

HOUSE BILL REPORT

SHB 2007

As Amended by the Senate

Title: An act relating to expanding time limit exemptions applicable to cash assistance programs.

Brief Description: Expanding time limit exemptions applicable to cash assistance programs.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Peterson, Gregerson, Alvarado, Berry, Senn, Morgan, Leavitt, Reed, Ormsby, Kloba, Macri, Doglio, Bergquist, Goodman, Ortiz-Self, Santos and Hackney).

Brief History:

Committee Activity:

Human Services, Youth, & Early Learning: 1/10/24, 1/19/24 [DP];
Appropriations: 2/1/24, 2/3/24 [DPS].

Floor Activity:

Passed House: 2/13/24, 85-11.
Senate Amended.
Passed Senate: 3/1/24, 27-19.

Brief Summary of Substitute Bill

- Expands the Temporary Assistance for Needy Families time limit extension to include families that are exempt from WorkFirst participation, as defined by the Department of Social and Health Services in rule.

HOUSE COMMITTEE ON HUMAN SERVICES, YOUTH, & EARLY LEARNING

Majority Report: Do pass. Signed by 7 members: Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Callan, Goodman, Ortiz-Self and Taylor.

Minority Report: Do not pass. Signed by 3 members: Representatives Couture, Assistant

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Ranking Minority Member; Dent and Walsh.

Staff: Luke Wickham (786-7146).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 30 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg, Callan, Chopp, Davis, Dye, Fitzgibbon, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Stokesbary, Stonier, Tharinger and Wilcox.

Staff: Matt Mazur-Hart (786-7139).

Background:

Temporary Assistance for Needy Families.

The Temporary Assistance for Needy Families (TANF) program is a federally funded program that provides cash assistance to parents or caregivers with children and pregnant individuals to help meet foundational needs. Persons who are caring for a relative's child, are legal guardians, or who are acting in the place of a parent, are also able to apply for TANF benefits on behalf of these children. To be eligible for TANF benefits, a person must meet certain income and resource limits and meet citizenship criteria.

Time Limit Extensions.

Federal rules limit the length of time an adult may receive TANF benefits to a cumulative total of five years. Time limit extensions may be offered to families on the basis of hardship, as defined by the state, or in instances of family violence. States can extend federal TANF assistance beyond the five-year limit for up to 20 percent of the average monthly caseload.

Statute and rules adopted by the Department of Social and Health Services (DSHS) identify certain circumstances in which a person is eligible for a time limit extension, by reason of hardship, including when the recipient is:

- age 55 or older and caring for a relative child when the recipient is not the parent;
- a disabled adult;
- caring for a disabled adult;
- caring for a disabled child;
- required to apply for social security income or social security disability insurance;
- participating in a family violence service plan;
- involved in a first-time child welfare case;
- employed for 32 hours or more per week of unsubsidized employment;

- receiving benefits pending an administrative law judge decision;
- homeless;
- caring for a homeless child or youth; and
- receiving or was receiving TANF during a period of high unemployment (when the unemployment rate was at 7 percent or higher).

WorkFirst Exemptions.

The WorkFirst program provides a variety of services for families on the TANF program, including job training, education, English language training, substance abuse and mental health treatment, and domestic violence services. Families receiving TANF are required to participate in the WorkFirst program, unless they are exempt, as defined by DSHS in rule. TANF participants may be exempt from WorkFirst participation if they:

- are the parent or legal guardian of a child under the age of 2;
- are a needy caregiver relative and aged 55 or older;
- have a severe and chronic medically verified condition (including individuals likely to be approved for Supplemental Security Income or other federal benefits);
- are in the home to care for a child with special needs; or
- are in the home to care for an adult relative with a severe and chronic medical condition.

Summary of Substitute Bill:

The Temporary Assistance for Needy Families time limit extension is expanded to include families that are exempt from WorkFirst participation, as defined by the Department of Social and Health Services in rule. This expansion provides a time limit extension to parents and legal guardians of a child under the age of 2 who are receiving the WorkFirst exemption, as other WorkFirst exemption categories are eligible for time limit extensions.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment specifies that the expanded Temporary Assistance for Needy Families time limit extension includes parents or legal guardians with a child under the age of 2 who lives in the same household and qualifies for an infant, toddler, or postpartum exemption from WorkFirst activities.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on July 1, 2024. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony (Human Services, Youth, & Early Learning):

(In support) Survivors of domestic violence are often hesitant to come forward and disclose this domestic violence. This would allow survivors of domestic violence to access TANF benefits after the meeting time limit.

This is part of a bill that the committee heard last year, but was not included in the final version of House Bill 1447.

When there are hard and fast rules for poor families struggling with many issues, the least the state can do is to give those families some flexibility. These were set as hard and fast rules decades ago, and the science does not back that up. There should be some flexibility for the professionals to determine how to best protect the most vulnerable families.

Extending the TANF time limit is in the best interest of families struggling to get by. There are already many hurdles for families to receive this safety net in times of crisis or emergency. When families need help, it is not because they are lazy or refusing to work. Many of the families receiving TANF benefits are working multiple jobs, doing their best to take care of their families, and sometimes are victims of violence.

When people apply for TANF they are warned to use it sparingly because of the time limit. Sometimes when people use TANF as needed off and on, they are credited for having used TANF for three months instead of just one. This leads to families reaching the time limit far before they should. When people reach the time limit, it feels like someone cut the net and only left a few strings.

The current policy is doing more harm than good when cutting people off from assistance.

Families that qualify for TANF are the most likely to have a hungry parent and child. Families with kids are not only the most likely to be food insecure: the University of Washington and the Washington State University did regular surveys of largely low-income households, which showed that 62 percent of families across the state were food insecure. If families qualify for TANF, they are likely in this category.

Food assistance programs do not have time limits. Families often cycle on and off food assistance programs. Assistance programs should be available to families when they need it. TANF comes not only with financial assistance, but with job training, career assistance, and other supports. Families shouldn't have a limit to these supports. Families need help getting back on their feet.

TANF is a critical lifeline that helps families with the lowest incomes with basic needs. To qualify, a family of three cannot make more than \$1,412 per month or about \$17,000 per year, which is \$8,000 less than 100 percent of the federal poverty level. In the past five years, we have seen this policy in place and out of place and the results show us that we have a proven way to address equity for families trying to access TANF.

Before 2011, families that still qualified for help past the time limit were still able to get it. During the great recession, cuts were made and narrow exemptions to the time limit were put in place that did not impact all families equally. Black and indigenous families were cut off at rates much higher than their percentage of the caseload. From early 2020 to June 2023, in a response to the pandemic, broad time limit extensions were put in place. As a result, we saw assets increase for all families, specifically benefitting families of color the most. Unfortunately, when that policy ended last July, the harsh time limit policy was reinstated and over 1,500 people immediately lost access to TANF. Once again, those who lost these benefits were disproportionately black, indigenous, and multi-racial. This bill would restore this pre-2011 policy that is in line with a recent DSHS report, which stated that this is the most complete method to address disproportionality.

(Opposed) None.

(Other) This doesn't completely align with the approach of broadening the time limit extension policy taken in the Governor's budget, but it does extend time limits in a manner recommended by our state's poverty reduction plans. A broad approach to TANF time limit policy eliminates the ongoing racial disproportionality found in TANF cases that are terminated due to time limits. This bill extends a critical safety net to more families who face case closure due to time limits.

Staff Summary of Public Testimony (Appropriations):

(In support) This bill would benefit families living in extreme poverty. Families could receive more than 60 months of assistance during the COVID-19 pandemic under the emergency order. After the pandemic, the time limits were reinstated in July of 2023. Passing this bill would provide assurance to families on TANF guaranteeing assistance beyond 60 months if needed. It would end the back and forth. The current time limit policy is also disproportionately applied to people of color.

This will be critical for survivors of domestic violence (DV). Currently, DV survivors have to immediately disclose that they are victims of DV, which is difficult information to immediately disclose to a caseworker. Survivors also are not always believed when they do disclose that they are victims of DV, and their application for an extension beyond 60 months is denied. This is especially true for black and indigenous populations. This bill would remove that bias and allow DV survivors to continue to access TANF while not having to risk returning to their abuser for financial support.

(Opposed) None.

Persons Testifying (Human Services, Youth, & Early Learning): (In support) Representative Strom Peterson, prime sponsor; Juliana Yenne, Hopelink; Lianna Kressin, Statewide Poverty Action Network; Claire Lane, Anti-Hunger and Nutrition Coalition; and Em Stone, Washington State Coalition Against Domestic Violence.

(Other) Babs Roberts, Department of Social and Health Services, Economic Services Administration.

Persons Testifying (Appropriations): Alex Hur, Statewide Poverty Action Network; and Em Stone, Washington State Coalition Against Domestic Violence.

Persons Signed In To Testify But Not Testifying (Human Services, Youth, & Early Learning): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.