

**Testimony of Holly Lusk
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Before the Joint Standing Committee on Health and Human Services

LD 1407

An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program

**Sponsored by: Representative Sanderson
Hearing Date: May 18, 2015**

Senator Brakey, Representative Gattine and Members of the Joint Standing Committee on Health and Human Services, my name is Holly Lusk and I serve as the Governor's Senior Health Policy Advisor. I am here today to speak in support of LD 1407, An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program.

LD 1407 requires an adult applicant for or recipient of benefits under the Temporary Assistance for Needy Families (TANF) program to be screened and possibly tested for the unlawful use of drugs. The bill also repeals provisions that prohibit the State's denying food assistance and TANF assistance to a person who has been convicted of a drug-related felony.

LD 1407 recognizes the commonly-held belief that public financial assistance should not be provided to individuals who have been convicted of serious drug crimes, and that taxpayer funds should not be spent on drugs. The long-term viability of any program of public assistance depends on the broad support of the body politic. The taxpayers of the States do not begrudge providing TANF or food benefits for the family whose breadwinner has lost their job, or become disabled, or has otherwise suffered financial disaster through no fault of their own—these misfortunes can happen to anyone. But for individuals who have chosen to engage in criminal behavior involving drugs—most typically drug trafficking—there is no parallel public support for the disposition of public resources.

In 1996, the U.S. Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). Part of that legislation prohibited individuals who had been convicted of drug felonies from obtaining TANF and SNAP benefits. Maine has not, until now, aligned its rules to that standard. This proposal would synchronize Maine standards with federal rules. This proposal allows the Department to conform its practices to federal law, and to implement a practical solution to prevent public assistance monies from being allocated to convicted drug traffickers.

This LD also establishes the requirement that adult TANF applicants and recipients submit to a screening that is designed to determine the likelihood of the individual having a substance use disorder. This screening is currently being done for adult TANF recipients who have been convicted of a drug-related felony.

Substance abuse is a very real problem here in Maine. This bill helps protect our vulnerable children by getting parents to seek treatment that will assist them in overcoming addiction.

The Department believes that adoption of this bill will serve the purpose of sending a message of condemnation of drug felonies, the importance of treatment to overcome addiction, and will provide assurance to the taxpayers of the State of Maine that their hard-earned money will not reward reprehensible personal behavior. I would be happy to answer any questions you may have and would be glad to make myself available for questions at the work session.