



Testimony for Public Hearings on the “Fiscal Year 2014 and the Fiscal Year 2014 Budget Request Act of 2013”

**District of Columbia Council Committee on Human Services
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In the last two years, the Department of Human Services (DHS) has made significant steps in its redesign of the Temporary Assistance for Needy Families (TANF) program. Programmatic changes to TANF have come at a time when families most need additional help to gain the skills to become self-sufficient. The economic good fortunes of this region have not been distributed evenly throughout the District. In light of this, we applaud the Administration and the Council for investing in the TANF redesign—and in local families—by acting to improve and coordinate services while extending the timeline for the reduction of the benefits of those on TANF for 60 months or more. We also thank the agency for its work to improve other programs that serve individuals with disabilities, such as the Program on Work, Employment, and Responsibility (POWER) and Interim Disability Assistance (IDA).

We are pleased that the Mayor’s proposed budget does not overlook these programs. However, the proposed budget fails to fund, or consigns to a revenue contingency list, certain program elements that we believe are essential. I will focus my testimony on our concerns related to the proposed funding outlined in the Mayor’s budget for TANF, POWER, and IDA. As the Committee is aware, these three programs serve some of the most vulnerable in our city: single parents with children and individuals with disabilities.

I. The Council Should Explicitly Fund Exemptions to the TANF Time Limits and Provide Funding to Support All TANF Families’ Access to Redesigned Services.

The Mayor’s budget includes some key proposals regarding TANF, such as a \$6 million increase in TANF funding which will be used to delay the timing on an additional benefit cut for families who have received TANF for more than 60 months.² We are pleased that the Administration has recognized that more time is needed so that additional families can receive comprehensive assessments and be referred to a TANF employment services provider. As the Committee is aware, those most in need of the assistance that improved TANF services would provide—families who have barriers preventing them from finding stable employment—would be least able to benefit due to the hardship imposed by the parallel implementation of 60-month

¹ The Legal Aid Society of the District of Columbia was formed in 1932 to “provide legal aid and counsel to indigent persons in civil law matters and to encourage measures by which the law may better protect and serve their needs.” For more than 80 years, tens of thousands of the District’s neediest residents have been served by Legal Aid staff and volunteers. Legal Aid has been practicing in the area of public benefits for a number of years, representing clients with TANF, SNAP, and Medicaid cases.

² See Department of Human Services, 2014 Budget presentation, April 18, 2013, at 6; see also D.C. Fiscal Policy Institute, What’s in the Mayor’s Proposed FY 2014 Budget for TANF?, April 12, 2013, at 2.

lifetime limits on the receipt of benefits. We thank the Council for supporting prior delays and the Mayor for including the additional delay in his proposed budget.

However, more must be done to ensure that the District's TANF families are fully able to benefit from redesigned TANF services. We ask the Administration and the Council to recognize the urgent need for exemptions to the District's 60-month time limit policy. We also ask that more funding be allocated towards increasing the number of TANF parents who can be connected with services in a timely manner.

A. The Council Should Expand and Fully Fund the Exemptions from 60-Month Time Limits to Protect Families Experiencing Hardship.

Legal Aid has long opposed time-limiting TANF benefits for any reason. However, if the District must impose time limits, it should ensure that limits do not unfairly hurt parents who face severe barriers to getting off TANF. By delaying the series of benefits cuts planned for long-term TANF families, the Council and Administration have allowed many a brief reprieve. However, this delay does not address one particularly unfair aspect of our TANF program: the lack of exemptions for families facing hardship. Although the District recognizes that some parents will not be able to look for work while they are impacted by domestic violence or caring for an ill family member, these parents' benefits will be cut as a result of these time limits. Last year, as part of the FY 2013 Budget Support Act, the Council passed legislation that would have allowed certain exemptions to the 60-month time limits for families experiencing recognized situations that prevented employment. Unfortunately, these provisions were contingent on funding that was not available. Unfunded, the exemptions were never implemented.

Recommendation. The Council should ensure that TANF exemptions are implemented by creating and explicitly funding allowances for TANF recipients suffering particular hardships. TANF parents experiencing significant barriers to employment—such as minor parents who are enrolled in school or parents caring for a family member with a disability—should be permitted to “stop the clock” during the time that they are addressing their families' individual needs. The District already recognizes that these families are often not able to look for work by exempting them from work requirements. We should not penalize them for the time necessarily spent focusing on themselves and their families. Such exemptions would bring the District back in line with the majority of states. Research by the D.C. Fiscal Policy Institute (DCFPI) suggests that exemptions, when properly funded, would cost \$4 to \$7 million in FY 2014.³ This is a worthy investment in reducing the burdens those TANF families who are least likely to find work soon.

B. The Council Should Fund Job Services for All Eligible TANF Recipients.

The TANF program serves families with a range of experiences and histories. While some families need exemptions from work requirements, others could leave TANF for work if they received appropriate services. DHS is working to address these varied needs by contracting with vendors capable of serving customers across the spectrum of job readiness. DHS must have the necessary funding to connect those assigned parents with their vendors in a timely manner.

³ D.C. Fiscal Policy Institute, FY 2014 Budget Priorities, undated, at 1.

Our clients report delays in their assignments to vendors, with some waiting many months before they are finally assigned.

Recommendation. The Council should increase funds available for TANF job training slots so that all parents for whom it is appropriate have access to a vendor. The Mayor's proposed budget plans to maintain the same level of vendor capacity between FY 2013 and FY 2014.⁴ Without further funding, waitlists for the vendors will continue and parents will have no respite from long delays in the assignment process. Our clients express frustration that they cannot get started with a vendor as soon as they are assessed. We urge the Council to reward and encourage the excitement that is felt by many parents hoping to benefit from the TANF redesign by increasing vendor capacity.

II. The Council Should Improve POWER and IDA by Increasing These Programs' Reach and Providing Application Assistance.

In addition to TANF, DHS also administers two important programs for people with disabilities. The Program on Work, Employment, and Responsibility is available to parents who unable to work or complete TANF work requirements due to disabilities. Interim Disability Assistance is for childless adults appealing a denial of an application for federal disability benefits such as Supplemental Security Income (SSI). Although keeping funding for these programs steady in his proposed budget, the Mayor has indicated that both POWER and IDA are among his "wish list" priorities. Unfortunately, items from his priority list from FY 2013 remain unfunded. Therefore, we urge the Council to include them in the budget itself—not just on a wish list. Specifically, the Council should increase capacity in both programs and fund application assistance to help qualified beneficiaries obtain SSI.

A. The Council Should Increase Capacity for Both POWER and IDA.

IDA and POWER both provide modest benefits to individuals with disabilities. The monthly IDA benefit is \$270 per month. The POWER benefit parallels TANF, by starting at \$270 and increasing by the number of children present in a parent's household. Both programs are underutilized. IDA is limited by a cap on the monthly number of participants. The Mayor's budget projects a maximum caseload of 825 people per month for FY 2014.⁵ Although this would represent an increase from the current reported caseload of 550,⁶ it does not match the need in the community. At its height, IDA served 2,800.⁷ We regularly meet with clients who have pending SSI appeals, but who scrape by with little or no income while waiting out the appeal process. The worry created by their financial situations can exacerbate already precarious mental or physical health conditions.

⁴ See DHS, 2014 Budget presentation, April 18, 2013, at 6; see also D.C. Fiscal Policy Institute, What's in the Mayor's Proposed FY 2014 Budget for TANF?, April 12, 2013, at 3.

⁵ DHS, 2014 Budget presentation, April 18, 2013, at 10.

⁶ D.C. Fiscal Policy Institute, What's in the Mayor's Proposed FY 2014 Budget for Interim Disability Assistance?, April 12, 2013, at 2. DHS has indicated that it plans to increase clear the current waitlist and increase the caseload to 825 in the near future. Although this immediate increase is welcomed, a greater need still exists.

⁷ D.C. Fiscal Policy Institute, What's in the Mayor's Proposed FY 2014 Budget for Interim Disability Assistance?, April 12, 2013, at 1.

The caseload for POWER is smaller, largely because the program only began to allow applications—as opposed to referrals from caseworkers—in 2012. DHS estimates that the POWER caseload is currently 300, with no parents currently being turned away. We expect that as DHS completes assessments of the entire TANF population, more POWER-eligible families will be identified. The Mayor identified increasing the capacity of POWER as an item on his priority list. DHS has also suggested that POWER funds could be used to assist both families with a parent with disabilities as well as other families who could qualify for a time limit exemption. For this to work, the Council must ensure that there are sufficient POWER funds to meet its original purpose (supporting families with parents with severe disabilities) as well as helping other families facing hardship.

Recommendation. The Council should increase funding for both IDA and POWER so that the programs can serve all those who qualify. Further investment in IDA will allow the program to address the needs of those single adults in our community who have no other income sources while waiting for their SSI appeals to be decided. Investment in POWER will allow expansion of the program to ensure that it can continue to accept all eligible parents, and, allow implementation of other time limit exemptions. We support allocating \$3.9 million for IDA and at least \$4 million for POWER, as part of the budget and not relegated to the Mayor’s priority list.⁸

B. The Council Should Provide Funding to Assist Qualified Beneficiaries Obtain SSI.

At the same time, the Council can strengthen the long-term viability of POWER and IDA by ensuring that individuals who qualify for federal disability benefits move off local benefits and onto SSI. The Mayor’s priority list includes funding for DHS staff to assist with this process.⁹ However, consigning this important programmatic change to the wish list will not serve our community. Applying for SSI can be a lengthy, seemingly opaque process. If an individual’s initial application for benefits is denied, she will face an appeal process that could last years while she either goes without assistance or receives scarce District funds.

Recommendation. The Council should invest in POWER and IDA beneficiaries by funding DHS staff to assist with application for federal disability benefits. These staff can explain the application process and assist with compiling medical and psychiatric documentation. Such staff should also be trained to connect beneficiaries with social and legal services providers, as appropriate. Helping POWER and IDA beneficiaries eventually obtain SSI will save the District money while also often increasing the actual amount of cash benefits received by individuals each month.

III. Conclusion.

We urge the District to recognize the economic difficulties faced by our most vulnerable residents—and the crucial role played by each of the aforementioned programs. We ask the Council to invest in TANF, POWER, and IDA to support both families facing severe barriers to

⁸ See D.C. Fiscal Policy Institute, FY 2014 Budget Priorities, undated, at 1; see also D.C. Fiscal Policy Institute, What’s in the Mayor’s Proposed FY 2014 Budget for TANF?, April 12, 2013, at 3.

⁹ DHS, 2014 Budget presentation, April 18, 2013, at 10.

work and those who could work with support. In the long run, getting parents and childless adults with disabilities on federal benefits more quickly and meeting the needs of parents who can work will save the District money and promote better outcomes.