



Mending the Safety Net

Why Pennsylvania Must Restore Its TANF Program to Protect Its Neediest Families

Twenty years ago, “welfare reform” overhauled the nation’s cash assistance program for needy families with children. As we mark that anniversary on August 22, 2016, Pennsylvania’s TANF program is in dire need of an overhaul. Caseloads have declined, but for the wrong reasons. Twenty years of harmful policies and administrative barriers to TANF have made it increasingly difficult for pregnant women and families living in deep poverty in Pennsylvania to access the income supports that they need while they stabilize their lives. Pennsylvania’s most destitute families need the TANF program to protect them from homelessness and instability, and to help them get good jobs to escape poverty. But Pennsylvania’s program helps too few families, with too meager benefits that are too difficult to get. The TANF program in Pennsylvania is not serving families in deep poverty as it should, but the program is not irreparably broken – it can be fixed. This report offers a menu of policy recommendations for DHS in partnership with the General Assembly, to ensure that the TANF program can fulfill its mission of providing a “hand up” to Pennsylvania’s families living in deep poverty.

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Overview

Twenty years ago, “welfare reform” overhauled the nation’s cash assistance program for needy families with children. In ending the entitlement to benefits and creating the Temporary Assistance for Needy Families (TANF) block grant, Congress created very strong incentives for states to reduce their caseloads. No longer could struggling families count on a national safety net to ensure that their children have diapers, heat, and shelter. Pennsylvania’s most destitute families need the TANF program to protect them from homelessness and instability, and to help them get good jobs to escape poverty. But Pennsylvania’s program helps too few families, with too meager benefits that are too difficult to get.

Since early 2015, the Pennsylvania Department of Human Services (DHS) has made dramatic improvements to the Commonwealth’s safety net for low income families by strengthening its Medicaid and SNAP (formerly food stamp) programs. DHS should be applauded for taking these important steps to improve access to SNAP and Medicaid. **Now, DHS should take similar, much needed steps to improve access to cash assistance through the TANF program.** Twenty years of harmful policies and administrative barriers to TANF have made it increasingly difficult for pregnant women and families living in deep poverty in Pennsylvania to access the income supports that they need while they stabilize their lives. The number of families on TANF has declined significantly in Pennsylvania over the last twenty years, from 487,000 adults and children in 1996 to 158,000 in June of this year. This decline should not be celebrated: based on an analysis of available data from DHS, Community Legal Services (CLS) is disturbed to conclude on behalf of its clients that the caseload decline cannot be attributed to successfully moving poor parents into the workforce.

Instead, many vulnerable families are unable to access the program, or are leaving TANF due to overzealous sanctions or bureaucratic roadblocks. They are falling deeper into extreme poverty because of harmful outdated policies that have not been addressed. **For every 100 poor families in Pennsylvania, only 31 families receive cash assistance from TANF.** In 2014, at least **35,000 Pennsylvania families with children receiving SNAP were poor enough to qualify for TANF, but did not receive it.** These families may be homeless, dependent on help from family or friends, and desperately trying to get by, and TANF could make the difference.

The TANF program in Pennsylvania is not serving families in deep poverty as it should, but the program is not irreparably broken – it can be fixed. In this report, CLS recommends four steps to fix Pennsylvania’s safety net:

1. DHS should make it easier for the most vulnerable families to connect with the TANF program by simplifying program rules for families facing



homelessness, physical or behavioral health problems, or sexual assault or domestic violence, while eliminating needless “red tape” for all families.

2. DHS and the General Assembly should work in partnership to modify financial eligibility rules and grant amounts for the first time in decades, to make TANF a more viable financial resource for pregnant women and families.
3. DHS should reinvigorate its TANF employment and training programs, to allow families to move more quickly toward self-sufficiency.
4. DHS should commission a new study of TANF leavers, to understand better what happens to families who no longer receive TANF, and to assist in identifying further policy solutions.

By taking these four steps, DHS and the General Assembly will ensure that the TANF program can fulfill its mission of providing a “hand up” to Pennsylvania’s families living in deep poverty.

Part I: TANF Serves Families in Dire Need

TANF is a program of last resort, available only to desperately poor families with children and to pregnant women. To qualify, a family or pregnant woman must have income below the maximum grant (\$403 a month for a family of three in most counties), and less than \$1,000 in savings. The \$403 monthly maximum grant for a family of three has not increased since 1990, and is now less than 24% of the federal poverty level.

Maximum Monthly TANF Grant in Most Counties
(Unchanged Since 1990)

Family Size	Monthly Grant
1	\$205
2	\$316
3	\$403
4	\$497
5	\$589

Nonetheless, TANF is a crucial safety net for families with no other income. While most low-income families can get SNAP (food stamps) to help pay for food, SNAP cannot pay the rent or for heat. Some fortunate few families receive housing subsidies, but waiting lists for public housing and Section 8 housing subsidies can be more than 10 years long or closed altogether. SNAP cannot be used to buy diapers, bus tokens, or feminine hygiene supplies. Poor families need cash income, and TANF is the only program available.

TANF is crucial for many parents and children. It provides a lifeline for survivors of domestic violence, helping women and their children to escape abusive partners. It helps workers whose Unemployment Compensation (UC) has run out, or who do not qualify for UC because they did not work enough hours or were independent contractors. It helps parents who are unable to work due to a disability, but have



not yet qualified for Supplemental Security Income (SSI). It helps parents who are unable to work because they must take their child with a disability to endless medical appointments. It helps grandparents caring for their grandchildren when the parents cannot do so. And it helps parents unable to get jobs because of even the most minor criminal records. In 2010, over 90% of adults receiving TANF were women. Over 36% lacked a high school diploma or equivalent.

The TANF program can also serve as a path out of poverty for low-income families. DHS's Keystone Education Yields Success (KEYS) program, for example, helps parents attend community college, leading to employment in "high priority occupations" – jobs that are in demand and pay a family sustaining wage. But the budget for DHS's work programs was cut by \$43 million in 2011 – a 26% cut from the \$183 million in state and federal funds spent in the 2010-11 Fiscal Year – and has never been restored.

TANF Is a Lifeline for Families Escaping Violence

JB repeatedly tried to leave her abusive husband over a period of several years. She was unable to do so because of complications with her children, escalating violence, and a lack of financial resources. She sought help from a domestic violence services agency, which brought her to CLS. DHS responded quickly to advocacy from CLS, by agreeing to a domestic violence "waiver" and expediting her application. She and her children sought refuge in a shelter, and were ultimately able to move to an apartment, which would not have been possible without TANF benefits.

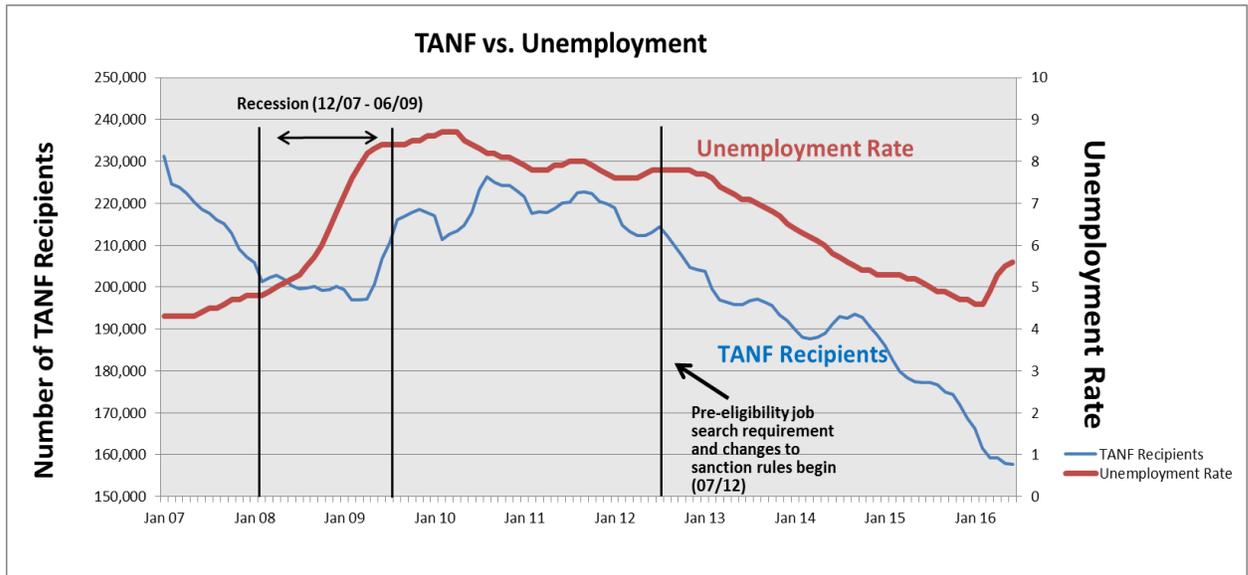
Part II: Failed Policies and Unintended Consequences Have Led to a Rapid Decline in the TANF Caseload

In addition to the very low income and asset limits that restrict eligibility, TANF has numerous other rules designed to restrict eligibility and encourage people to leave TANF quickly. Unless exempt because of a disability or another good cause reason, TANF recipients must work or participate in a work program for 20 or 30 hours a week (depending on the age of the parent's youngest child). Adults must pursue child support against the child's absent parent(s), and assign most of the child support that is collected to the Commonwealth. There is a five-year time limit on TANF receipt, with strict rules for extensions. And, since 2012, before applicants can qualify for TANF, they must submit three job applications a week while their TANF application is pending, without any child care or transportation assistance.

Enrollment in Pennsylvania's TANF program has declined steadily over the last decades. The TANF caseload declined from 487,000 adults and children in 1996 to 214,000 in July 2012. Since then, it has declined another 26% to fewer than

158,000 adults and children in June 2016. The drop is far more precipitous than the decline in Pennsylvania’s unemployment rate, *see* Figure 1, and it does not track with SNAP enrollment, which increased by 3 percent since July 2012.

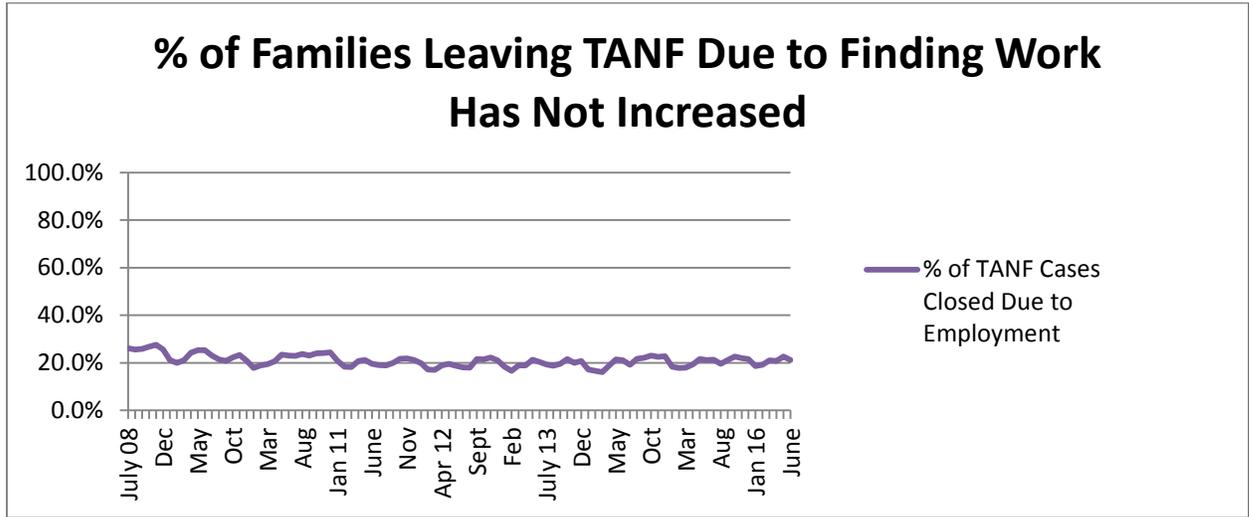
Figure 1:



Sources: Pa. Dep’t Human Servs., MA-FOOD-STAMPS-AND-CASH-STATS Archives, <http://listserv.dpw.state.pa.us/Scripts/wa.exe?A1=ind16&L=ma-food-stamps-and-cash-stats> (last visited Aug. 9, 2016); U.S. Dep’t of Labor, Databases, Tables & Calculators by Subject, <http://data.bls.gov/timeseries/LASST420000000000003> (last visited Aug. 9, 2016).

The rapid decline in the TANF caseload would be something to celebrate if it were due to TANF families finding employment at higher rates than before due to the improving economy. Unfortunately, however, the proportion of TANF families leaving TANF due to employment has remained steady at about 20% of all TANF “leavers” since 2008. *See* Figure 2. The rapid TANF caseload decline is not, therefore, explained by a greater proportion of TANF families transitioning to work. As more fully discussed below, this accelerated decline is more likely explained by the adoption of program requirements, like the pre-eligibility job search requirement, that are unreasonably difficult for parents to meet.

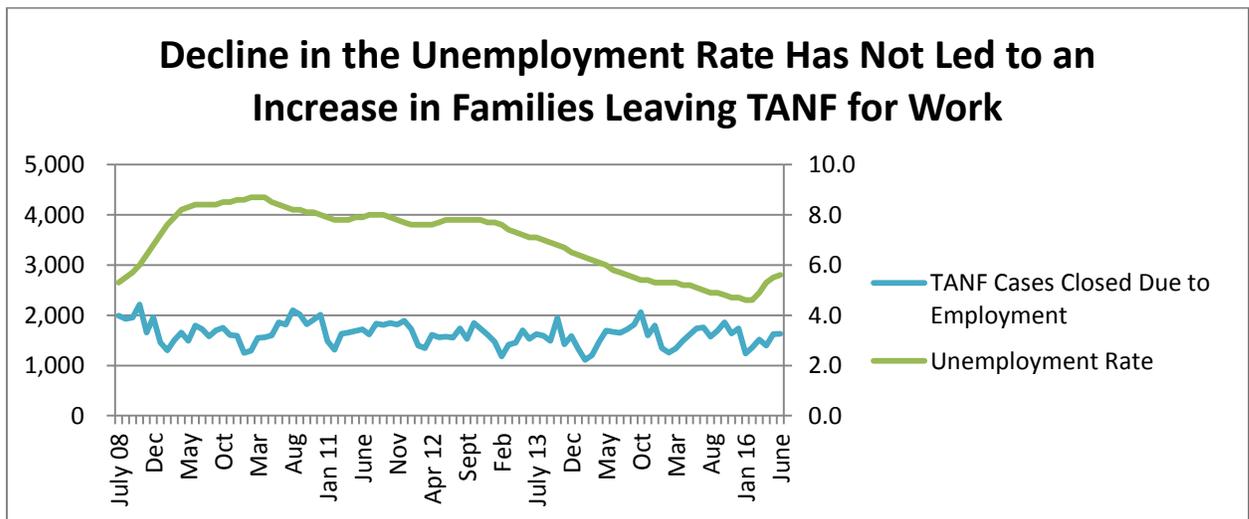
Figure 2:



Source: Pa. Dep’t of Human Servs., Executive Staff Reports (on file with authors).

Moreover, the end of the Great Recession and Pennsylvania’s subsequent economic recovery have not led to an increase in *actual* numbers of TANF families who leave TANF for work. Even as Pennsylvania’s unemployment rate has declined, the number of TANF families who leave TANF each month due to employment has generally hovered below 2,000 families each month. See Figure 3.

Figure 3:



Sources: Pa. Dep’t of Human Servs., Executive Staff Reports (on file with authors); U.S. Dep’t of Labor, Databases, Tables & Calculators by Subject, <http://data.bls.gov/timeseries/LASST42000000000003> (last visited Aug. 9, 2016).



In addition, the number of families living in deep poverty has jumped, even as the TANF caseload has dropped. According to an analysis of federal SNAP data conducted by the Center on Budget & Policy Priorities, the numbers of families with children who have *zero income*, and who are receiving SNAP benefits but not TANF benefits, increased by 67% between 2009 and 2014. That jump is far greater than the overall SNAP caseload increase during the same time period, and a far greater increase than the overall increase in families with children who are receiving SNAP benefits. In 2014, at least 35,000 Pennsylvania families with children received SNAP and were poor enough to receive TANF, but were not receiving it.

While the decline in TANF enrollments could stem from a decline in cash assistance applications, the Keystone Research Center has found that the decline in TANF applications between January 2015 and January 2016 accounted for less than a third of the decline in enrollments during that time.¹

It is clear from the data that families living in deep poverty generally are not leaving TANF because their circumstances are improving dramatically, or because they are finding work. Instead, failed policies and unintended consequences are responsible for Pennsylvania's accelerating TANF caseload decline.

Part III: Fewer Families in Need Are Getting Help Because of Fundamental Problems with the TANF Program

One primary culprit for Pennsylvania's accelerating TANF caseload decline is the pre-eligibility job search requirement adopted by Pennsylvania's General Assembly in 2012 just days after it was proposed, with no public hearings. The pre-eligibility job search requirement has had a substantial, and presumably unintended, effect on TANF participation for families living in deep poverty.

Applicants are required to submit proof that they have applied for three jobs per week while their application is pending – even though they have no income and do not yet qualify for help paying for work supports like child care or transportation through the TANF program. Members of the General Assembly who supported the requirement apparently envisioned that applicants who lacked child care or access to reliable transportation would be excused from the rule or could submit job applications online from home. But few families living in deep poverty have in-home access to computers and the Internet that would

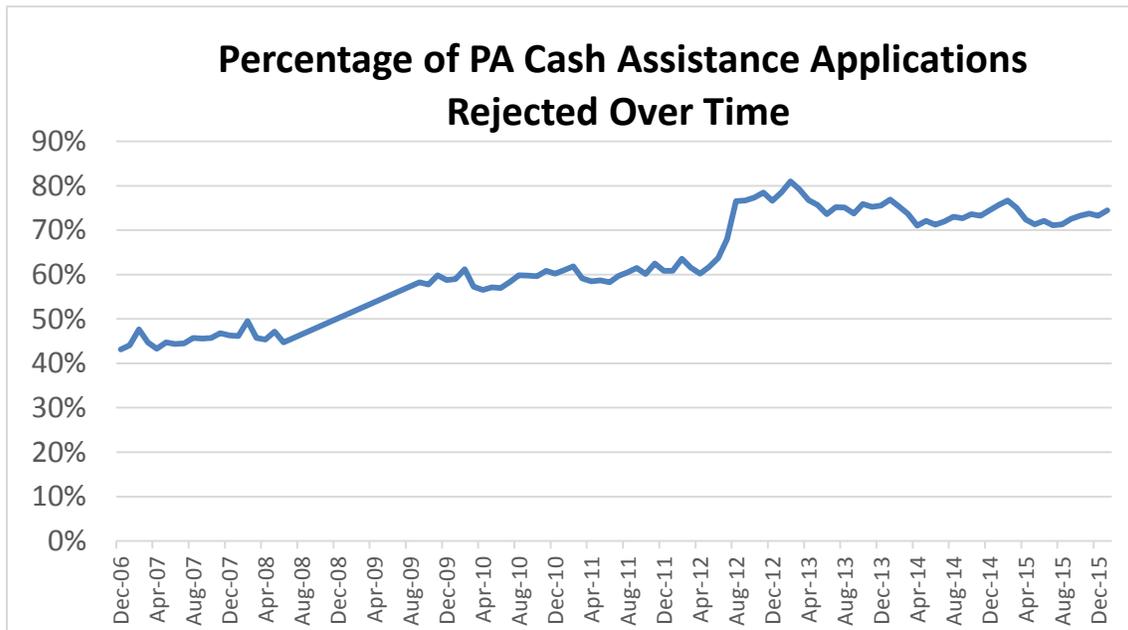
Pre-Eligibility Job Search Can Be a Barrier to TANF

AR was 19, pregnant, a survivor of domestic violence, and homeless when she applied for TANF. Her application was denied because she did not complete the pre-eligibility job search that her homelessness and pregnancy prevented her from completing. No one at the County Assistance Office told her she could be excused if she could not comply.

allow them to apply for jobs from home. And many clients are never told that they can be excused from the work rules if they are unable to participate because of domestic violence, disability, or other family crises.

An analysis of DHS data shows a sharp jump in the percentage of cash assistance applications rejected by DHS from July 2012 through September 2012, as the job search requirement was implemented in DHS’s County Assistance Offices (CAOs). The rejection rate has remained at a very high level ever since.² See Figure 4.

Figure 4:



Source: Pa. Dep’t of Human Servs., Executive Staff Reports (on file with authors).

In recent months, CLS has talked with TANF families and advocates across the state to identify other reasons why the TANF program is failing to provide a safety net for Pennsylvania families living in deep poverty. Reasons cited include:

- TANF’s very low grant amounts, which have not been increased since 1990.** In most of Pennsylvania, the average TANF household of three people receives just \$403 per month, which places recipients at less than 24 percent of the federal poverty income guidelines. This is grossly inadequate: it will not cover the cost of fair market rent for even an efficiency apartment, much less a two-bedroom apartment, in 66 of 67 counties in Pennsylvania.³ As the value of the grant diminishes, fewer families are eligible as other small income sources (such as very part-time jobs or child support) make a family ineligible.



- **The poor quality of most TANF work programs.** Unless they have disabilities or are coping with domestic violence or other emergencies, TANF parents are required to participate in work activities for twenty to thirty hours per week, or face “sanction,” or loss of benefits. DHS once provided job skills training and paid work experience programs for recipients, but severe funding cuts in 2011, never restored, have stripped programs to bare bones, with little ability to prepare parents for family-sustaining jobs. While DHS offers some job skills training through its excellent KEYS program, this is a very small program and, because it is a postsecondary education program, does not address the education and training needs of the many TANF parents who lack a high school degree or its equivalent.
- **Burdensome administrative barriers.** While administrative barriers exist for all of DHS’s programs, they are particularly burdensome for the TANF program, and they are especially challenging for families living in deep poverty to navigate. For example, TANF families must seek child support from non-custodial parents; the child support is paid to DHS to reimburse it for TANF grants. In many counties in Pennsylvania, TANF applicants must hand-carry child support forms from their CAOs to their local family courts, and then return the completed form to the CAOs. Many parents have trouble doing this because of transportation barriers (especially with very young children) or difficulty understanding the process.

The Child Support Cooperation Requirement Acts as a Barrier to TANF Participation

- DW was wrongly told when she applied for TANF cash assistance that she would need to pursue child support against her children’s father, who lived with her and their children. No child support petition was required for this intact family. Only with legal advocacy did the family, including the father, get TANF assistance and the help they sought in finding jobs.
- JD, a survivor of familial sexual abuse, had a Protection from Abuse order against the father of her baby, and was wrongly denied TANF because she would not endanger herself and her child by pursuing child support against the abusive father of her child. Without the intervention of a legal advocate, the mother would have had to sue her abuser – risking further violence – or been denied access to TANF.

DHS’s data demonstrate that TANF families are not moving in greater numbers into work, yet Pennsylvania’s TANF caseload decline is accelerating. The TANF caseload decline is sadly not a success story, but rather an illustration that Pennsylvania’s safety net is shredding before our eyes.



Part IV: Pennsylvania Can Create a More Effective Safety Net and Path to Self-Sufficiency for Pennsylvania Families in Deep Poverty

The TANF program in Pennsylvania is not serving families in deep poverty as it should, but the program is not irreparably broken – it can be fixed. In recent years, DHS has made many innovations to help needy families, including expanding Medicaid as contemplated by the Affordable Care Act, ending the SNAP asset test to ensure that families are not penalized for saving, improving expedited SNAP issuance for destitute families, and implementing Fast Track enrollment into Medicaid based on SNAP receipt. In less dramatic, but no less important ways, DHS is moving toward a greater reliance on electronic data and a reduced reliance on redundant paperwork. Similarly, DHS should implement a number of meaningful changes to the TANF program, in order to provide a “hand up” to Pennsylvania’s most vulnerable families, while maintaining program integrity. While some of these changes would require legislation, most could be done administratively.

CLS calls upon DHS in partnership with the General Assembly to take four critical steps to shore up Pennsylvania’s TANF program.

- 1. Make it easier for the most vulnerable families to connect with the TANF program. Specifically, DHS should:**
 - a. Ensure that families who have good cause to be excused from the pre-eligibility job search because of homelessness, physical or behavioral health problems, or sexual assault or domestic violence are not wrongly denied or discouraged from receiving TANF.**

While we would most like to see the burdensome and unnecessary pre-eligibility job search requirement eliminated, changes to how it has been implemented could be helpful. CLS has heard repeatedly from families and advocates about parents who cannot comply with the requirement, and are therefore wrongly denied TANF. Some cannot comply because of physical or mental limitations; others have not been given timely information about exceptions to the pre-eligibility job search requirements, assistance with child care or help in compiling required verification. To alleviate some of the difficulties with these requirements, DHS should provide caseworker retraining on job search exceptions, coupled with clear, client-friendly informational materials about client rights and how to comply.

DHS should also create an accurate mechanism for tracking how many TANF applicants are rejected for this reason. Currently most such rejections are simply coded as “failure to provide required information,” a code that is too general to be useful. Although at advocates’ request, DHS created a specific reason code for the pre-eligibility job search, caseworkers must take extra steps to use this specific code, causing them to use the more general code instead.



b. Modernize child support referrals.

In Philadelphia, child support enforcement referrals to Family Court are made electronically and efficiently. Yet many other counties still impose the outdated and inefficient requirement that TANF applicants personally hand-carry a form from their County Assistance Office (CAO) to the Domestic Relations Section of Common Pleas Court, and then return the completed form to the CAO. Families in desperate situations are unnecessarily forced to run back and forth between bureaucracies, while meager TANF benefits are delayed, or reduced by 25% due to a support non-cooperation sanction. DHS should explore electronic referrals akin to those used in Philadelphia for the rest of the Commonwealth.

Compounding the problem, the good cause exceptions to child support cooperation (most commonly, for domestic violence or a child conceived as a result of rape or incest) are not always explained or properly implemented. Domestic Relations Section and CAO staff members frequently do not understand the cooperation regulations, and they wrongly assert that individuals who have provided all information possible about non-custodial parents have nonetheless failed to cooperate because the information is insufficient to pursue support. As with job search requirements, caseworker retraining on TANF child support obligations, in concert with development of client-friendly informational materials, would alleviate some barriers.

c. Ensure that teen parents, families with an SSI recipient, and grandparents or other caregiver relatives are given correct information and application assistance.

CLS has repeatedly seen grandparents and other relatives caring for children who have been wrongly told by DHS staff that they cannot get TANF without first getting a custody order. Similarly, CLS has repeatedly seen teen parents who have wrongly been told that there are no exceptions to the “teen parent live at home” requirements, and that no one who is under age 18 can apply for benefits on their own. And CLS has seen parents who get SSI who were wrongly told that they could not get TANF for their child, and vice versa. Once more, caseworker retraining is critical, along with client-friendly education and outreach materials.



Improved Staff Training Would Help Families Qualify for TANF

AW is a 24 year old parent who is eager to build a better future for herself and her young child, despite having significant disabilities. She gets SSI for herself, because of her disabilities, and has worked part time while going to school. She is eligible for a one-person grant for her daughter. Yet when she applied for TANF she was denied because the welfare caseworker didn't properly understand the TANF rules. It wasn't until over 6 months later that AW succeeded in getting TANF for her daughter, after getting help from CLS and the BenePhilly program. The \$205 per month that she gets from TANF is critically important in meeting her daughter's needs.

d. Adapt some of Pennsylvania's successful Medicaid enrollment strategies to engage in outreach to extremely poor families who are receiving SNAP but not TANF.

Based on an analysis of 2014 data that DHS reported to the federal Food and Nutrition Service (FNS), there are at least 35,000 families with children in Pennsylvania poor enough to receive TANF and who are getting SNAP but not TANF. These are families who are extremely poor, known to DHS already, and highly likely to be eligible for TANF. In all, 151,000 families with children in Pennsylvania who are getting SNAP but not TANF are in deep poverty, and have incomes of less than 50% of the federal poverty line. Many of these families are also likely to be eligible for TANF, and are already known to DHS.

DHS can take two steps: First, it can reach out to these families in a systematic way to explore whether they want to get TANF, and to facilitate the process of determining eligibility. Second, it can explore the reasons why so many destitute families are receiving SNAP but not TANF. Did they previously get TANF and lose it? Have they applied and been denied? If so, what happened? Answers to these questions will help DHS understand how it can better help these desperately poor families.

2. Make the TANF program a more viable financial resource for very low-income pregnant women and families. Specifically, DHS, in partnership with the General Assembly, should:

a. Increase TANF grant amounts.

The value of TANF grants, which were very low in 1990, ranges from 20% to 25% of the federal poverty guidelines, depending on household size and county. Since 1990, the maximum grant for a household of three -- the typical TANF household size in Pennsylvania -- has been \$403 in most counties. This amount is lower than the median grant across the 50 states,⁴ and too low to pay fair market rent on even



an efficiency apartment in 66 of Pennsylvania's 67 counties.⁵ With cost-of-living increases, the TANF grant for a family of three should be \$767, which is 90% higher. Even with such an increase, the grant would still be only 45% of the federal poverty level.⁶

The current meager grant amounts are counterproductive, in that the struggle to get by on so little interferes with families' efforts to escape poverty. In addition to increasing the grant amount, Pennsylvania should ensure an annual cost-of-living adjustment. Increasing TANF grants does not require a change in the Public Welfare Code, and could be done as part of Pennsylvania's budget process.

b. Provide non-recurring grants aimed at the particular needs of families living in deep poverty.

In addition to, or in lieu of, a grant increase, Pennsylvania should provide specific, non-recurring grants or allowances for use for special needs. These allowances could include a back-to-school clothes allowance for preschool and school-age children, a diaper allowance for infants and younger children, a winter clothes allowance, and/or a housing allowance. We cannot expect families to buy such necessities on \$403 a month.

c. Increase the TANF Earned Income Disregard.

Much of the value of wages for families receiving TANF cash assistance is lost to work expenses, such as taxes, transportation, clothing, and child care co-pays. Some families find themselves in roughly the same place financially after they start working. Currently, families stop receiving even a partial TANF grant when they earn about half of the poverty line, that is, \$806 a month in most counties for a family of three. Increasing the TANF disregard from 50% of earned income to 75% of earned income (as in Illinois) would help families get to 96% of the poverty level before their income supports are completely cut off.

Neighboring states allow families to keep more of their earnings as they ease off TANF. For example, Ohio disregards the first \$250 in earnings and 50% of the rest. New Jersey disregards 100% the first month, 75% for the next six months, and 50% thereafter.

d. Eliminate the TANF asset limit.

Eliminating the current \$1,000 TANF asset limit would allow families to save for an apartment, for car repairs so they can get to work, or for emergency needs. It would also allow CAOs to administer the TANF program more efficiently, without having to verify assets that almost never make families ineligible (because most families exhaust their assets before seeking TANF).



The Pew Charitable Trusts recently reviewed the role of TANF asset limits in the seven states that eliminated such limits since 2004. It concluded that states that raised or removed their asset thresholds saw no increase in caseload, no change in the number of applications, and no statistically significant difference in acceptance rates. By contrast, such states did see a decline in administrative costs.⁷

The Urban Institute recently conducted a study on behalf of the United States Department of Agriculture, and concluded that, in the analogous SNAP context:

Asset limits [may] have the unintended consequence of reducing emergency savings and mainstream financial sector participation, which has the potential to increase program costs as households face greater financial instability.... [A]sset limits have negative consequences in the form of lower financial market participation, lower likelihood of having some emergency savings (at least \$500), and increased SNAP churn.⁸

Eliminating the TANF asset limit would align TANF, SNAP and Medicaid rules for these families, and make program administration more efficient.

3. Improve TANF Employment and Training Programs so Families Can Move More Quickly toward Self-Sufficiency.

Federal TANF law requires states to ensure that a mandated proportion of TANF families are engaging in work-related activities for a set number of hours. Details of these requirements, called the “work participation rate,” create very strong, very harmful incentives to states to satisfy federal law by reducing the TANF caseload rather than by offering meaningful work opportunities for families.

CLS calls on DHS to take a different and more productive approach, by strengthening supports offered to low-income workers. This approach would enable the state to meet the work participation rate, and then focus its welfare-to-work programs on providing high quality services and meeting the needs of this very vulnerable population in ways that support sustained employment.

Specifically, DHS should:

a. Provide supports to low-income workers that also assist Pennsylvania in meeting the work participation rate.

Pennsylvania could follow other states in adopting strategies that would give the DHS more flexibility while assisting low income families. For example, DHS now helps families who leave TANF with jobs by giving them a \$50 transition grant twice per month for three months. This helps families as well as Pennsylvania’s TANF



work participation rate. If Pennsylvania extended this grant to six months, both families and the state would benefit. Alternatively, Pennsylvania could follow in the steps of Maine, Massachusetts, New Hampshire, Oregon, and California by providing a small stipend to low-income workers receiving SNAP or child care subsidies. This stipend would assist those families with work expenses, and enable the state to count these families toward the work participation rate.

b. Reinvigorate DHS’s employment and training programs, and provide high quality, meaningful services.

DHS abolished its Bureau of Employment and Training in 2012, and at the same time abolished the Employment and Training Advisory Committee, which was composed of clients and other stakeholders. Without those structures, DHS’s capacity to focus effectively on education and training programs has diminished considerably. Without capacity, DHS has largely required TANF families to meet their work requirements through ineffective work programs focusing on job search or community service, which are widely perceived by clients and advocates alike as an unproductive use of time.

DHS should instead encourage individuals to participate in high school equivalency classes, adult basic education and literacy programs, and English as a Second Language classes. It should enhance opportunities for post-secondary education at community colleges through its effective Keystone Education Yields Success (KEYS) program, and for real job skills training through the Workforce Innovation and Opportunity Act. These activities would address long term poverty, encourage compliance, and lead to higher quality, sustained employment.

c. Reinstate outreach to assist families in complying with the work requirements.

Pennsylvania used to have a good program of outreach to vulnerable families to assist them in connecting to work programs or if necessary in establishing good cause exceptions to the work requirements. CLS understands that DHS is considering reinstatement of that program, and it strongly encourages such outreach.

Establishing a robust outreach program will improve compliance with TANF work requirements, and reduce harm to families struggling with domestic violence, physical or behavioral health issues, homelessness, and other serious barriers to participation. Similar outreach could be done to families that have been sanctioned for nonparticipation in work programs, to assist them in coming back into compliance or in establishing good cause.



d. Eliminate full-family sanctions and lifetime disqualifications.

In 2012, Pennsylvania changed its approach to enforcement of welfare-to-work rules. Instances of non-compliance with these rules without good cause lead to “sanctions” of a reduction in the TANF grant, for a minimum of 30 days for a first sanction, a minimum of 60 days for a second sanction, and lifetime for a third sanction. Each sanction lasts for at least the minimum period and then continues until the adult has complied with welfare-to-work rules for a week (or has become exempt). After 90 days from the onset of a first sanction, or 60 days from the onset of a second sanction, the sanction gets harsher: instead of just the parent losing his or her share of the TANF grant, the entire family loses TANF benefits. These are called full-family sanctions. All third sanctions are full-family disqualifications for the lifetime of the parent. Children may qualify again only if and when they become poor adults with children themselves. In May 2016, over 600 TANF families in Pennsylvania had no TANF income because they were under a full-family sanction.

Full family sanctions deprive children of basic necessities, for their parents’ errors. Numerous studies have shown that TANF sanctions cause hardship to families and children. Hardships include maternal and child hunger, utility and telephone shut-offs, children’s hospitalizations, difficulty paying for needed health care, eviction and homelessness, going without heat, and educational disruptions for children.⁹

Many Sanctions are Erroneously Imposed

- PC is a 19 year old mother of a 6 month old baby and a 22 month old who is showing strong signs of Autism Spectrum Disorder. She was ordered to report to a welfare-to-work program, but the CAO never arranged for PC to have access to child care. PC and her Nurse Family Partnership nurse both repeatedly tried to contact the CAO and the CCIS child care office, but no phone calls were ever answered or returned. Finally, PC learned through her call to the customer service center that the CAO had scheduled a compliance meeting to discuss her non-compliance. She had never received notice of this meeting. She fears she cannot travel with her small children to the CAO and has no child care to be able to go on her own.
- TS’s baby was born as a result of rape, and she has been diagnosed with post-traumatic stress disorder and bipolar disorder. The combination of PTSD and untreated mental health issues prevented her from working, but the CAO had not explained the possibility of exemption from work requirements. She was threatened with sanction for failing to comply with a work requirement. With the help of an advocate, she was able to get a waiver of work requirements to obtain treatment and heal.



4. Commission a New Study of TANF Leavers, to Understand Better What Happens to Families Who No Longer Receive TANF.

In 2003 and again in 2010, DHS commissioned academic studies of families leaving TANF, to determine whether they left for jobs, escaped poverty, or were left destitute. In light of the troubling caseload decline and the increase in families with zero income receiving SNAP but not TANF, the time is right for DHS to commission a new study.

Conclusion

The decline in Pennsylvania's TANF caseload, without a comparable increase in employment among former TANF recipients, is a failure of Pennsylvania to look after its neediest families. It is not a success to be celebrated.

TANF is our most fundamental safety net to ensure that families and children have shelter, heat, clothing, and other necessities. Pennsylvania families need a TANF program that provides for basic needs while helping families to move out of poverty. It is time for our Department of Human Services to devote focused attention to improving the TANF program so it can fulfill its mission of helping our poorest families.

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¹ If TANF applications had remained at the 12-month moving average for January 2015 over the subsequent 12 months (and the rejection rate remained unchanged, as it did), there would have been roughly another 4,430 TANF enrollees in January 2016, assuming that once individuals enroll, they remain enrolled through January 2016. The actual decline in TANF enrollment from January 2015 to January 2016 was nearly 20,000 (19,587) and the decline in the 12-month moving average was nearly 15,000 (14,580). The 4,430 reduction in TANF enrollees because of falling applications is 30% of the January 2015 to January 2016 decline in enrollment and 23% of the January 2015 to January 2016 fall in the 12-month moving average of TANF enrollment. See Pa. Dep't of Human Servs., Executive Staff Reports (on file with authors).

² Analysis by the Keystone Research Center found that, at most, only a small part of the increase in rejections is explained by the termination of the General Assistance (GA) cash assistance program in 2012. The GA program provided small income supports to individuals with disabilities awaiting Social Security disability benefits and certain other individuals who could not work. Its abolition coincided with the introduction of the pre-eligibility job search requirements. The size of the GA program was too small for its abolition to lead to the dramatic jump in the application rejection rate from 60% to 78% in July and August 2012. Therefore, the pre-eligibility job search must have been the primary cause of the increase.

³ See U.S. Dep't of Housing & Urban Dev., Final FY 2016 Fair Market Rent Documentation System, https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2016_code/2016state_summary.odn (last visited Aug. 9, 2016). Fair market rent for an efficiency apartment ranges from \$863 a month in Pike County to \$398 a month in McKean County. Larger apartments are of course more costly to rent.

⁴ CTR. ON BUDGET & POLICY PRIORITIES, CHARTBOOK: TANF AT 19 (2016), available at <http://www.cbpp.org/research/family-income-support/chart-book-tanf-at-19> (last visited Aug. 9, 2016).

⁵ U.S. Dep't of Housing & Urban Dev., *supra* note 3.

⁶ Measuring Worth, <https://www.measuringworth.com/uscompare/relativevalue.php> (last visited Aug. 9, 2016).

⁷ THE PEW CHARITABLE TRUSTS, DO LIMITS ON FAMILY ASSETS AFFECT PARTICIPATION IN, COSTS OF TANF? (2016), available at <http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/07/do-limits-on-family-assets-affect-participation-in-costs-of-tanf> (last visited Aug. 9, 2016).

⁸ CAROLINE RATCLIFFEE ET AL., URBAN INST., ASSET LIMITS SNAP PARTICIPATION, AND FINANCIAL STABILITY xii (2016), available at <http://www.fns.usda.gov/sites/default/files/ops/SNAPAssets.pdf> (last visited Aug. 9, 2016).

⁹ Many studies are summarized by Rachel Kirzner at the Center for Hunger-Free Communities. See R. KIRZNER, CTR. FOR HUNGER-FREE COMMUNITIES, TANF SANCTIONS: THEIR IMPACT ON EMPLOYMENT, EARNINGS, AND HEALTH (2015) available at <http://www.centerforhungerfreecommunities.org/sites/default/files/pdfs/TANF%20Sanctions%3A%20Their%20impact%20on%20earnings,%20employment%20and%20health.pdf> (last visited Aug. 9, 2016); see also LEGAL MOMENTUM, THE SANCTION EPIDEMIC IN THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM (2010), available at <http://www.legalmomentum.org/sites/default/files/reports/sanction-epidemic-in-tanf.pdf> (last visited Aug. 9, 2016).