

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

March 16, 2009

MEMORANDUM

TO: The Honorable John M. Mizuno, Chair
House Committee on Human Services

FROM: Lillian B. Koller, Director

SUBJECT: **S. B. 914, S.D. 2 - RELATING TO PUBLIC ASSISTANCE**
Hearing: Monday, March 16, 2009, 8:00 a.m.
Conference Room 329, State Capitol

PURPOSE: This purpose of S.B. 914, S.D. 2 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 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 amendments to the S.D. 2 of this bill.

AN EQUAL OPPORTUNITY AGENCY

a) Amend the definition of “Non-work eligible household” and “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.

These changes to the definition of “non-work eligible household” changes the definition to singular instead of plural to be consistent with the language of the other definitions being proposed in this bill.

b) “Work eligible household” means a household in which at least one member is an adult receiving assistance under the temporary assistance for needy families program, or a non-recipient parent, who is not a non-work eligible individual or an other work eligible individual.”

The comma in the definition of work eligible household was deleted in S.D. 1 of this bill. The omission of this comma incorrectly changes the definition so that anyone receiving TANF would be considered a “work eligible household”.

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.