

SB 1099

Measure Title: RELATING TO ELIMINATING THE ASSET LIMIT ELIGIBILITY REQUIREMENT FOR THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM.

Report Title: Asset Limit; Temporary Assistance for Needy Families Program

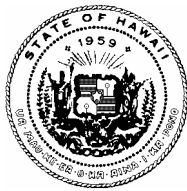
Description: Eliminates the asset limit for the Temporary Assistance for Needy Families program.

Companion: HB868

Package: Gov

Current Referral: HMS, WAM

Introducer(s): KIM (Introduced by request of another party)



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

February 5, 2013

MEMORANDUM

TO: The Honorable Suzanne Chun Oakland, Chair
Senate Committee on Human Services

FROM: Patricia McManaman, Director

SUBJECT: **S.B. 1099 - RELATING TO ELIMINATING THE ASSET LIMIT
ELIGIBILITY REQUIREMENT FOR THE TEMPORARY
ASSISTANCE FOR NEEDY FAMILIES PROGRAM**

Hearing: Tuesday, February 5, 2013; 1:15 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B. 1099 is to eliminate the asset limit eligibility requirement for the Temporary Assistance for Needy Families (TANF) program.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) is in strong support of this Administration bill.

The 2012 Legislature through House Resolution (H.R.) 124 had tasked the Department with conducting a study on asset limits to qualify for public assistance. The report, including details of findings and recommendations, can be found at the following web address:

<http://humanservices.hawaii.gov/wp-content/uploads/2013/01/2012-HR-124-Asset-Limit-Study.pdf>

TANF households are currently permitted to acquire some resources or assets, but the combined non-exempt total of their assets must be less than \$5,000. The

DHS reviewed and evaluated policies and trends across the major assistance programs administered by the DHS such as the Supplemental Nutritional Assistance Program (SNAP) and the Medicaid Program. The SNAP program already uses TANF-funded programs as the reason to eliminate asset limits under their Broad Based Categorical Eligibility Program and Medicaid will eliminate asset limits in less than a year for households that are TANF eligible as a result of the federal Affordable Care Act of 2010.

Households must still meet income eligibility and would be ineligible for TANF in the event income exceeded eligibility income limits. For a family of three (the average family size under TANF) containing a work eligible adult, the eligible net income limit per month is of \$610. Income exceeding this amount would cause ineligibility. Benefits will therefore still go to those with very little or no income despite the elimination of the asset limit.

Additionally, data on closures and denials in Hawaii shows that elimination of TANF asset limits would contribute minimally to an increase in caseloads because few applicants and current recipients have substantial resources or assets.

The DHS believes eliminating asset testing will encourage Hawai'i families on public assistance to save money and potentially build assets that would help end their reliance on state and federal public assistance and enable them to move towards self-sufficiency. Ending reliance on state and federal public assistance is a major objective of the TANF program created under the Personal Responsibility and Work Opportunity Act of 1996. This action also supports the Governor's New Day objective of developing asset building programs that fight poverty, drive families to self-sufficiency and grow the middle-class.

Research has shown that families must build an asset base and engage in self-sustaining employment if they want to be self-sufficient and not rely on public assistance. It is therefore counter-productive to impose an asset limit.

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



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
OFFICE OF COMMUNITY SERVICES
830 PUNCHBOWL STREET, ROOM 420
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 586-8675 / Fax: (808) 586-8685
Email: dllr.ocs@hawaii.gov

February 4, 2013

To: The Honorable Suzanne Chun Oakland, Chair
Senate Committee on Human Services

Date: Tuesday, February 5, 2013
Time: 1:15 pm
Place: Conference Room 016, State Capitol

From: Mila Kaahanui, MSW
Executive Director
Office of Community Services (OCS)

TESTIMONY IN SUPPORT

Testimony for Senate Bill 1099, Relating to Eliminating the Asset Limit Eligibility Requirement for the Temporary Assistance for Needy Families (TANF) Program

I. OVERVIEW OF PROPOSED LEGISLATION

The measure proposes to amend §346-29, Hawaii Revised Statutes, by deleting the asset limit of \$5,000 and the value of one motor vehicle in determining a family's need for financial assistance.

The Office of Community Services supports this bill.

II. CURRENT LAW

The Office of Community Services (OCS) is charged to facilitate and enhance the delivery of service to low-income, immigrant, refugee, and other disadvantaged populations. OCS currently has a single TANF-funded program, a reduction from past years where the Department of Human Services and OCS had additional Memoranda of Agreement for TANF-funded initiatives. Currently, Hawaii Revised Statutes §346-29 (c) (3) allows \$5,000 and the value of one motor vehicle in assets for families applying for or receiving TANF benefits.

III. COMMENTS ON SENATE BILL

As an advocate for the disadvantaged in our State, an administrator of TANF-funded projects, and an active participant on the Financial Aid Advisory Council, I believe this proposal to be both efficient and fair.

Verification of assets is very time consuming and yields little in the way of actual fraud. Currently, resources are being expended on a difficult task that is a very small part of the overall application process. Further, most applicants do not have the assets described. Eliminating the asset limit can cut government 'red tape', streamline benefit provision and allow staffing resources to be used more effectively.

Stereotypes about people who receive government benefits are real, but largely false. While the debate about the nature of poverty continues today, researchers around the world have tested a "culture of poverty" concept empirically and all agreed that there is no such things as a culture of poverty. *Differences in values and behaviors among poor people are just as great as those between poor and wealthy people.* Here are a few examples of myths, along with the facts:

Myth: Poor people are unmotivated and have weak work ethics.

Reality: Poor people do not have weaker work ethics or lower levels of motivation than wealthier people (Iversen & Farber, 1996; Wilson, 1997). Although poor people are often stereotyped as lazy, 83 percent of children from low-income families have at least one employed parent; close to 60 percent have at least one parent who works full-time and year-round (National Center for Children in Poverty, 2004). In fact, the severe shortage of living-wage jobs means that many poor adults must work two, three, or four jobs. According to the Economic Policy Institute (2002), poor working adults spend more hours working each week than their wealthier counterparts.

Myth: Poor people are linguistically deficient.

Reality: All people, regardless of the languages and language varieties they speak, use a full continuum of language registers (Bomer, Dworin, May, & Semingson, 2008). What's more, linguists have known for decades that all language varieties are highly structured with complex grammatical rules (Gee, 2004; Hess, 1974; Miller, Cho, & Bracey, 2005). What often are assumed to be *deficient* varieties of English—Appalachian varieties, perhaps, or what some refer to as Black English Vernacular—are no less sophisticated than so-called "standard English." In Hawaii this concept includes "pidgin" as well as English spoken by people who speak a native language at home and whose first language is not English.

Myth: Poor people tend to abuse drugs and alcohol.

Reality: Poor people are no more likely than their wealthier counterparts to abuse alcohol or drugs. Although drug sales are more visible in poor neighborhoods, drug use is equally distributed across poor, middle class, and wealthy communities (Saxe, Kadushin, Tighe, Rindskopf, & Beveridge, 2001). Chen, Sheth, Krejci, and Wallace (2003) found that alcohol

consumption is *significantly higher* among upper middle class white high school students than among poor black high school students. Their finding supports a history of research showing that alcohol abuse is far more prevalent among wealthy people than among poor people (Diala, Muntaner, & Walrath, 2004; Galea, Ahern, Tracy, & Vlahov, 2007). In other words, considering alcohol and illicit drugs together, wealthy people are more likely than poor people to be substance abusers.

Myth: Poor parents are uninvolved in their children's learning, largely because they do not value education.

Reality: Low-income parents hold the same attitudes about education that wealthy parents do (Compton-Lilly, 2003; Lareau & Horvat, 1999; Leichter, 1978). Low-income parents are less likely to attend school functions or volunteer in their children's classrooms (National Center for Education Statistics, 2005)—not because they care less about education, but because they have less *access* to school involvement than their wealthier peers. They are more likely to work multiple jobs, to work evenings, to have jobs without paid leave, and to be unable to afford child care and public transportation. It might be said more accurately that schools that fail to take these considerations into account do not value the involvement of poor families as much as they value the involvement of other families.

I appreciate the opportunity to share this information with you and ask for your support of S.B. 1099

Date: February 4, 2013

To: SENATE COMMITTEE on HUMAN SERVICES
Sen. Suzanne Chun Oakland, Chair
Sen. Josh Green, Vice-Chair

From: Teresa Bill, Univ. Hawai'i Bridge to Hope Coordinator
Ph: 956-9313

Re: Strong Support SB 1099, Relating To Eliminating The Asset Limit For TANF
Tues. Feb 5, 2013 1:15 p.m.
Conference Room 016 Committee Clerk, room 226

I am Teresa Bill, **testifying in strong support of SB 1099** eliminating the asset limit for TANF public assistance. I am the Coordinator of a Univ. of Hawai'i program called "Bridge to Hope" that supports TANF participants in their pursuit of higher education as a means of economic self-sufficiency. However, my testimony is not the official testimony of the University.

I am a member of both the Dept. of Human Services' Financial Assistance Advisory Council and the 2008 Hawai'i State Asset Building and Financial Education Task Force which also recommended the elimination of asset limit tests for public assistance. This legislation is a long time coming and greatly needed. I am pleased that the Dept. (DHS) is supporting this change in policy, as it reflects the experiences of families working hard to leave public assistance, and the change in national discourse regarding the need for "asset building" for all families.

Eliminating Asset Test Addresses the Need for Low-Income Families to Save:

When TANF was initiated in 1996, rules were implemented to deter complete loss of all savings. Eliminating asset limits maintains the intent to keep savings an option for families to re-build economically.

Many families are forced to spend any "emergency savings" they might have in order to qualify for public assistance. This forced spending and withholding of financial assistance until a family has lost everything -- contradicts every tenet of family financial stability. Once a family gains access to the public assistance program, they are then encouraged to build a path to "economic self-sufficiency" - often that includes rebuilding savings as a buffer against unexpected loss of jobs, car repair, etc. It is an unfortunate occurrence when a family must choose between initiating a savings plan and participating in TANF, whose stated goal is to encourage economic self-sufficiency.

Working and middle-income families are encouraged to save to provide a cushion from unemployment or other unexpected events. Our poorest families particularly need emergency savings and the ability to save for them without jeopardizing access to TANF. For example, the Earned Income Tax becomes an "asset" if it is not spent within 90 days. This does not foster "savings" for our families. Moving into housing also requires considerable savings which may bump against asset limits - 1st month's rent; an equivalent deposit; utility deposits - these all add up. Even our lowest-earning families need the ability to save.

Eliminating Asset Test Has Not Increased Caseload:

As the 2013 DHS Report submitted to the Legislature details, those States that eliminated asset limit tests (Ohio, Virginia, Maryland, Louisiana, Colorado) have **not** experienced a significant increase in caseload or applications (Maryland & Alabama indicate its too soon to tell, but they did not expect to have an increase).

Income Eligibility Remains Even if Asset Test Is Eliminated:

I want to reinforce that the **income eligibility test remains**, it is only the asset limit test that will be removed.

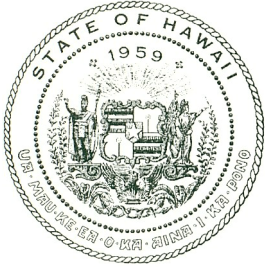
Affordable Care Act Eliminates Medicaid Asset Test in 2014:

With elimination of asset tests for Medicaid under the Affordable Care Act, it makes sense to streamline asset tests for TANF and piggyback on IT re-design.

I urge you to **support SB 1099** and give Hawai'i families the ability to secure minimal public assistance without draining all resources.

Thank You.

HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



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CARMILLE LIM
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LISA ELLEN SMITH
CAROL ANNE PHILIPS

Executive Director
Catherine Betts

Email:
DHS.HSCSW@hawaii.gov
Visit us at:
humanservices.hawaii.gov
/hscsw/

235 S. Beretania #407
Honolulu, HI 96813
Phone: 808-586-5758
FAX: 808-586-5756

February 5, 2013

Testimony in Support of SB 1099

To: Senator Suzanne Chun Oakland, Chair
Senator Josh Green, M.D., Vice Chair
Senate Committee on Human Services

From: Hawaii State Commission on the Status of Women

Re: Support for SB 1099, Relating to Eliminating the Asset Limit Eligibility Requirement for the Temporary Assistance for Needy Families (TANF) Program

The Commission strongly supports SB 1099, Relating to Eliminating the Asset Limit Eligibility Requirement for the TANF Program.

Asset limitations for public benefit programs provide an incentive for low-income families to get rid of, or choose not to accumulate, assets. The TANF program requires work and promotes self-reliance, responsibility and family stability. The federal government gives states the flexibility to raise or eliminate their asset tests for most applicants.

Eliminating the asset limit would help families build assets. Building assets provides a safety net for a family, so they can continue to work their way to self-sufficiency and prevent their return to public benefit assistance programs.

There has been significant national discourse regarding asset limits for public benefit assistance recipients, and the Corporation for Enterprise Development (CFED) has recommended eliminating the asset test. Alabama, Louisiana, Maryland, Ohio and Virginia have completely eliminated asset tests for TANF recipients. Research shows that most applicants to TANF programs have very few assets, and in other states, eliminating asset tests greatly simplifies program administration without significantly increasing caseloads.¹

According to the US Department of Health & Human Services, 85% of adult TANF recipients are women, and 90% of adult recipients are the head of the household.² The elimination of TANF asset limits will allow low-income women, particularly single mothers, to begin to build needed assets that will assist families in moving toward self-sufficiency and long-term financial stability. We urge the Committee to pass SB 1099.

¹ Sprague and Black, STATE ASSET LIMIT REFORMS AND IMPLICATIONS FOR FEDERAL POLICY, The New America Foundation (2012).

² CHARACTERISTICS AND FINANCIAL CIRCUMSTANCES OF TANF RECIPIENTS, FISCAL YEAR 2010, Office of Family Assistance, Administration for Children and Families, United States Department of Health and Human Services, available at: <http://www.acf.hhs.gov/programs/ofa/resource/character/fy2010/fy2010-chap10-ys-final>, last visited on January 29, 2013.

HACBED

Community Voice, Collective Action

Hawai'i Alliance for Community-Based Economic Development
677 Ala Moana Blvd., Suite 702 Honolulu, HI 96813
Ph. 808.550.2661 Fax 808.534.1199
Email info@hacbed.org www.hacbed.org

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Brent N. Kakesako
Chief Operating Officer

Susan Tamanaha
Family & Individual Self-
Sufficiency Program Coordinator

Will Chen
Planning and Research Associate

Athena T. Esene
Administrative Assistant

Date: January 30, 2013

To: Senator Suzanne Chun Oakland, Chair, Senator Josh Green, Vice-Chair, and members of the Committee on Human Services

From: Brent Kakesako, Hawai'i Alliance for Community-Based Economic Development (HACBED)

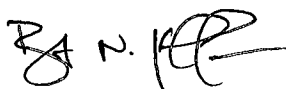
Re: Strong Support for SB 1099

Aloha Chair Chun Oakland, Vice-Chair Green, and Committee Members,

The Hawai'i Alliance for Community-Based Economic Development (HACBED) strongly supports SB 1099, which eliminates the asset limit eligibility requirement for the Temporary Assistance for Needy Families (TANF) Program. HACBED was established in 1992 as a nonprofit statewide intermediary to address social, economic, and environmental justice concerns through community-based economic development and asset building strategies. It advances its mission with core competencies in the areas of community and organizational capacity building, community and economic development planning, and asset policy development and advocacy. HACBED played a facilitating role in the State Asset Policy Task Force and was a key contributor to the State Asset Policy Road Map. As such, HACBED strongly supports the proposed bill that would eliminate the asset limits in the amount of \$5,000 and a motor vehicle, which serve as a disincentive for families to save and build assets.

According to the Hawai'i State Asset Building and Financial Education Task Force Final Report, personal savings and assets are the types of resources that allow families to move off public benefit programs; however, asset limits often discourage these families from accumulating savings and assets for the future. TANF was enacted to provide temporary financial assistance with the aim of people getting off of it, largely through employment. Today, that conversation has broadened to assisting families in obtaining family self-sufficiency. Asset limits, however, force families to spend down longer-term savings in order to continue to receive TANF benefits, which creates a cycle of reliance on those benefits. The passage of SB 1099 would eliminate unnecessary TANF asset limits and allow families to accumulate savings and assets that are necessary to weather income fluctuations and periods of economic hardship, such as an unexpected job loss or injury to a primary breadwinner. Ultimately, this will help families to get off -- and remain off -- TANF while achieving true self-sufficiency.

Mahalo for this opportunity to testify,



Brent N. Kakesako
Chief Operating Officer
Hawai'i Alliance for Community-Based Economic Development



**LEGAL AID
SOCIETY OF HAWAII**

Telephone: (808) 536-4302 • Fax: (808) 527-8088
Mailing Address: P.O. Box 37375 • Honolulu, Hawaii 96837-0375
924 Bethel Street • Honolulu, Hawaii 96813

Calvin Pang, Esq.
President, Board of Directors

M. Nalani Fujimori Kaina, Esq.
Executive Director

**TESTIMONY IN SUPPORT OF
SB1099 - RELATING TO ELIMINATING THE ASSET LIMIT ELIGIBILITY REQUIREMENT
FOR THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM**

Committee on Human Services - Room 016

Senator Suzanne Chun Oakland, Chair
Senator Josh Green, Vice-Chair

February 5, 2013 at 1:15 p.m.

The Legal Aid Society of Hawaii submits testimony in support of SB1099 – Relating to the Eliminating the Asset Limit Eligibility Requirement for the Temporary Assistance for Needy Families Program. This bill would eliminate the counting of assets for those seeking assistance from the Temporary Assistance for Needy Families Program. By eliminating the counting of assets, families receiving assistance are able to save for rental deposits, for the purchase of a car that might be needed for transportation to and from work, or to get off of assistance. It is important to note that income eligibility tests would still be in place and families would have to have minimal income to qualify for this time limited program.

In Legal Aid's experience, one of the key benefits of eliminating this rule is the benefit that it would provide to those who have inherited partial interests in property, in most cases kuleana lands, where their interest may be only 1/32 of the overall property. Under current Department of Human Services rules, the value of this property if the individual is not living on it, which is most often the case, will be counted as an asset unless the individual can find a real estate broker willing to provide a value assessment and analysis as to whether it is possible to partition the property or sell it. For those with already limited resources it is almost impossible to do this without a real estate broker who is willing to assist pro bono. The Department of Human Services has indicated that most of those denied Temporary Assistance for Needy Families assistance in the last year were for this reason.

We believe that it is of critical importance that assets be eliminated in determining eligibility for Temporary Assistance for Needy Families and we ask for your support of this bill.

Thank you for this opportunity to provide testimony.

Sincerely,

M. Nalani Fujimori Kaina
Executive Director

The Legal Aid Society of Hawaii (Legal Aid) is the only legal service provider with offices on every island in the state, and in 2011 provided legal assistance to over 10,000 Hawai'i residents in the areas of consumer fraud, public assistance, family law, the prevention of homelessness, employment, protection from domestic violence, and immigration. Our mission is to achieve fairness and justice through legal advocacy, outreach and education for those in need.



www.legalaidhawaii.org
A UNITED WAY AGENCY

To: The Honorable Senator Suzanne Chun Oakland, Chair of the Human Services Committee.
The Honorable Senator Josh Green, Vice Chair of Human Services Committee

From: Laura Smith, President/CEO
Ann Boyd, Senior Director of Workforce Development
Goodwill Industries of Hawaii, Inc.

Date: February 1, 2013

Re: **Testimony in Support of SB 1099– Relating to Eliminating the Asset Limit Eligibility Requirement for the Temporary Assistance for Needy Families Program**

Goodwill Industries of Hawaii, Inc. (Goodwill) is among the largest human service non-profit organizations in Hawaii. Our mission is to help people find and succeed in employment, to become self-sufficient. With a Statewide footprint, and offices on Oahu, Maui, Hilo, Kona and Kauai, last year Goodwill served over 15,000 people, placing more than 1,500 into jobs in our community.

Goodwill Industries of Hawaii supports of SB 1099 because of the importance that asset building can have on an individual's life. Goodwill served approximately 3,800 TANF participants last year through the state's First-to-Work program and has extensive knowledge of problems facing TANF participants. One such concern is asset building.

Asset building is essential to building financial independence and stability and breaking the cycle of poverty. We often hear financial planners advise everyone to keep a savings account in the event of emergencies yet our current asset caps prevent those with the most need from engaging in this most basic of financial practice.

We humbly ask for your support of Senate Bill 1099. Thank you for this opportunity to provide testimony on this matter.



Committee: Committee on Human Services
Hearing Date/Time: Tuesday, February 05, 2013, 1:15 p.m.
Place: Conference Room 016
Re: Testimony of the ACLU of Hawaii in Support of S.B. 1099, Relating to Eliminating the Asset Limit Eligibility Requirement for the Temporary Assistance for Needy Families Program

Dear Chair Chun Oakland and Committee on Human Services:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of S.B. 1099, Relating to Eliminating the Asset Limit Eligibility Requirement for the Temporary Assistance for Needy Families Program.

To gain a level of stability and self-reliance, it is paramount that low-income families accumulate assets that can be employed as a safety net. Unfortunately, the current TANF limitations on the amount of monies that a family can possess, while still receiving assistance, are prohibitive towards long-term planning and saving. These limits only serve as a disincentive for the accumulation of assets, which is ultimately detrimental in that it prohibits progress towards self-sufficiency.

Whereas the income eligibility test remains with the passage of S.B. 1099, the asset limits will not—ensuring that the applicants who most need TANF benefits receive them. Furthermore, research on the subject, by both the Corporation for Enterprise Development (CFED) and the State of Hawaii Department of Human Services (DHS), has supported the elimination of asset tests. Hawaii would follow in the footsteps of states like Ohio, Virginia, Maryland, Louisiana, and Alabama, which have enacted measures like S.B. 1099.

Because the federal government permits flexibility regarding state asset limitations and because maintaining the status quo will continue to adversely affect the futures of low-income residents, we strongly urge you to support S.B. 1099.

Thank you for this opportunity to testify.

Sincerely,
Laurie A. Temple
Staff Attorney and Legislative Program Director
ACLU of Hawaii

The American Civil Liberties Union of Hawaii (“ACLU”) has been the state’s guardian of liberty for 47 years, working daily in the courts, legislatures and communities to defend and preserve the individual rights and liberties equally guaranteed to all by the Constitutions and

American Civil Liberties Union of Hawaii
P.O. Box 3410
Honolulu, Hawaii'i 96801
T: 808-522-5900
F: 808-522-5909
E: office@acluhawaii.org
www.acluhawaii.org

Chair Chun Oakland and Members of the Committee on
Human Services
February 5, 2013
Page 2 of 2

laws of the United States and Hawaii. The ACLU works to ensure that the government does not violate our constitutional rights, including, but not limited to, freedom of speech, association and assembly, freedom of the press, freedom of religion, fair and equal treatment, and privacy. The ACLU network of volunteers and staff works throughout the islands to defend these rights, often advocating on behalf of minority groups that are the target of government discrimination. If the rights of society's most vulnerable members are denied, everyone's rights are imperiled.

American Civil Liberties Union of Hawaii
P.O. Box 3410
Honolulu, Hawaii 96801
T: 808-522-5900
F: 808-522-5909
E: office@acluhawaii.org
www.acluhawaii.org

From: mailinglist@capitol.hawaii.gov
To: [HMS Testimony](#)
Cc: jbsestak@prodigy.net
Subject: *Submitted testimony for SB1099 on Feb 5, 2013 13:15PM*
Date: Monday, February 04, 2013 10:48:32 AM

SB1099

Submitted on: 2/4/2013

Testimony for HMS on Feb 5, 2013 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Betty Sestak	AAUW- Windward Branch	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Date: Friday, February 01, 2013 1:41:39 PM

SB1099

Submitted on: 2/1/2013

Testimony for HMS on Feb 5, 2013 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lois C. Durr	Individual	Support	No

Comments: Yes; it is important to match the Federal guidelines.

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