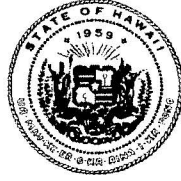


LINDA LINGLE  
GOVERNOR



LILLIAN B. KOLLER, ESQ.  
DIRECTOR  
HENRY OLIVA  
DEPUTY DIRECTOR

STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

April 3, 2009

**MEMORANDUM**

TO: The Honorable Marcus R. Oshiro, Chair  
House Committee on Finance

FROM: Lillian B. Koller, Director

SUBJECT: **S. B. 914, S.D. 2, H.D. 1 - RELATING TO PUBLIC ASSISTANCE**

Hearing: Friday, April 3, 2009 2:00 p.m.  
Conference Room 308 , State Capitol

**PURPOSE:** This purpose of S.B. 914, S.D. 2, H.D. 1 is to conform the Temporary Assistance for Needy Families program to the Federal Code by adding three new definitions of "work eligible household", "non-work eligible household", and "other work-eligible household" and repealing the definition of "exempt household in Section 346-1, Hawaii Revised Statutes (HRS), and by adding the Federally conforming language to Section 346-53(a), HRS.

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) strongly supports this Administration-sponsored bill. The amendments being proposed are housekeeping measures to conform to the Code of Federal Regulations, 45 C.F.R. Section 261.2(n) relating to the Temporary Assistance for Needy Families program (TANF), which established a definition of "work eligible individual" to be used in place of the term "non-exempt individual" effective February 5, 2008.

Upon recommendation by the Attorney General's Office, the Department would like to propose following technical amendment to the H.D. 1 of this bill.

Amend the definition of "Non-work eligible household" to read as follows:

"Non-work eligible household" means a household in which ~~[all]~~ each adult ~~[members are]~~ member is receiving assistance under the temporary assistance for needy families program, or ~~[are non-recipient parents]~~ is a non-recipient parent, who ~~[are]~~ is:

- (1) ~~[Parents]~~ A parent of a household member who also ~~[provide]~~ provides care for a disabled family member living in the home, provided that the need for such care is supported by medical documentation. Only one parent in a household may claim this status;
- (2) ~~[Single-custodial parents]~~ A single custodial parent personally providing care for the parents' child under twelve months of age for a lifetime limit of twelve months;
- (3) ~~[Non-needy caretakers]~~ A non-needy caretaker; or
- (4) ~~[Recipients]~~ A recipient of supplemental security income or social security disability insurance as defined in title 42 U.S.C. sections 1381-1383.

In the definition of "non-work eligible household", the technical amendments to S.D. 2 of this bill inadvertently omitted the comma after "or is a non-recipient parent" in the first paragraph of the definition.

The omission of this comma incorrectly changes the definition so that paragraphs (1) through (4) of the definition only applies to a non-recipient parent. Instead, it is intended that paragraphs (1) through (4) applies to both an adult member receiving assistance under the temporary assistance for need families program or a non-recipient parent.

Amendments to Section 346-1, HRS, and Section 346-53(a), HRS, will ensure that the same terminology is used in all statutes related to the Temporary Assistance for Needy Families program.

Thank you for the opportunity to provide comments on this bill.