

Help Grandparents Get Modest Financial Support Without Having to Sue their Own Children

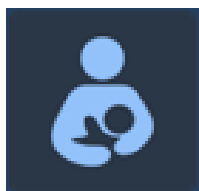
Pass House Bill 1962 to exempt non-parental caregivers from the TANF child support cooperation requirement

The opioid epidemic in Pennsylvania has resulted in more grandparents and relatives raising children, often putting a severe strain on the family's budget. Children who are being raised by their grandparent due to family crisis are potentially eligible for Temporary Assistance for Needy Families (TANF) cash assistance. But many of these children do not receive any help from the TANF program because of a program requirement left over from prior federal law.

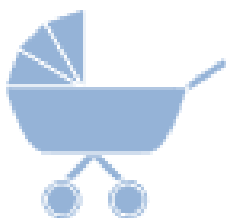
In order to receive TANF assistance for their grandchild, grandparent caregivers must cooperate with the state to seek child support against both their own adult child and the other parent of the grandchild. This requirement forces grandparents to make the difficult decision to sue their own children for child support in return for a modest amount of financial assistance from TANF, a step many are unwilling to take despite their need for financial help in raising their grandchildren.

Exempting grandparents and other relative caregivers from having to sue their loved ones for child support would allow them to receive much needed financial support for their grandchildren without requiring them to initiate an adversarial legal proceeding against their own adult children who, in many cases, are on a fragile path to recovery.

Here are some typical scenarios: (with changed names)



Grandma Marie took in little Lily after her son John and his girlfriend Sonia started using drugs. Currently, in order for Marie to receive \$205 a month in TANF for Lily, she would need to sue both John and Sonia for child support. Marie does not want to risk damaging her already fragile relationship with John, nor make his life harder by bringing a support action against him in court. And she knows he could not pay anyway. She faces the difficult choice of having to sue John and Sonia or forgoing the \$205 a month in TANF she needs for Lily.



Grandmom Donna took in young Mark when her son Robert was killed. Mark's mother, Lucy, has a mental illness that makes her unable to care well for Mark, and Lucy agreed that Donna should raise him. Donna is afraid that if she sues Lucy for child support, Lucy will insist on regaining custody of Mark. Donna too faces this very difficult choice between receiving needed TANF and creating familial strife that would harm her grandson.

The General Assembly should pass H.B. 1962, exempting non-parental caregivers from the TANF child support cooperation requirement.



S.A.O.

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Questions about HB 1962

What is TANF?

- Temporary Assistance for Needy Families (TANF) is cash assistance for families with children. It supports about 32,000 families in PA. In most counties, TANF is \$205 a month for one person, \$316 for two people, and \$403 a month for three people. These amounts have not been raised since 1990.

How many children receive TANF in PA because they are living with non-parental relatives?

- A little over 6,000 children in about 3,500 families.

Who besides a parent can get TANF for a child?

- Any of a short list of a child's relatives who have "care and control" of a child can get \$205 a month in TANF to help raise the child. The list includes grandparents, aunts/uncles, and adult siblings. The income of an adult who is not the child's parent does not count in determining the child's eligibility for TANF. Most caretaker relatives elect not to be in the grant with the children.
- Adults cannot get TANF to care for unrelated children.

Who is currently required to pursue child support in order to get TANF cash assistance?

- Single parents applying for TANF for their children must pursue support against the absent parent. This would not change with HB 1962.
- But currently grandparents and other caretaker relatives seeking TANF for a child must pursue support against both of the child's parents, regardless of whether the parents are likely to be able to pay.

How would HB 1962 change this?

- HB 1962 would exempt non-parental caregivers – such as grandparents raising their grandchildren – from having to pursue support if they think that the suit for support would not be in the child's best interests (for example, it would risk alienating the parent, or make the parent's recovery harder).
- Grandparents could still choose to pursue support if they wanted.

What happens to any child support that is collected for children on TANF?

- If the adult is caring for one child, the first \$100 of support collected per month is "passed through" to the family, without affecting the TANF grant. If the adult is caring for more than one child, the first \$200 in support is passed through.
- The rest of the support is taken to repay the cost of the TANF paid to the family – with a little over 50% of that support forwarded to the federal government.



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