

1 H.316

2 Introduced by Representative Poirier of Barre City

3 Referred to Committee on

4 Date:

5 Subject: Human services; public assistance; benefit cliffs; transitional  
6 assistance

7 Statement of purpose of bill as introduced: This bill proposes to provide  
8 beneficiaries of public assistance programs with transitional assistance once  
9 they begin earning income that would otherwise compromise the beneficiaries'  
10 eligibility.

11 An act relating to transitional assistance for recipients of public assistance

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 33 V.S.A. chapter 27 is added to read:

14 CHAPTER 27. TRANSITIONAL FINANCIAL ASSISTANCE

15 § 2701. PURPOSE

16 The purpose of transitional financial assistance is:

17 (1) to assist individuals and families to transition from public assistance  
18 to self-sufficient employment;

19 (2) to reduce the benefit cliffs within Vermont's public assistance  
20 programs;

1           (3) to provide to individuals and families financial supports that enable  
2 recipients to maintain employment and not to return to public assistance; and

3           (4) to provide low-income members of the workforce with reasonable  
4 resources compatible with decency and health.

5       § 2702. DEFINITIONS

6           As used in this chapter:

7           (1) “Commissioner” means the Commissioner for Children and Families  
8 or designee.

9           (2) “Department” means the Department for Children and Families.

10          (3) “Recipient” means an individual or family that is determined as  
11 eligible for transitional financial assistance under this chapter and in  
12 accordance with rules adopted by the Commissioner.

13          (4) “Transitional financial assistance benefit” or “benefit” means a  
14 financial support provided to a recipient on a monthly basis in accordance with  
15 the provisions of this chapter and with rules adopted by the Commissioner.

16       § 2703. TRANSITIONAL FINANCIAL ASSISTANCE

17          (a) An individual or family receiving public assistance pursuant to a state  
18 program established in part 2 of this title shall be eligible to receive transitional  
19 financial assistance for a period of time while earning income that would  
20 otherwise disqualify the individual or family from receiving further public  
21 assistance.

1       (b)(1) A recipient of transitional financial assistance shall receive benefits  
2       that gradually decrease both over the eligibility period and as the recipient  
3       earns higher income. A recipient's initial transitional financial assistance  
4       benefit shall not be more than 80 percent of the total public assistance benefit  
5       that the recipient was receiving at the time the recipient exceeded the earned  
6       income threshold of the applicable state public assistance program. The  
7       benefit shall decrease by at least 20 percent for every nine consecutive months  
8       that a recipient receives assistance under this chapter. Depending on the  
9       degree to which a recipient exceeds the federal poverty level, the transitional  
10       financial assistance benefit may decrease more rapidly or at greater increments  
11       in accordance with rules adopted by the Commissioner for Children and  
12       Families pursuant to section 2704 of this title.

13       (2) A recipient's eligibility for transitional financial assistance shall  
14       expire once the recipient's income exceeds 300 percent of the federal poverty  
15       level.

16       (c) A recipient shall remain eligible to receive transitional financial  
17       assistance pursuant to this chapter for no more than a total of 36 months during  
18       the recipient's lifetime. The 36 months in which a recipient receives  
19       transitional financial assistance need not be consecutive.

1     § 2704. RULEMAKING

2           On or before January 1, 2014, the Commissioner for Children and Families  
3     shall adopt rules pursuant to 3 V.S.A. chapter 25 prescribing the  
4     administration, benefits, and appeals process associated with transitional  
5     financial assistance available under this chapter, including:

6           (1) departmental protocols for accepting clients, administering  
7     transitional financial assistance benefits, and managing caseloads;

8           (2) specific eligibility criteria for transitional financial assistance  
9     recipients, such as recipients' prior receipt of public assistance pursuant to a  
10    state program established in part 2 of this title;

11          (3) methodologies and timetables for determining a recipient's  
12    transitional financial assistance benefit under this chapter, which account for  
13    earned income, the number of individuals supported by the benefit, the degree  
14    to which the recipient exceeds the federal poverty level, the benefit received  
15    prior to becoming eligible for benefits under this chapter, and the number of  
16    consecutive months a recipient has received transitional financial assistance  
17    benefits or any gaps in receipt of benefits;

18          (4) manner and timeliness of notice provided to potential recipients  
19    regarding eligibility for transitional financial assistance;

20          (5) manner and timeliness of notice provided to recipients each time the  
21    benefit received under this chapter is subject to change; and

1           (6) available processes that a recipient, or potential recipient, may use to  
2           appeal a decision by the Department regarding eligibility or specific changes in  
3           the recipient's transitional financial assistance benefit.

4           Sec. 2. EFFECTIVE DATE

5           This act shall take effect on July 1, 2013.