

HB 6520 -- Redline

File No. 343 to File No. 773 -- AN ACT CONCERNING THE PROVISION OF TEMPORARY STATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE.

Deletions ~~struck~~ · Insertions underlined

House of Representatives ~~General Assembly~~ File No.

~~343~~773 ~~General Assembly~~ January Session, ~~2021~~2021(Reprint ~~Substitute~~ of House File Bill No.

~~6520~~343) ~~Substitute~~ House of ~~Bill~~ Representatives, No. April 8, 2021 The Committee on Human Services reported through REP.

ABERCROMBIE ~~6520~~ of ~~As the Amended 83rd by Dist., House Chairperson~~ Amendment of Schedule the "A" Committee Approved on by the part Legislative of Commissioner the June House, 1, that 2021 the AN substitute ACT bill CONCERNING ought THE to PROVISION pass OF TEMPORARY STATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE.

AN ACT CONCERNING THE PROVISION OF TEMPORARY STATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE.

Section Subsection 17b-105a(a) of section 17b-112q of the general statutes is amended repealed by and adding the subsection following (d) is as substituted follows in lieu thereof (Effective July 1, 2021):

(NEW)(a) (d)-The Commissioner of Social Services, Services to the extent permissible under federal law, shall (1) offer expedite immediate supplemental diversion nutrition assistance program designed eligibility to determinations prevent for certain a families victim who of are domestic applying violence, for as monthly defined in section 17b-112a, and (2) provide an eligible victim temporary supplemental family nutrition assistance program from benefits needing for not less than ninety days before redetermining eligibility for benefits, such assistance.

In Diversion conducting assistance an shall expedite be eligibility offered determination, to the families commissioner, that to (1) the upon extent initial permissible assessment under are federal determined law, eligible shall for subtract temporary from family such assistance, victim's (2) household demonstrate income a the short-term income need of that the cannot victim's be spouse, met domestic with partner current or other anticipated household family member resources, credibly and accused (3) by with such the victim provision of domestic a violence service or short-term benefit, would be prevented from needing monthly temporary family assistance.

For within purposes resources of available this to subsection, the allegations Department of Social Services, a person who requests diversion SHB6520 / File No.

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~~343~~773 assistance on the basis of being a victim of domestic violence violence, may as defined in section 17b-112a, shall be substantiated deemed by to the satisfy commissioner subdivision pursuant (2) of this subsection and shall not be subject to the provisions requirements of subdivision (3) of this subsection. In determining whether the family of such a victim of domestic violence satisfies the requirements of subdivision (1) of this subsection (b) and the appropriate amount of section diversion 17b-112a assistance to provide, the commissioner shall not include as a member of the family the spouse, domestic partner or other household member credibly accused of domestic violence by such victim, nor shall the commissioner count the income or assets of such a spouse, domestic partner or other household member.

Sec. 2. For purposes of this subsection, allegations of domestic violence may be substantiated by the commissioner pursuant to the provisions of subsection (b) of section 17b-112a.

Subsections (b) and (c) of section 17b-749 of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(b) The commissioner shall establish income standards for applicants and recipients at a level to include a family with gross income up to fifty per cent of the state-wide median income, except the commissioner:

(1) [may] May increase the income level up to the maximum level allowed under federal law, (2) upon the request of the Commissioner of Children and Families, may waive the income standards for adoptive families so that children adopted [on or after October 1, 1999,] from the Department of Children and Families are eligible for the child care subsidy program, [and (3) on and after March 1, 2003,] (3) shall, to the extent permissible under federal law and within available appropriations, waive the income standards for not less than ninety days from the date of application for a victim of domestic violence, as defined in section 17b-112a, at which time the commissioner shall redetermine eligibility based upon the income standards, and (4) shall reduce the income eligibility level to up to fifty-five per cent of the state-wide median income for applicants and recipients who qualify based on their loss of eligibility for temporary family assistance.

For purposes of this subsection, the commissioner may substantiate allegations of domestic violence pursuant to the provisions of subsection (b) of section 17b-112a.

The commissioner may adopt regulations in accordance with chapter 54 to establish income criteria and durational requirements for such waiver of income standards.

~~(c) The commissioner, in consultation with the Commissioner of Social Services, shall establish eligibility and program standards including, but not limited to:~~

~~(1) A priority intake and eligibility system with preference given to serving (A) victims of domestic violence, as defined in section 17b-112a, to the extent permissible under federal law, (B) recipients of temporary family assistance who are employed or~~ SHB6520 / File No.

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~~343 engaged in employment activities under the Department of Social Services' "Jobs First" program, [(B)] (C) working families whose temporary family assistance was discontinued not more than five years prior to the date of application for the child care subsidy program, [(C)] (D) teen parents, [(D)] (E) low-income working families, [(E)] (F) adoptive families of children who were adopted from the Department of Children and Families and who are granted a waiver of income standards under subdivision (2) of subsection (b) of this section, and [(F)] (G) working families who are at risk of welfare dependency;~~

~~(2) health and safety standards for child care providers not required to be licensed;~~

~~(3) a reimbursement system for child care services which account for differences in the age of the child, number of children in the family, the geographic region and type of care provided by licensed and unlicensed caregivers, the cost and type of services provided by licensed and unlicensed caregivers, successful completion of fifteen hours of annual in-service training or credentialing of child care directors and administrators, and program accreditation;~~

~~(4) supplemental payment for special needs of the child and extended nontraditional hours;~~

~~(5) an annual rate review process for providers which assures that reimbursement rates are maintained at levels which permit equal access to a variety of child care settings;~~

~~(6) a sliding reimbursement scale for participating families;~~

~~(7) an administrative appeals process;~~

~~(8) an administrative hearing process to adjudicate cases of alleged fraud and abuse and to impose sanctions and recover overpayments;~~

~~(9) an extended period of program and payment eligibility when a parent who is receiving a child care subsidy experiences a temporary interruption in employment or other approved activity;~~

~~and (10) a waiting list for the child care subsidy program that (A) allows the commissioner to exercise discretion in prioritizing within and between existing priority groups, including, but not limited to, children described in 45 CFR 98.46, as amended from time to time, and households with an infant or toddler, and (B) reflects the priority and eligibility system set forth in subdivision (1) of this subsection, [which is reviewed periodically,] with the inclusion of this information in the annual report required to be issued [annually] by the office to the Governor and the General Assembly in~~ SHB6520 / File No.

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~~343 accordance with section 17b-733.~~

~~Such action will include, but not be limited to, family income, age of child, region of state and length of time on such waiting list.~~

~~3-2.~~

~~Subsection~~ Section (c) of section 17b-191 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

~~(c) To (a) be eligible for~~ Notwithstanding cash assistance the under provisions the program, a person shall of
~~(1) sections be 17b-190, (A) 17b-195 eighteen and years 17b-196, the Commissioner of age Social or Services older; shall operate a state- administered general assistance program in accordance with this section and sections 17b-131, 17b-193, 17b-194, 17b-197 and 17b-198.~~

Notwithstanding any provision of the general statutes, on and after October 1, 2003, no town shall be reimbursed by the state for any general assistance medical benefits incurred after September 30, 2003, and on and after March 1, 2004, no town shall be reimbursed by the state for any general assistance cash benefits or general assistance program administrative costs incurred after February 29, 2004.

(b) The state-administered general assistance program shall provide cash assistance of (1) two hundred dollars per month for an unemployable person upon determination of such person's unemployability;

(2) two hundred dollars per month for a transitional person who is required to pay for shelter;

and (3) fifty dollars per month for a transitional person who is not required to pay for shelter.

The standard of assistance paid for individuals residing in rated boarding facilities shall remain at the level in effect on August 31, 2003.

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773 shall be eligible for cash assistance under the program if eligible for cash assistance under any other state or federal cash assistance program.

The standards of assistance set forth in this subsection shall be subject to annual increases, as described in subsection (b) of section 17b-104.

(c) To be eligible for cash assistance under the program, a person shall (1) be (A) eighteen years of age or older;

In determining eligibility, the commissioner shall not consider as income ~~(A) Aid and Attendance pension benefits granted to a veteran, as defined in section 27-103, or the surviving spouse of such veteran, or (B) within available appropriations, surviving the spouse income of an applicant's spouse, domestic partner or other household member credibly accused of domestic violence by the applicant when such applicant is a victim of domestic violence, as defined in section 17b-112a.~~

~~The No commissioner person shall who not include a the substance income abuser of and such refuses spouse, domestic partner or other fails household to member enter in available, the appropriate household treatment income shall of be such eligible applicant for a cash period assistance of under not the less program than until ninety such days person after enters the treatment. applicant applies for assistance.~~

~~The commissioner may redetermine the applicant's eligibility for assistance after ninety days.~~

~~For purposes of this subsection, allegations of domestic violence may be substantiated by the commissioner pursuant to the provisions of subsection (b) of section 17b-112a.~~

~~No person who is a substance abuser and refuses or fails to enter available, appropriate treatment shall be eligible for cash assistance under the program until such person enters treatment.~~

~~SHB6520 (d) Prior to No. or upon discontinuance of assistance, a person previously determined to be a transitional person may petition the commissioner to review the determination of his or her status.~~

~~343 In 4 such SHB6520 review, File the No. commissioner shall consider factors, including, but not limited to:~~

~~343 (1) Sec. Age;~~

~~4. (2) education;~~

~~Subsection (3) (c) vocational of training; section 17b-112a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):~~

~~(c) (4) [The mental Commissioner and of physical Social health; Services] Notwithstanding the provisions of section 17b-112, the Commissioner of Social Services shall expedite an eligibility determination for an applicant for temporary family assistance who is a victim of domestic violence.~~

~~To and the (5) extent employment permissible history under and federal law, the commissioner shall not make include a the determination income of the applicant's spouse, domestic partner or other household member credibly accused of domestic violence by such applicant person's for ability to period obtain of gainful not employment. less than ninety days after the applicant applies for temporary family assistance.~~

~~The (e) commissioner Notwithstanding may any redetermine other such provision applicant's of eligibility this section or section 17b-194, a victim of domestic violence, as defined in section 17b-112a, who is not eligible for temporary diversion family assistance under the provisions of section 17b-112g, as amended by this act, shall be eligible for a one-time assistance after payment ninety under days. the state-administered general assistance program within resources available to the Department of Social SHB6520 / File No.~~

~~The 773 commissioner SHB6520 shall File notify No. applicants and recipients of temporary family assistance, who are past or present victims of domestic violence or at risk of further domestic violence, of the following:~~

~~(1) 773 Referrals Services. available to counseling and supportive services, including, but not limited to, shelter services, medical services, domestic abuse hotlines, legal counseling and advocacy, mental health care and financial assistance;~~

~~and Such (2) Procedures to voluntarily and confidentially payment identify eligibility shall for be referrals equivalent to that which such counseling victim would be entitled to receive as diversion assistance if such victim and supportive his services, or her family, if any, were eligible for diversion assistance.~~

~~In determining whether and in what amount a victim of domestic violence and his or her family are eligible for a one-time assistance payment pursuant to this subsection, the commissioner shall not include as a member of such victim's family the spouse, domestic partner or other household member credibly accused of domestic violence by such victim, nor shall the commissioner count the income or assets of such a spouse, domestic partner or other household member.~~

~~For purposes of this subsection, allegations of domestic violence may be substantiated by the commissioner pursuant to the provisions of subsection (b) of section 17b-112a, and "family" has the same meaning as used in section 17b-112, except as otherwise provided in this subsection.~~

~~Section 1 July 1, 2021 17b-105a 17b-112g(a) Sec.~~

~~2 July 1, 2021 17b-749(b) 17b-191 and SHB6520 (c) / July File 1, No. 2021 Sec.~~

~~3773 17b-191(c) 4 Sec. SHB6520 File No.~~

~~4773 July The 1, following 2021 Fiscal 17b-112a(c) Impact Statement and Bill Analysis are prepared for the~~

benefit of Legislative the Commissioners: members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose.

~~In Section 3(c)(2)(B) and Section 4(c), "count" was changed to "include" for clarity.~~

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~~343-5 sHB6520 File No.~~

~~343 HS Joint Favorable Subst.~~

~~sHB6520 / File No.~~

~~343-6 sHB6520 File No.~~

~~343 The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose.~~

~~Agency Affected Fund-Effect FY 22 \$ FY 23 \$ Early Social Childhood Services, Off.; Dept.~~

~~Social-GF - Potential See Below See Below Services, Cost Dept. Note:~~

~~Cost Note:~~

~~None Explanation The bill could result in a cost to the Department of Social Services (DSS) and Office of Early Childhood (OEC) associated with providing~~

~~temporary assistance to domestic violence victims while temporary waiving certain assistance income to standards domestic for violence at victims. least 90 days from the date of application.~~

~~1-The number of individuals who would qualify for diversion assistance or state administered general assistance and the value of the benefit under the bill is unknown.~~

~~For The context, maximum the benefit average cannot cost exceed per the case equivalent for of 90 three days/months of benefits Temporary is Family approximately Assistance \$3,480 benefits, for which Care4Kids, is \$610 approximately for State Administered General Assistance, and \$1,420 for per Temporary case. Family Assistance.~~

~~The House bill "A" also strikes requires the 90 language days in of the expedited underlying assistance bill under and the Supplemental associated Nutrition fiscal Assistance impact Program and (SNAP) results to in the extent impact allowed described under above. federal law.~~

~~While domestic violence victims are not currently entitled to expedited SNAP benefits under federal regulations, the state could incur administrative costs to support system adjustments if this change were to be implemented.~~

~~SNAP benefits are federally. 1The bill requires the state to exclude the income of the victim's credibly accused spouse, domestic partner, or other household member when considering eligibility for SAGA, TFA, and SNAP.~~

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~~343 funded and subject to federal regulations.~~

~~Sources: sHB6520 / File No.~~

~~Department 773 of Social Services Caseload Information Office of Early Childhood Caseload Information sHB6520 / File No.~~

~~343 773 8 OLR sHB6520 Bill File Analysis No. sHB 6520 (as amended by House "A")* AN ACT CONCERNING THE PROVISION OF TEMPORARY STATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE.~~

~~343 SUMMARY OLR This Bill bill Analysis generally sHB provides 6520 a one-time ACT cash CONCERNING assistance THE benefit PROVISION to of eligible TEMPORARY domestic STATE violence SERVICES (DV) to victims VICTIMS under OF temporary DOMESTIC family VIOLENCE assistance (TFA) or state administered general assistance (SAGA).~~

~~SUMMARY It This allows bill allegations generally of provides temporary assistance to domestic violence (DV) to victims be under substantiated (1) in the accordance following with federally funded existing programs, law to (see the BACKGROUND). extent permissible under federal law:~~

~~supplemental nutrition assistance program (SNAP);~~

~~Care-4-Kids (C4K) childcare subsidy program;~~

~~and temporary family assistance (TFA);~~

~~and (2) state administered general assistance (SAGA).~~

~~The bill allows allegations of domestic violence to be substantiated in accordance with existing law (see BACKGROUND).~~

~~*House Amendment "A" eliminates the provisions in the underlying bill on benefits for DV victims under the supplemental nutrition assistance program (SNAP) and Care-4-Kids (C4K) childcare subsidy program and changes the underlying bill's provisions on TFA and SAGA benefits to provide a one-time cash benefit rather than ongoing benefits.~~

~~July 1, 2021 Sec. 1 --- SNAP TFA BENEFITS DIVERSION The CASH bill ASSISTANCE requires By law, the Department~~

of Social Services (DSS) ~~Commissioner~~ commissioner must offer immediate diversion assistance to expedite prevent SNAP certain eligibility families determinations who are applying for domestic monthly violence TFA victims from needing such assistance.

It Under requires the law, her diversion assistance must be offered to provide families that eligible (1) DV upon victim initial temporary assessment SNAP are benefits determined eligible for TFA, (2) demonstrate a minimum short-term need that cannot be met with current or anticipated family resources, and (3) with the provision of 90 days service before or redetermining short-term benefit benefit, eligibility would be prevented from needing monthly TFA.

When sHB6520 conducting an File expedited No. eligibility determination, DSS must exclude the income of the victim's credibly accused spouse, domestic partner, or other household member from the victim's household income.

DSS 773 must 6 takes sHB6520 these File actions No. to the extent permissible under federal law.

(DV 773 victims The are bill requires DSS, not within available resources, to entitled (1) deem a person who requests diversion assistance based on being a DV victim to expedite have SNAP met benefits the under short-term current need federal requirement regulations, (i.e., but the may second be requirement otherwise above) eligible and if (2) they not meet subject such person to the established third income requirement standards; above.

see Under BACKGROUND. the sHB6520 bill, in File determining No. (1) whether the DV victim's family is eligible for TFA and (2) the appropriate amount of diversion assistance to provide, the DSS commissioner must exclude as a member of the family the spouse, domestic partner, or other household member credibly accused of domestic violence by the victim.

343 Also, the sHB6520 commissioner File must No. not count the income or assets of such a spouse, domestic partner, or other household member.

343 By SNAP, law, formerly "family" or means colloquially one known or as more food individuals stamps, who is apply a for federally or funded, receive state-administered assistance program together that under provides the electronic TFA benefit program transfer (CGS funds Sec. to 17b-112). low-income households for food purchases.

Sec. 2 -- C4K SAGA CHILDCARE CASH SUBSIDY ASSISTANCE The Under bill requires the Office bill, of a Early DV Childhood victim (OEC) who Commissioner, is to not the eligible extent for permissible TFA under diversion federal assistance law must and be within eligible available appropriations, to waive C4K income standards when determining eligibility for at a least one-time 90 assistance days payment for under any SAGA, alleged within DV available victim DSS applicant resources.

It The requires one-time OEC payment must be equal to redetermine what eligibility the based victim upon would be entitled to receive as diversion assistance if the program's victim income and standards his after or this her period family, if any, were eligible for diversion assistance.

The In bill determining also whether adds and in what amount a DV victims victim to and the his list or other applicants family who are must eligible before given a priority one-time in assistance payment, the C4K commissioner intake must and exclude eligibility as process, a to member of the extent victim's permissible family under the federal spouse, law domestic partner, or other household member credibly accused of domestic violence by the victim.

The Additionally, C4K the program commissioner subsidizes must child not care count costs the for low and moderate income families or while assets of parents such is working or attending a temporary spouse, family domestic cash partner, assistance approved education or training other program household (i.e., member, a Jobs First participant).

Sec. 3 -- SAGA CASH ASSISTANCE Under the this bill, provision, in "family" determining has eligibility for SAGA cash assistance, the DSS same commissioner meaning must as exclude used the under income of a DV victim's credibly accused spouse, domestic partner, or other household member for at least 90 days from the application TFA date, program, within available appropriations.

It In allows general, DSS SAGA provides cash assistance to redetermines single SAGA or eligibility married based childless upon individuals the who program's have income very standards low after incomes, the do 90-day not period qualify for any other cash assistance program, and are considered "transitional" or "unemployable." sHB6520 / File No.

In 773 general, 7 SAGA sHB6520 provides File cash No. assistance to single or married childless individuals who have very low incomes, do not qualify for any other cash assistance program, and are considered "transitional" or "unemployable." Sec. 4 -- TFA CASH ASSISTANCE The bill requires the DSS commissioner to expedite TFA eligibility determinations for DV victim applicants.

To 773 the BACKGROUND extent Substantiating permissible Domestic under Violence federal Allegations law, The the law commissioner defines must "victim exclude of the domestic income violence" of as the a applicant's person credibly who accused has spouse, been domestic abused partner, or other subjected sHB6520 to extreme File cruelty No. by:

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343 household member for a minimum of 90 days after the application date.

~~The commissioner may redetermine TFA eligibility after the 90-day period.~~

~~TFA is Connecticut's cash assistance program for low income families, funded through the federal Temporary Assistance for Needy Families (TANF) block grant.~~

~~BACKGROUND Substantiating Domestic Violence Allegations The law defines "victim of domestic violence" as a person who has been abused or subjected to extreme cruelty by:~~

~~- threats of, or attempts at, physical or sexual abuse;~~

By law, a DV victim's allegations may be sufficient enough to establish domestic violence where DSS has no independent, reasonable basis to find the applicant or recipient not credible.

(2) documentation from a shelter worker, legal, medical, clerical, or other ~~professional~~ professional from whom the applicant ~~from whom the applicant~~ or recipient ~~sought~~ has sought assistance in dealing with domestic violence;

or (3) a statement from ~~someone~~ someone with ~~with~~ knowledge of the circumstances that provide the basis for the claim (CGS Sec. 17b-112a).

Related Bill sSB 1091, as amended by Senate "A" and passed by the Senate, has identical provisions (Sec. Sec. 13 & 14).

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~~343773 Expedited COMMITTEE SNAP ACTION Benefits Human Under Services federal Committee regulations, Joint DSS Favorable must Substitute post Yea expedited 19 SNAP Nay benefits 0 to (03/18/2021) the sHB6520 household's / EBT File card No. by the seventh calendar day following their application filing date (7 C.F.R.~~

~~Sec. 273.2(i)(3)(i)). 9~~

~~This time limit would also apply to residents of shelters for battered women and children who are otherwise entitled to expedited service (7 C.F.R.~~

~~Sec. 273.2(i)(3)(v)).~~

~~The following households are entitled to expedited service:~~

~~1-~~

~~households with less than \$150 in monthly gross income, provided their liquid resources (e.g., cash, checking or savings accounts) do not exceed \$100;~~

~~2-~~

~~migrant or seasonal farmworker households who are destitute, provided their liquid resources do not exceed \$100;~~

~~and 3-~~

~~households whose combined monthly gross income and liquid resources are less than the household's monthly rent or mortgage, and utilities (7 C.F.R.~~

~~Sec. 273.2(i)(1)).~~

~~COMMITTEE ACTION Human Services Committee Joint Favorable Substitute Yea 19 Nay 0 (03/18/2021) sHB6520 / File No.~~

~~343 12~~