



130th MAINE LEGISLATURE

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Legislative Document

No. 78

H.P. 44

House of Representatives, January 13, 2021

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

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Received by the Clerk of the House on January 11, 2021. Referred to the Committee on
Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint
Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MEYER of Eliot.
Cosponsored by Senator MOORE of Washington and
Representatives: EVANS of Dover-Foxcroft, McCREA of Fort Fairfield, PERRY of Calais,
Senator: MAXMIN of Lincoln.

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

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

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

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

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

22 **1-A. Partial ~~and full~~ termination of benefits.** Benefits under this chapter must be
23 terminated by the department under the provisions of subsection 1 and sections 3785 and
24 3785-A ~~as follows: in accordance with this subsection. If an adult recipient fails to meet~~
25 the conditions of a family contract, the department shall reduce the family's amount of
26 assistance by terminating benefits that apply to that noncomplying adult.

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

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

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

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

39 **SUMMARY**

40 Under current law, the Department of Health and Human Services terminates
41 assistance under the Temporary Assistance for Needy Families program to the entire
42 family, including children, if the children's parent fails to comply with requirements of the

1 family contract for a period of 90 days or for any subsequent failure. This bill amends that
2 provision to terminate benefits for the noncomplying parent but continues to provide
3 assistance to the children and complying parents.