

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

—
H.P. 44 - L.D. 78

**An Act To Protect Children from Extreme Poverty by Preserving Children's
Access to Temporary Assistance for Needy Families Benefits**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §3763, sub-§1, as amended by PL 2013, c. 588, Pt. D, §4, is further amended to read:

1. Family contract. During the TANF orientation process, a representative of the department and the TANF recipient shall enter into a family contract. The family contract must state the responsibilities of the parties to the agreement including, but not limited to, cooperation in child support enforcement and determination of paternity, the requirements of the ASPIRE-TANF program and referral to parenting activities and health care services. Except as provided in section 3762, subsection 4, refusal to sign the family contract or to abide by the provisions of the contract, except for referral to parenting activities and health care services, will result in termination of benefits under subsection 1-A. Failure to comply with referrals to parenting activities or health care services without good cause will result in a review and evaluation of the reason for noncompliance by the representative of the department and may result in sanctions. Written copies of the family contract and a notice of the right to a fair hearing must be given to the individual. The family contract must be amended in accordance with section 3788 when a participant enters the ASPIRE-TANF program and when participation review occurs.

Benefits that have been terminated under subsection 1-A must be restored once the noncomplying adult recipient signs a new family contract and complies with its provisions.

Sec. 2. 22 MRSA §3763, sub-§1-A, as enacted by PL 2011, c. 380, Pt. PP, §4, is amended to read:

1-A. Partial ~~and full~~ termination of benefits. Benefits under this chapter must be terminated by the department under the provisions of subsection 1 and sections 3785 and 3785-A ~~as follows:~~ in accordance with this subsection. If an adult recipient fails to meet the conditions of a family contract, the department shall reduce the family's amount of assistance by terminating benefits that apply to that noncomplying adult.

~~A. For a first failure to meet the conditions of a family contract, termination of benefits applies to the adult recipient;~~

~~B. For a first failure to meet the conditions of a family contract for which termination of benefits under paragraph A lasts for longer than 90 days and for a 2nd and subsequent violation, termination of benefits applies to the adult recipient and the full family unit; and~~

C. Prior to the implementation of a full family unit sanction, the department shall offer the adult recipient an opportunity to claim good cause for noncompliance as described in section 3785.

Benefits that have been terminated under this subsection must be restored once the noncomplying adult recipient signs a new contract under subsection 1 and complies with the provisions of the family contract.

Sec. 3. Reports by Department of Health and Human Services. No later than January 1, 2022, the Department of Health and Human Services shall provide to the Joint Standing Committee on Health and Human Services an interim report on the implementation of the removal of the full family unit sanction under the Temporary Assistance for Needy Families program pursuant to section 2. No later than January 1, 2023, the Department of Health and Human Services shall provide to the joint standing committee of the Legislature having jurisdiction over health and human services matters a final report regarding the effects of the removal of the full family unit sanction.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Temporary Assistance for Needy Families 0138

Initiative: Provides allocation to terminate Temporary Assistance for Needy Families benefits for only the noncomplying parent but continue assistance to the children and complying parents.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$0	\$753,666
FEDERAL BLOCK GRANT FUND TOTAL	<hr/> \$0	<hr/> \$753,666