

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 33

S.P. 12

In Senate, January 10, 2017

An Act To Adjust the Lifetime Limit for the Receipt of TANF Benefits

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.

Cosponsored by Senator: MASON of Androscoggin, Representative: CHACE of Durham.

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

2 **Sec. 1. 22 MRSA §3762, sub-§18**, as enacted by PL 2011, c. 380, Pt. PP, §2, is
3 amended to read:

4 **18. Lifetime limit on assistance.** ~~Beginning January 1, 2012, a~~ A family may not
5 receive TANF assistance for longer than ~~60~~ 36 months except in those cases in which the
6 department has determined that the family qualifies for an exemption or extension under
7 rules adopted by the department. When an adult has received TANF assistance for ~~60~~ 36
8 months, unless the adult has been exempted or granted an extension by the department,
9 the family unit in which the adult is a member is ineligible for assistance. The
10 department shall consider conditions or situations beyond the control of the adult
11 recipient, including but not limited to a physical or mental condition that prevents the
12 adult from obtaining or retaining gainful employment, being a victim of domestic
13 violence, participating in good standing in an approved education program or a program
14 that is expected to lead to gainful employment, being the caretaker relative in the
15 household who is not the parent of the child or children in the assistance unit and who is
16 required to remain at home to care for a dependent in the assistance unit and loss of
17 employment by the adult following termination of TANF under this subsection.

18 The department shall adopt rules to implement this subsection. Rules adopted pursuant to
19 this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter
20 2-A.

21 **Sec. 2. 22 MRSA §3762, sub-§19**, as enacted by PL 2011, c. 380, Pt. PP, §2, is
22 amended to read:

23 **19. Pretermination notice process.** No later than 120 days prior to the end of a
24 family's ~~60th~~ 36th month of receiving assistance, the department shall offer the adult
25 recipient an opportunity to hold a meeting to review the family's case and:

26 A. Explain the exemption and extension criteria established in subsection 18 to the
27 family and determine if those criteria apply to the family; and

28 B. Explain that any determination made pursuant to this subsection may be appealed
29 in accordance with the hearing process established in subsection 9, paragraph B.

30 For a family whose assistance is to be terminated, a supervisory review by the department
31 is required. The review must include but is not limited to an evaluation of the need for
32 additional information to determine if cause for an exemption or extension exists. If the
33 conclusion of the evaluation determines additional vocational, health, mental health or
34 other information is necessary, the department shall work in collaboration with the adult
35 recipient in the development of the information prior to the determination of status or
36 termination.

37 For a family whose assistance is to be terminated pursuant to this subsection, the
38 department shall provide information to the family regarding any other resources that
39 may be available to help meet that family's basic needs.

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SUMMARY

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This bill changes the lifetime limit for receiving benefits through the Temporary Assistance for Needy Families program from 60 months to 36 months.

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