
Human Services & Early Learning Committee

HB 2441

Brief Description: Improving access to temporary assistance for needy families.

Sponsors: Representatives Entenman, Fitzgibbon, Senn, Gregerson, Kilduff, Stonier, Davis, Macri, Ortiz-Self, Riccelli, Pettigrew, Pollet, Goodman, Wylie and Doglio.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Revises sanction and time limit policies in the Temporary Assistance for Needy Families Program.
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Hearing Date: 1/22/20

Staff: Dawn Eychaner (786-7135).

Background:

Temporary Assistance for Needy Families (TANF) is a federal block grant that provides temporary cash assistance, subsidized childcare, and work programs for low-income families. With limited exceptions, adult TANF recipients must participate in one or more WorkFirst activities that are identified through an assessment and documented in the recipient's Individual Responsibility Plan (IRP). These activities may include paid and unpaid employment-based training programs, career development, community service, work skills assessment and job search training, and vocational training programs.

The TANF program is administered by the Department of Social and Health Services (DSHS).

Work Participation and Sanctions.

Federal law and state rules require a reduction or termination of a family's TANF benefits if an individual in the family refuses to participate in work requirements, unless the individual meets

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criteria to be exempt from mandatory work participation or has good cause. This reduction of assistance is referred to as "noncompliance sanction."

A family's TANF grant is reduced by one person's share or 40 percent, whichever is more, when a recipient is in noncompliance sanction. After two months in noncompliance sanction, the recipient's case is closed.

Five-Year Time Limit.

Federal rules limit the length of time an adult can receive TANF benefits to a cumulative total of 60 months. States can extend TANF assistance beyond the 60-month limit for up to 20 percent of the average monthly caseload. For federal fiscal year 2018, 4.9 percent of the state's caseload was exempt from the 60-month limit.

Extensions may only be offered to families on the basis of hardship, as defined by the state, or in instances of family violence. The DSHS has adopted rules identifying who is eligible for a time-limit hardship extension. Examples of hardship under the adopted rules include a person with severe and chronic disabilities and a person acting as a caregiver for a disabled child or adult, among others.

In 2019 homelessness was added as a qualifying hardship for an extension to the 60-month limit. For this purpose, "homeless" is defined as an individual living outside or in a building not meant for human habitation or which they have no legal right to occupy, in an emergency shelter, or in a temporary housing program which may include a transitional and supportive housing program if habitation time limits exist.

Summary of Bill:

Work Participation and Sanctions.

If a recipient refuses to engage in work activities, the DSHS must review the case to ensure the DSHS has considered any barriers to work and made any necessary revisions to the recipient's IRP. After four months of continuous noncompliance, the family's grant may be reduced by the recipient's share or 40 percent, whichever is greater. The DSHS may not terminate the grant.

Five-Year Time Limit.

The DSHS must exempt TANF recipients from the five-year time limit due to hardship, family violence, or if the recipient meets criteria in current adopted rules. The DSHS must add to exemption rules to include circumstances where:

- the recipient's family:
 - includes a child or youth who is without a fixed, regular, and adequate nighttime residence as described in the McKinney-Vento Homeless Assistance Act; or
 - is at substantial risk of losing housing or housing support services; or
- the recipient:
 - is participating satisfactorily in the program;
 - is temporarily prevented from working or looking for a job;
 - is in need of mental health or substance use disorder treatment; or
 - demonstrates another basis by which the time limit would cause undue hardship to the recipient or the recipient's family.

The existing definition of "homeless person" for extensions to the 60-month time limit is removed.

Reporting on Benefit Reductions and Terminations.

By December 31 each year, the DSHS must report to the Governor and the Legislature disaggregated data identifying the race of individuals whose TANF benefits were reduced or terminated during the preceding year due to sanction or reaching the 60-month limit. If the disaggregated data shows a disproportionate representation of any racial group that has experienced historic disparities, the DSHS must describe steps it is taking to address and remedy the disproportionality.

Other.

Provisions related to expanding 60-month extension criteria and lessening noncompliance sanctions apply retroactively to families terminated or sanctioned on or after January 1, 2015.

Appropriation: None.

Fiscal Note: Requested on January 14, 2020.

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