

**Testimony of the
Office for Family Independence
Department of Health and Human Services**

Before the Joint Standing Committee on Health and Human Services

Hearing Date: April 10, 2017

Senator Brakey, Representative Hymanson and Members of the Joint Standing Committee on Health and Human Services, I am Bethany Hamm, Director of the Office for Family Independence (OFI), in the Department of Health and Human Services (DHHS). My testimony will cover all six of the General Assistance bills being discussed today.

In Support of LD 10

An Act to Build Greater Accountability into the General Assistance Program by Increasing the Penalty for Falsely Representing Information on an Application for General Assistance

The Department is in support of LD 10, which would increase – from 120 days to 24 months – the length of a time a person would be ineligible to receive General Assistance (GA) after making false statements in order to receive GA. The GA program is meant to assist the neediest residents of Maine who are unable to provide the basic necessities essential to maintain themselves or their families. This bill acts to ensure and improve program integrity.

Any individual who falsely represents his or her circumstances in order to receive GA should face a stiff penalty. Individuals who falsely represent need are committing a Class E crime, defrauding the state and municipalities. Lengthening the period of penalty for such a false representation will act as a greater deterrent, and will more strongly convey the seriousness of making a false statement to receive benefits. Additionally, GA is a “needs-based” program for which there are limited funds. It is crucial that these limited funds be used only for eligible individuals who play by the rules.

In Support of LD 36

An Act to Create a 9-month Time Limit on General Assistance Benefits for Certain Persons

LD 36 would limit GA eligibility for recipients capable of working and without dependents to a maximum of 275 days every five years. A limited period of eligibility for these recipients would appropriately reinforce the principle that GA is not to be a continuing “grant in aid” or “categorical” welfare program. Instead, GA is designed to be a short-term fail-safe, and providing indefinite benefits to people who are able to work and who do not have dependents runs counter to that essential program mission. Adding a time limit for this population would better align the program to its core purpose, and would better ensure that the limited funds available in the program go to people with the greatest need.

Maine’s GA program already requires that recipients search for, accept, and perform work at a level acceptable to retain employment. This bill serves to strengthen these requirements by adding a time limit for the recipients who should be most capable of meeting them. This bill also conceptually aligns with current Supplemental Nutritional Assistance Program (SNAP)

regulations, recently reinstated by the LePage administration, that require Able Bodied Adults Without Dependents (ABAWDs) to work or volunteer a minimum number of hours a week, or be subject to case closure.

In Support of LD 219

An Act to Prioritize Use of Available Resources in General Assistance Programs

LD 219 would establish requirements that an applicant for or recipient of General Assistance access any and all other resources before GA. It defines “potential” and “available” resources, and it provides for a period of ineligibility when an applicant or recipient abandons, refuses to use, or forfeits those resources, subject to just cause exceptions. This is commonsense reform that ensures the limited funds of the General Assistance program go to people who truly need help, and not to those who are trying to game the system. As such, the bill reinforces a basic goal of the program: that GA is intended to be a program of last resort.

In Support of LD 220

An Act to Align Time Limits in the Municipal General Assistance Program and Temporary Assistance for Needy Families Program

LD 220 would provide that a person who is ineligible to receive Temporary Assistance for Needy Families (TANF) because he or she has reached the lifetime limit for that program is also ineligible for GA. It would allow exceptions for people in the process of applying for a TANF extension until the process is complete and for applicants who have been ineligible for TANF for five years or more.

In 2012 Maine instituted a 60-month lifetime limit on TANF benefits, aligning our program with federal law. Achieving self-support is a core principle of GA and TANF alike, and harmonizing the time limits would promote self-sufficiency and reduce welfare dependency at both the state and municipal levels. To allow recipients who have reached their lifetime TANF limit to still receive GA diminishes the urgency to move toward self-support.

Neither for Nor Against LD 221

An Act to Amend the Laws regarding the Municipality of responsibility for General Assistance Applicants released from a State Correctional Facility or County Jail Facility

LD 221 would repeal a recently enacted provision of GA statute providing that a person released from a correctional facility who applies for GA within 45 days of that release is the financial responsibility of the municipality where the applicant resided prior to incarceration. The benefits provided to GA recipients are reimbursed at the rate of 70% by the Department regardless of the granting municipality, and the Department takes no position on how the municipality responsible for the remainder should be determined in these types of cases.

Neither for Nor Against LD 1109

An Act to Improve General Assistance Reimbursements

Similarly, LD 1109 would change the municipality of responsibility for applicants who move

from one municipality to another of their own accord. The bill would make financially responsible the municipality from which an applicant moves, if it can be verified that the applicant lived in the sending municipality immediately prior to applying for assistance. Under current law, the municipality of responsibility is the one where an applicant resides, regardless of whether he or she has just moved.

This bill also makes a minor change to another section the law to clarify that a municipality (either financially or by making arrangements) assisting an applicant in relocating to another is financially responsible for 30 days after the relocation.

Here, too, the Department takes no position on how to determine the municipality of responsibility. I would like to point out a nuance in the bill that may not have been intended by the drafters, however. Consistent with current law, this bill makes clear that a sending municipality is financially responsible for an applicant that it has helped move for no more than 30 days. But when an applicant has moved without such help, the bill does not specify (and in that way appears to make indefinite) the period of time that the sending municipality remains financially responsible.

I would be happy to answer any questions you may have about any of these bills, and would be glad to make myself available for questions at the work session.