) determines it is appropriate, the entire grant may be terminated. Termination of the entire grant is commonly called a *full family sanction*. As a matter of practice, however, the DSHS has not imposed full family sanctions.

Federal law requires a time limit of a lifetime maximum of 60 months for receipt of TANF cash grants, but allows a state to exempt up to 20 percent of its caseload from the limitation. In 2002, the first of Washington's TANF recipients began reaching the 60-month limit on eligibility for assistance. Then-Governor Locke responded by establishing the child safety net payment.

#### Child Safety Net Payments

Under rules adopted by the DSHS, a child safety net payment is an extension of the family's grant to maintain housing and basic utilities and other verified needs of children in the household when an adult in the household is in sanction status for non-participation and the family has been receiving a TANF grant for more than 60 months.

The topic of full family sanctions and child safety net payments was studied by the WorkFirst Reexamination Project in the summer of 2005. The group's mission was to provide Governor Gregoire with recommendations for a sustainable welfare system consistent with the priority goals of the program. The Governor has indicated an intent not to implement a strict 60-month time limit. The proposed noncompliance sanction policy does not automatically include a child safety net payment.

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#### **Summary of Substitute Bill:**

A child safety net payment (CSNP) is established. The DSHS must exempt a recipient's family from sanctions for noncompliance with work participation requirements. The CSNP is for the purpose of maintaining housing, basic utilities, and other verified needs of the children in the home. The payment must be not less than 60 percent of the family's regular monthly grant, and must be provided to a protective payee who must use the payment only to pay verified housing and utility costs. If any amount remains, the payee must use it only for children's expenses, such as diapers, clothing, food, and school-related expenses.

#### **Substitute Bill Compared to Original Bill:**

The substitute bill adds a provision requiring the child safety net payment be provided to a protective payee who must use the payment only for verified housing and utility costs, and if any amount is remaining, it must be used only for children's expenses.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (In support) This bill is about protecting children from the unintended consequences of full family sanctions. There are concerns over the child safety review under the new noncompliance policy because it is unclear whether and how children will be

protected from the hardships of full family sanctions. The current child safety net process protects children from situations over which they have no control. It is counterproductive to put kids in harm's way.

WorkFirst is not just a program to move adults into the workforce. It is also a program to provide for the very basic needs of children. The intention behind Aid For Families with Dependent Children and Temporary Assistance for Needy Families (TANF) has always been to ensure a basic economic safety net for children. The federal TANF statute's stated intention is "to provide assistance to needy families so that children may be cared for in their own homes."

Failure to ensure a child safety net payment will make children who are already vulnerable even more vulnerable to homelessness and hunger. Basic assistance to children is a long standing policy in this state and we should continue to hold children harmless because it remains good policy to do so. Research shows that children in sanctioned families are more likely to be victims of maltreatment, to exhibit more behavioral or emotional problems, have greater rates of hospitalization, are more often removed from their family, and are at higher risk of food insecurity. Sanctioned families are more likely to have an open child welfare case at the end of a three-year period after their TANF case is closed. Among involuntary leavers, the incidence of neglect climbed even more steeply than for voluntary leavers. In six states, child protective services workers reported seeing more abandoned children that they attributed to families being sanctioned.

We are not doing all we can to help parents comply. The WorkFirst Reexamination Group concluded that the TANF assessment process is flawed. The report of sanctioned families indicates that families have barriers to employment related to lack of transportation, child care, and appropriate clothing for job search and work activities. Other surveys show that the top three reasons parents are out of compliance relate to transportation, child-care, or mental or physical health problems. We need to keep in contact with these families and continue to work toward compliance.

(Expert testimony) Any policy on family sanctions requires a balancing of the goal of motivating parents to comply with work requirements with the duty to assure children's best interests are protected. Research is lacking and there are no careful studies showing full family sanctions lead to better employment rates. What is clear is that families who get sanctioned have greater problems, including limited education and job skills, mental illness, domestic violence, and health problems. These are the families we need to continue actively working with.

One study shows that families face severe hardships after sanctions and become more desperate. Another study shows that the health of infants and toddlers decline, and that there are more hospitalizations and food insecurity.

**Testimony Against:** (Opposed) The issues in this bill are the same ones the Governor and the sub-cabinet have struggled with. The Governor intends to delay implementations of sanctions for six months and to include an independent review. The Governor's goal is to increase

family engagement and to comprehensively evaluate the system to make sure families are being treated fairly. Before any sanction process is implemented there will be a review by the University of Washington School of Social Work so that we can include their input in the rule making process.

Federal laws will be strengthening the work participation requirements. The Department of Social and Health Services can not support the bill because it is in conflict with the Governor's proposed changes to WorkFirst. The goal of WorkFirst is to lift families out of poverty. The Governor's policy is not about sanctioning families who can't participate.

**Persons Testifying:** (In support) Representative Pettigrew, prime sponsor; Kip Tokuda, City of Seattle; Paula Maravan, Children's Alliance; Tony Lee, Fremont Public Association; Meghan Hanlon, Community Youth Services; Rebekah Mossberger, Community Youth Services; Laurie Lippold, Children's Home Society; and Kate Gannon, Welfare Rights Organizing Coalition.

(Expert testimony) Mark Greenberg, Center for Law and Social Policy.

(Opposed) Carole Holland, Office of Financial Management; and Deb Marley, Department of Social and Health Services.

**Persons Signed In To Testify But Not Testifying:** None.