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**Testimony of Frank D'Alessandro, Esq.
For Pine Tree Legal Assistance
In Support of LD 336 and 481**

Before the Joint Standing Committee on Health and Human Services regarding testimony provided to the Committee on April 24, 2017.

Good afternoon Senator Brakey and Representative Hymanson and members of the Joint Standing Committee on Health and Human Services. My name is Frank D'Alessandro. I am the Southern Regional Directing Attorney for Pine Tree Legal Assistance. I am speaking today in support of LD 336 and LD 481.

I have asked to share the expertise of Pine Tree Legal Assistance on these issues and I am speaking today on behalf of Pine Tree Legal Assistance. Since 1967 Pine Tree Legal Assistance has provided free legal services to low-income people throughout the State of Maine. In 2016, Pine Tree Legal Assistance provided legal services to Maine families and individuals in over 7,363 cases, of which 642 involved public assistance, including TANF cases.

Description of TANF Program

TANF is a cash assistance program for children who have been deprived of parental care and support as a result of parental absence, unemployment, or disability. TANF participants are required to participate in the ASPIRE work program that is designed to result in employment. TANF participants are sanctioned for not complying with program rules.

In reviewing the TANF program it is important to focus on the individuals that the TANF program is meant to assist. Attached as exhibit A is a copy of the TANF maximums that apply in the State of Maine. For a single parent who lives with two children the maximum benefit amount is \$485 per month. For purposes of comparison, the poverty level for a three person household is \$1,674 per month.

In addition, families who apply for TANF benefits are subject to a gross income test. This means that if a person's income exceeds this amount the household cannot receive TANF benefits. The gross income test for a parent and two minor children is \$1,023 per month.

Obviously, anyone who is eligible for benefits for this program is desperately poor. As set forth above, there are protections already in place that ensure that only people who truly need assistance receive TANF benefits.

Why TANF is so Important

All TANF households contain minor children who are incapable of supporting themselves. The poorest demographic in Maine are children. According to the 2016 Maine KIDS Count survey, currently 19% of Maine children live in poverty (nearly one in five children in the State of Maine). This number has increased from 16% in 2008. (Nearly one in six children in the State of Maine). Living in poverty has a severe and long standing negative impact on children:

Children who live in poverty, especially those who live in poverty for long periods of time, are at an increased risk for poor health, cognitive, social and educational outcomes. They are more likely to have physical, behavioral and emotional health problems; to have difficulty in school; to become teen parents; and, as adults, to earn less.

MAINE KIDS COUNT 2012, Social and Economic Status, p. 23.

TANF provides a critical safety net for our state's most vulnerable citizens. The proposed changes to the TANF program will have the effect of deepening the level of poverty among children and increasing the risk of homelessness experienced by children. Children are not only the most vulnerable segment of our population, they had no choice in creating their situation or ability to change their circumstance.

What LD 336 Will Do

TANF is a cash assistance program for children who have been deprived of parental care and support as a result of parental absence, unemployment, or disability. This bill would eliminate the requirement so that all children who meet the financial eligibility guidelines of the program will be eligible for benefits.

Why We Support LD 336

Children are in need of TANF benefits because their families lack the financial resources to meet the needs of their children. The State of Maine should not penalize children who need this help simply because their parents live together. Indeed, we should adopt policies that encourage families to stay together.

In addition, in our view a major problem with the TANF program is the inconsistent manner in which the same program requirements are administered by different offices located throughout the State. It is not uncommon for different TANF case workers to have different interpretations of identical provisions in a divorce judgment so that some

children are found to be “deprived” while other children in the same situation are found to be ineligible to receive TANF benefits.

By eliminating the deprivation requirement children are no longer subject to this lack of consistency in interpretation of the deprivation requirement and all children who live in families who lack sufficient resources are eligible for TANF benefits.

What LD 481 Would Do

This bill would raise the amount of income that the Department of Health and Human Services would not count in determining a family’s eligibility for TANF benefits.

Why We Support LD 481

In our view a major problem with the TANF program is that as soon as a family’s income exceeds a certain amount the family is no longer eligible to receive benefits. By increasing the amount of earned income that is not counted in determining a family’s eligibility for benefits and implementing a step framework whereby the amount of countable earned income gradually increases, this bill will assist families in making the transition from TANF to employment and becoming self-sufficient.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
MAINE PUBLIC ASSISTANCE MANUAL
CHARTS**

**TANF and PaS Program Income Tests, Standard of Need, and Maximum Payment Charts for
Applicants:**

ADULT INCLUDED

BASIC					SPECIAL NEED						
Number in filing unit	Gross Income Test	Second Income Test	SON	Maximum Grant	Gross Income Test	Second Income Test	SON	Maximum Grant +	Special Need	= Total	Max. Gap
1	485	283	294	230	578	333	394	494	200	430	64
2	762	445	463	363	855	495	563	663	200	563	100
3	1,023	596	620	485	1,116	646	720	820	200	685	135
4	1,286	750	780	611	1,379	800	880	980	200	811	169
5	1,548	903	938	733	1,641	953	1038	1138	200	933	205
6	1,811	1,055	1,096	856	1,904	1,105	1196	1296	200	1,056	240
7	2,072	1,208	1,255	981	2,165	1,258	1355	1455	200	1,181	274
8	2,335	1,361	1,414	1,105	2,427	1,411	1514	1614	200	1,305	309
Additional Member	+262	+153	+159	+124	+262	+153	+159	+159	+200	+124	

- EXHIBIT A -