



House of Representatives

General Assembly

File No. 343

January Session, 2021

Substitute House Bill No. 6520

House of Representatives, April 8, 2021

The Committee on Human Services reported through REP. ABERCROMBIE of the 83rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE PROVISION OF TEMPORARY STATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-105a of the general statutes is amended by
2 adding subsection (d) as follows (*Effective July 1, 2021*):

3 (NEW) (d) The Commissioner of Social Services, to the extent
4 permissible under federal law, shall (1) expedite supplemental nutrition
5 assistance program eligibility determinations for a victim of domestic
6 violence, as defined in section 17b-112a, and (2) provide an eligible
7 victim temporary supplemental nutrition assistance program benefits
8 for not less than ninety days before redetermining eligibility for benefits.
9 In conducting an expedited eligibility determination, the commissioner,
10 to the extent permissible under federal law, shall subtract from such
11 victim's household income the income of the victim's spouse, domestic
12 partner or other household member credibly accused by such victim of
13 domestic violence. For purposes of this subsection, allegations of

14 domestic violence may be substantiated by the commissioner pursuant
15 to the provisions of subsection (b) of section 17b-112a.

16 Sec. 2. Subsections (b) and (c) of section 17b-749 of the general statutes
17 are repealed and the following is substituted in lieu thereof (*Effective July*
18 *1, 2021*):

19 (b) The commissioner shall establish income standards for applicants
20 and recipients at a level to include a family with gross income up to fifty
21 per cent of the state-wide median income, except the commissioner: (1)
22 [~~may~~] May increase the income level up to the maximum level allowed
23 under federal law, (2) upon the request of the Commissioner of Children
24 and Families, may waive the income standards for adoptive families so
25 that children adopted [~~on or after October 1, 1999,~~] from the Department
26 of Children and Families are eligible for the child care subsidy program,
27 [~~and (3) on and after March 1, 2003,~~] (3) shall, to the extent permissible
28 under federal law and within available appropriations, waive the
29 income standards for not less than ninety days from the date of
30 application for a victim of domestic violence, as defined in section 17b-
31 112a, at which time the commissioner shall redetermine eligibility based
32 upon the income standards, and (4) shall reduce the income eligibility
33 level to up to fifty-five per cent of the state-wide median income for
34 applicants and recipients who qualify based on their loss of eligibility
35 for temporary family assistance. For purposes of this subsection, the
36 commissioner may substantiate allegations of domestic violence
37 pursuant to the provisions of subsection (b) of section 17b-112a. The
38 commissioner may adopt regulations in accordance with chapter 54 to
39 establish income criteria and durational requirements for such waiver
40 of income standards.

41 (c) The commissioner, in consultation with the Commissioner of
42 Social Services, shall establish eligibility and program standards
43 including, but not limited to: (1) A priority intake and eligibility system
44 with preference given to serving (A) victims of domestic violence, as
45 defined in section 17b-112a, to the extent permissible under federal law,
46 (B) recipients of temporary family assistance who are employed or

47 engaged in employment activities under the Department of Social
48 Services' "Jobs First" program, [(B)] (C) working families whose
49 temporary family assistance was discontinued not more than five years
50 prior to the date of application for the child care subsidy program, [(C)]
51 (D) teen parents, [(D)] (E) low-income working families, [(E)] (F)
52 adoptive families of children who were adopted from the Department
53 of Children and Families and who are granted a waiver of income
54 standards under subdivision (2) of subsection (b) of this section, and
55 [(F)] (G) working families who are at risk of welfare dependency; (2)
56 health and safety standards for child care providers not required to be
57 licensed; (3) a reimbursement system for child care services which
58 account for differences in the age of the child, number of children in the
59 family, the geographic region and type of care provided by licensed and
60 unlicensed caregivers, the cost and type of services provided by licensed
61 and unlicensed caregivers, successful completion of fifteen hours of
62 annual in-service training or credentialing of child care directors and
63 administrators, and program accreditation; (4) supplemental payment
64 for special needs of the child and extended nontraditional hours; (5) an
65 annual rate review process for providers which assures that
66 reimbursement rates are maintained at levels which permit equal access
67 to a variety of child care settings; (6) a sliding reimbursement scale for
68 participating families; (7) an administrative appeals process; (8) an
69 administrative hearing process to adjudicate cases of alleged fraud and
70 abuse and to impose sanctions and recover overpayments; (9) an
71 extended period of program and payment eligibility when a parent who
72 is receiving a child care subsidy experiences a temporary interruption
73 in employment or other approved activity; and (10) a waiting list for the
74 child care subsidy program that (A) allows the commissioner to exercise
75 discretion in prioritizing within and between existing priority groups,
76 including, but not limited to, children described in 45 CFR 98.46, as
77 amended from time to time, and households with an infant or toddler,
78 and (B) reflects the priority and eligibility system set forth in subdivision
79 (1) of this subsection, [which is reviewed periodically,] with the
80 inclusion of this information in the annual report required to be issued
81 [annually] by the office to the Governor and the General Assembly in

82 accordance with section 17b-733. Such action will include, but not be
83 limited to, family income, age of child, region of state and length of time
84 on such waiting list.

85 Sec. 3. Subsection (c) of section 17b-191 of the general statutes is
86 repealed and the following is substituted in lieu thereof (*Effective July 1,*
87 *2021*):

88 (c) To be eligible for cash assistance under the program, a person shall
89 (1) be (A) eighteen years of age or older; (B) a minor found by a court to
90 be emancipated pursuant to section 46b-150; or (C) under eighteen years
91 of age and the commissioner determines good cause for such person's
92 eligibility, and (2) not have assets exceeding two hundred fifty dollars
93 or, if such person is married, such person and his or her spouse shall not
94 have assets exceeding five hundred dollars. In determining eligibility,
95 the commissioner shall not consider as income (A) Aid and Attendance
96 pension benefits granted to a veteran, as defined in section 27-103, or the
97 surviving spouse of such veteran, or (B) within available appropriations,
98 the income of an applicant's spouse, domestic partner or other
99 household member credibly accused of domestic violence by the
100 applicant when such applicant is a victim of domestic violence, as
101 defined in section 17b-112a. The commissioner shall not include the
102 income of such spouse, domestic partner or other household member in
103 the household income of such applicant for a period of not less than
104 ninety days after the applicant applies for assistance. The commissioner
105 may redetermine the applicant's eligibility for assistance after ninety
106 days. For purposes of this subsection, allegations of domestic violence
107 may be substantiated by the commissioner pursuant to the provisions
108 of subsection (b) of section 17b-112a. No person who is a substance
109 abuser and refuses or fails to enter available, appropriate treatment shall
110 be eligible for cash assistance under the program until such person
111 enters treatment. No person whose benefits from the temporary family
112 assistance program have terminated as a result of time-limited benefits
113 or for failure to comply with a program requirement shall be eligible for
114 cash assistance under the program.

115 Sec. 4. Subsection (c) of section 17b-112a of the general statutes is
116 repealed and the following is substituted in lieu thereof (*Effective July 1,*
117 *2021*):

118 (c) [The Commissioner of Social Services] Notwithstanding the
119 provisions of section 17b-112, the Commissioner of Social Services shall
120 expedite an eligibility determination for an applicant for temporary
121 family assistance who is a victim of domestic violence. To the extent
122 permissible under federal law, the commissioner shall not include the
123 income of the applicant's spouse, domestic partner or other household
124 member credibly accused of domestic violence by such applicant for a
125 period of not less than ninety days after the applicant applies for
126 temporary family assistance. The commissioner may redetermine such
127 applicant's eligibility for temporary family assistance after ninety days.
128 The commissioner shall notify applicants and recipients of temporary
129 family assistance, who are past or present victims of domestic violence
130 or at risk of further domestic violence, of the following:

131 (1) Referrals available to counseling and supportive services,
132 including, but not limited to, shelter services, medical services, domestic
133 abuse hotlines, legal counseling and advocacy, mental health care and
134 financial assistance; and

135 (2) Procedures to voluntarily and confidentially identify eligibility for
136 referrals to such counseling and supportive services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	17b-105a
Sec. 2	July 1, 2021	17b-749(b) and (c)
Sec. 3	July 1, 2021	17b-191(c)
Sec. 4	July 1, 2021	17b-112a(c)

Statement of Legislative Commissioners:

In Section 3(c)(2)(B) and Section 4(c), "count" was changed to "include" for clarity.

HS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Early Childhood, Off.; Social Services, Dept.	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill could result in a cost to the Department of Social Services (DSS) and Office of Early Childhood (OEC) associated with providing temporary assistance to domestic violence victims while waiving certain income standards for at least 90 days from the date of application.¹

The number of individuals who would qualify for assistance under the bill is unknown. For context, the average cost per case for 90 days of benefits is approximately \$3,480 for Care4Kids, \$610 for State Administered General Assistance, and \$1,420 for Temporary Family Assistance.

The bill also requires 90 days of expedited assistance under the Supplemental Nutrition Assistance Program (SNAP) to the extent allowed under federal law. While domestic violence victims are not currently entitled to expedited SNAP benefits under federal regulations, the state could incur administrative costs to support system adjustments if this change were to be implemented. SNAP benefits are federally-

¹ The bill requires the state to exclude the income of the victim's credibly accused spouse, domestic partner, or other household member when considering eligibility for SAGA, TFA, and SNAP.

funded and subject to federal regulations.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

*Sources: Department of Social Services Caseload Information
Office of Early Childhood Caseload Information*

OLR Bill Analysis

sHB 6520

AN ACT CONCERNING THE PROVISION OF TEMPORARY STATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE.

SUMMARY

This bill generally provides temporary assistance to domestic violence (DV) victims under (1) the following federally-funded programs, to the extent permissible under federal law: supplemental nutrition assistance program (SNAP); Care-4-Kids (C4K) childcare subsidy program; and temporary family assistance (TFA); and (2) state administered general assistance (SAGA).

The bill allows allegations of domestic violence to be substantiated in accordance with existing law (see BACKGROUND). It also makes technical changes.

EFFECTIVE DATE: July 1, 2021

§ 1 – SNAP BENEFITS

The bill requires the Department of Social Services (DSS) Commissioner to expedite SNAP eligibility determinations for domestic violence victims. It requires her to provide an eligible DV victim temporary SNAP benefits for a minimum of 90 days before redetermining benefit eligibility. When conducting an expedited eligibility determination, DSS must exclude the income of the victim’s credibly accused spouse, domestic partner, or other household member from the victim’s household income. DSS must take these actions to the extent permissible under federal law. (DV victims are not entitled to expedited SNAP benefits under current federal regulations, but may be otherwise eligible if they meet the established income standards; see BACKGROUND.)

SNAP, formerly or colloquially known as food stamps, is a federally-funded, state-administered program that provides electronic benefit transfer funds to low-income households for food purchases.

§ 2 – C4K CHILDCARE SUBSIDY

The bill requires the Office of Early Childhood (OEC) Commissioner, to the extent permissible under federal law and within available appropriations, to waive C4K income standards when determining eligibility for at least 90 days for any alleged DV victim applicant. It requires OEC to redetermine eligibility based upon the program’s income standards after this period. The bill also adds DV victims to the list of applicants who must be given priority in the C4K intake and eligibility process, to the extent permissible under federal law.

The C4K program subsidizes child care costs for low- and moderate-income families while a parent is working or attending a temporary family cash assistance approved education or training program (i.e., a Jobs First participant).

§ 3 – SAGA CASH ASSISTANCE

Under the bill, in determining eligibility for SAGA cash assistance, the DSS commissioner must exclude the income of a DV victim’s credibly accused spouse, domestic partner, or other household member for at least 90 days from the application date, within available appropriations. It allows DSS to redetermine SAGA eligibility based upon the program’s income standards after the 90-day period.

In general, SAGA provides cash assistance to single or married childless individuals who have very low incomes, do not qualify for any other cash assistance program, and are considered “transitional” or “unemployable.”

§ 4 – TFA CASH ASSISTANCE

The bill requires the DSS commissioner to expedite TFA eligibility determinations for DV victim applicants. To the extent permissible under federal law, the commissioner must exclude the income of the applicant’s credibly accused spouse, domestic partner, or other

household member for a minimum of 90 days after the application date. The commissioner may redetermine TFA eligibility after the 90-day period.

TFA is Connecticut's cash assistance program for low-income families, funded through the federal Temporary Assistance for Needy Families (TANF) block grant.

BACKGROUND

Substantiating Domestic Violence Allegations

The law defines "victim of domestic violence" as a person who has been abused or subjected to extreme cruelty by:

- physical acts that resulted in, or were threatened to result in, physical injury;
- sexual abuse or being forced to participate in nonconsensual sexual acts or activities;
- sexual activity involving a child in the home;
- threats of, or attempts at, physical or sexual abuse;
- mental abuse; or
- neglect or deprivation of medical care.

By law, a DV victim's allegations may be sufficient to establish domestic violence where DSS has no independent, reasonable basis to find the applicant or recipient not credible. A victim may be required to provide a sworn statement or to submit to the department any available evidence including: (1) police, government agency, or court records; (2) documentation from a shelter worker, legal, medical, clerical, or other professional from whom the applicant or recipient sought assistance in dealing with domestic violence; or (3) a statement from someone with knowledge of the circumstances that provide the basis for the claim (CGS § 17b-112a).

Expedited SNAP Benefits

Under federal regulations, DSS must post expedited SNAP benefits to the household’s EBT card by the seventh calendar day following their application filing date (7 C.F.R. § 273.2(i)(3)(i)). This time limit would also apply to residents of shelters for battered women and children who are otherwise entitled to expedited [service](#) (7 C.F.R. § 273.2 (i)(3)(v)).

The following households are entitled to expedited service:

1. households with less than \$150 in monthly gross income, provided their liquid resources (e.g., cash, checking or savings accounts) do not exceed \$100;
2. migrant or seasonal farmworker households who are destitute, provided their liquid resources do not exceed \$100; and
3. households whose combined monthly gross income and liquid resources are less than the household’s monthly rent or mortgage, and utilities (7 C.F.R. § 273.2(i)(1)).

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/18/2021)