

MAINE STATE LEGISLATURE

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R. of S.

L.D. 268

Date: 6/9/17 minority

(Filing No. H-479)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 201, L.D. 268, Bill, "An Act To Restrict Cash Access for Electronic Benefit Transfer Cards"

Amend the bill by striking out the title and substituting the following:

'An Act To Ensure the Integrity of Maine's Welfare Benefits Programs'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 22 MRSA §23, sub-§1-A is enacted to read:

1-A. Enforcement. Beginning January 1, 2018, a recipient of benefits from the Temporary Assistance for Needy Families program shall retain a receipt for every transaction the recipient makes using such benefits under the electronic benefits transfer system. The department may annually audit up to 6 months of transactions under the electronic benefits transfer system for no more than 2% of the recipients of Temporary Assistance for Needy Families. If the department determines that a transaction of a recipient was improper under state or federal law, the department shall deduct the amount of the transaction from the recipient's benefits under the electronic benefits transfer system for the month subsequent to the determination of an improper transaction.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Temporary Assistance for Needy Families 0138

Initiative: Provides allocations for 2 Eligibility Specialist positions to perform the audits of recipients of the Temporary Assistance for Needy Families program.

COMMITTEE AMENDMENT

1	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
2	POSITIONS - LEGISLATIVE COUNT	2,000	2,000
3	Personal Services	\$65,233	\$134,276
4	All Other	\$8,703	\$17,535
5			
6	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$73,936</u>	<u>\$151,811</u>
7			

8 **SUMMARY**

9 This amendment is the minority report of the committee and replaces the bill. It
10 requires, beginning January 1, 2018, a recipient of Temporary Assistance for Needy
11 Families, or TANF, benefits to retain a receipt for every transaction the recipient makes
12 using TANF benefits under the electronic benefits transfer system. It authorizes the
13 Department of Health and Human Services to audit up to 2% of TANF recipients for
14 transactions occurring over periods of up to 6 months. If the department determines that
15 a transaction of a recipient was improper under state or federal law, the department is
16 authorized to deduct the amount of the transaction from a recipient's benefits for the
17 following month. The amendment adds an appropriations and allocations section.

18 **FISCAL NOTE REQUIRED**

19 (See attached)



128th MAINE LEGISLATURE

LD 268

LR 811(02)

An Act To Restrict Cash Access for Electronic Benefit Transfer Cards

Fiscal Note for Bill as Amended by Committee Amendment

A(CH-479)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium savings - Federal Block Grant Fund

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Appropriations/Allocations				
Federal Block Grant Fund	\$73,936	\$151,811	\$156,792	\$160,732
Revenue				
Federal Block Grant Fund	\$73,936	\$151,811	\$156,793	\$160,732

Fiscal Detail and Notes

The bill includes Federal Block Grant Fund allocations to the Department of Health and Human Services (DHHS) of \$73,936 in fiscal year 2017-18 and \$151,811 in fiscal year 2018-19 for 2 Eligibility Specialist positions to perform the audits of recipients of the Temporary Assistance for Needy Families (TANF) program.

The TANF program may realize savings from amounts deducted from recipients' benefits. DHHS may not be able to deduct the full amount of an improper transaction the following month from a recipient's benefits due to current TANF recoupment rules that allow DHHS to only deduct 10% of the maximum TANF benefit or 30% if the recipient is receiving less than the maximum. DHHS would need to develop a process that adheres to a client's right for due process.