

SENATE BILL REPORT

SB 5660

As of February 7, 2011

Title: An act relating to public assistance.

Brief Description: Revising public assistance provisions.

Sponsors: Senators Regala, Hargrove and Stevens.

Brief History:

Committee Activity: Human Services & Corrections: 2/03/11.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Jennifer Strus (786-7316)

Background: The full amount of the Temporary Assistance for Needy Families (TANF) block grant is appropriated to the Department of Social and Health Services (DSHS) each year in the appropriations act to carry out the TANF, Work First and Working Connections Child Care (WCCC) programs.

Every TANF recipient is to be assessed after being found eligible for TANF and before referral to job search. Assessments are to be based upon factors that are critical to obtaining employment including education, child care availability, family violence history, substance abuse history, and other factors that affect employability. Based upon the assessment, an individual responsibility plan must be prepared that accomplishes the following:

- sets forth an employment goal and a plan for maximizing the recipient's success at meeting the employment goal;
- considers Work First educational and training programs from which the recipient could benefit;
- contains an obligation by the recipient that he or she will participate;
- moves the recipient into full-time Work First activities as soon as possible; and
- describes the services available to the recipient either during or after Work First to enable the recipient to obtain and keep employment, advance in the workplace, and increase his or her earning potential over time.

Persons receiving public assistance cannot use their electronic benefits cards (EBT) or cash obtained with the EBT card for the following:

- for the purpose of participating in any gambling activities;

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- for the purpose of participating in parimutuel wagering; or
- to purchase lottery tickets or shares.

The Caseload Forecast Council currently produces an unofficial forecast of the TANF program.

Summary of Bill: TANF block grant is to be appropriated to the Department of Social and Health Services (DSHS) each year in the appropriations act subject to the following restrictions:

- the amount appropriated to DSHS for cash assistance may only be spent for cash assistance;
- the amount appropriated for Work First activities cannot be exceeded and may be transferred within Work First activities, including to other state agencies that provide some of the activities; and
- no more than 15 percent of the total amount of the TANF block grant may be spent for administrative purposes.

The full amount of the Child Care Development Fund is to be appropriated to the Department of Early Learning (DEL) each year in the appropriations act to carry out the provisions of WCCC program, child care quality programs, and child care licensing functions. DEL must transfer to DSHS sufficient funds to perform WCCC eligibility determinations, service authorizations and child care provider payments.

DSHS must conduct an initial comprehensive family assessment at program entry. The assessment is to be designed so that it can be used by other agencies which may provide services to the recipient and his or her family. One of the major outcomes of the assessment is to identify families for whom barrier resolution is appropriate. After the assessment is completed, DSHS must involve the family in another evaluation designed to identify the appropriate work preparation activity and service level for the recipient.

DSHS must also explore the use of a predictive modeling tool to be used to identify risk factors affecting a recipient's employability. The tool should be designed to assist DSHS in identifying families who are at high-risk of long stays on TANF and those who are likely to exit relatively quickly from the program. DSHS is to accomplish these responsibilities within current funding.

DSHS must continuously monitor the progress of each recipient in completing his or her plan. DSHS must also monitor the outcomes produced by the skills training and services provided to a recipient to determine whether the training and services are achieving the outcomes set by DSHS.

The following persons are ineligible to receive TANF:

- individuals in the country on time-limited visas to work, study, or travel;
- individuals who entered as temporary residents and overstayed their visas or are engaged in activities forbidden by their visas, or who entered the country without a visa; and

- individuals given temporary administrative statuses until they can formalize permanent status, individuals paroled for less than one year, or individuals under deportation procedures.

Persons receiving public assistance cannot use their electronic benefits cards (EBT) or cash obtained with the EBT card for the following:

- to participate in or purchase any activities located in a tattoo, body piercing or body art shop;
- to purchase cigarettes;
- to purchase alcohol;
- to purchase firearms; or
- to purchase or participate in any activities located in an adult entertainment venue with performances that contain content where minors under age 18 are prohibited.

The Caseload Forecast Council must produce an official forecast for the TANF program.

Appropriation: None.

Fiscal Note: Requested on February 2, 2011.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The three themes in this bill are (1) accountability to the taxpayers; (2) accountability of the recipients; and (3) accountability of the programs used to assist TANF families actually produce positive outcomes for those families. This bill provides a good platform for the Legislature to move forward with the recommendations for TANF redesign group. We need to get TANF recipients to self-sufficiency and the way to do that is not to treat every recipient the same which is why the assessments laid out in this bill are so important. This bill provides a balanced and thoughtful approach to revamping the TANF program and taking back the TANF box. The Legislature is making some very tough decisions this session and there is no reason for the Legislature to abdicate its responsibility in public assistance. The Legislature needs to make the tough decisions in public assistance just like it is doing in other areas of the budget.

CON: Most public assistance recipients use their benefits the way they are supposed to but we would not be good stewards of public funds if we did not aggressively deal with illegal use. Now is not the time to create barriers to DSHS's ability to administer the WorkFirst program by taking back the box. To put more requirements on how TANF dollars can be spent in these financially troubling times is ill-advised. The Governor feels strongly that TANF money is for TANF families and that the first people served with those dollars are TANF eligible families. Legislation is not necessary to tell DSHS to do a different assessment model or how case management should work. DSHS has already publicly committed to making these changes. We want to further expand the section on how TANF dollars can be spent. The amendment to the Caseload Forecast section of the statute makes TANF an entitlement when it is not. DSHS is creating an Office of Program Integrity and that office will be directly under the Secretary.

OTHER: We remain concerned about how some of these changes will impact grocery stores and their employees.

Persons Testifying: PRO: Senator Regala, prime sponsor; Lonnie Johns-Brown, Welfare Advocates Group; Tony Lee, Solid Ground; Robin Zukoski, Columbia Legal Services.

CON: Susan Dreyfus, DSHS.

OTHER: Holly Chisa, NW Grocery Association; Jan Gee, WA Food Industry Assn.