



# Oregon

John A. Kitzhaber, MD, Governor

Department of Human Services

Director's Office

500 Summer St NE E15

Salem, OR 97301

503-945-5600

Fax: 503-581-6198

TTY: 503-945-5896

[www.oregon.gov/dhs](http://www.oregon.gov/dhs)



## Report to the 2013 Legislative Assembly Regarding Temporary Assistance for Needy Families As Required by ORS 412.079

### Background:

ORS 412.079 requires the department to report to each session of the Legislative Assembly information described in ORS 412.079. The requirements in ORS 412.079 are listed below:

#### **412.079 Time limits; exceptions; rules (as amended by SB 1579 in 2012)**

- (1) Except as provided in subsections (2) and (3) of this section, a needy caretaker relative may not receive aid under ORS 412.006 if the needy caretaker relative has received aid under the temporary assistance for needy families program in this state or any other state for more than a total of 60 months.
- (2) The Department of Human Services may not count toward the 60-month limit on receipt of aid described in subsection (1) of this section any month in which a needy caretaker relative:
  - (a) Receives a grant of temporary assistance to needy families under ORS 412.001 to 412.069 and 418.647, or assistance funded under Title IV-A of the Social Security Act in this or another state, prior to July 1, 2003;
  - (b) Resides in an area described in 18 U.S.C. 1151, and 50 percent or more of the adult residents in the area are unemployed;
  - (c) Is, in that month, a minor child and neither the head of the household nor married to the head of the household;
  - (d) Receives aid under ORS 411.878, 412.014 or 412.124;
  - (e) Is enrolled at an educational institution under ORS 412.016;
  - (f) Is exempt from time limits pursuant to rules adopted by the department in accordance with section 408(a)(7)(C) of the Social Security Act; or
  - (g) Is unable to obtain or maintain employment for a sufficient number of hours in a month to satisfy the federally required participation rates because the needy caretaker relative:
    - (A) Is a victim of domestic violence as defined in ORS 411.117;
    - (B) Has a certified learning disability;
    - (C) Has a mental health condition or an alcohol or drug abuse problem;
    - (D) Has a disability as defined by the department by rule in a manner consistent with the definition of disability in the Americans with Disabilities Act;
    - (E) Has a child with a disability;



(F) Is deprived of needed medical care; or

(G) Is subjected to battery or extreme cruelty as defined by the department by rule.

(3) A needy caretaker relative may not be denied aid or terminated from receiving aid on the basis of the 60-month limitation described in subsection (1) of this section if the individual is experiencing a situation described in subsection (2) of this section.

(4)(a) The Department of Human Services shall monitor the average period of time a family receives aid and shall record such information by family size. The department shall monitor the wages and benefits received by an individual who becomes employed while receiving aid, including medical and child care benefits. The department shall monitor and record the rate at which families who cease receiving aid for employment subsequently apply for and receive aid.

(b) The department shall report the results of the monitoring required under paragraph (a) of this subsection to the Legislative Assembly not later than the 15th day of each legislative session. [Formerly 418.131]

**The following information is provided in accordance with ORS 412.079:**

**Average Time a Household Received Cash Assistance by Family Size:** The Temporary Assistance for Needy Families (TANF) program provides cash assistance and services to single parent households, two-parent households, households in which one or both parents receive Social Security benefits of SSI, and households in which the primary caretaker is a relative other than the child's parent. General Fund moneys are also used to provide cash assistance for families in which one or both parents are applying for Social Security benefits of SSI/SSDI.

TANF on-going cash assistance for all household types in June 2012 reveal the following average months on TANF by Need Group Size since July 2003.

**Average Months on TANF by Need Group**

Need Group Size	Total Number of Families	Average Months
01	3,216	39.85
02	14,083	25.05
03	9,480	26.78
04	5,403	29.98
05	2,448	32.52
06	1,004	34.41
07	376	35.70
08	131	34.64
09	52	33.98
10	29	38.79
11	9	28.33
12	3	32.33

**Average Countable Months a Household Received Cash Assistance by Family Size (based on Oregon's Time Limit):** Federal law prohibits providing assistance to a family that includes an adult in the need group who has received cash assistance under any state program with funds provided by the Federal government, for more than 60 months (whether or not consecutive). TANF time limits do not apply to families in which the only recipients are children. Examples include: an adult who is not receiving TANF because he or she is receiving Supplemental Security Income (SSI); or an adult who is not in the need group because he or she is a relative caregiver who is not the child's parent; or when the adult is not in the need group for any other reason.

States can exempt from time limits up to 20 percent of their TANF cash assistance caseload based on hardship as defined by the state. House Bill 2469 (2007) established a state 60 month time limit for adults receiving TANF cash assistance which began in July 2003. HB 2469 also defined the state exemptions to TANF time limits. Those exemptions are listed in ORS 412.079 (2). In addition, the department established an economic hardship exemption which applied to all adults during periods when Oregon's unemployment rate is equal to or exceeds 7 percent. This exemption began in July 2008 and ended in May 2012. Oregon's time limit suspends counting of time on TANF whenever a hardship exemption applies. The time limit applies only to adults and teen parents who are the head of household. Children may continue receiving TANF for themselves even after the adult or teen parent exceeds the 60-month time limit and does not meet an exemption.

Effective May 2012, there were two main amendments to ORS 412.079 made through Senate Bill 1579, one of which clarified that a person cannot receive TANF beyond 60 months in this or another state. The other amendment made time limits applicable to adults in two-parent households in the same way they apply to single parent households (and regardless of the source used to fund the two-parent program).

The table below displays the average countable months on TANF based on state time limit criteria. This information includes the average countable months for families receiving TANF on-going cash assistance in June 2012 by Need Group Size and averaged since July 2003. Need groups are the people whose basic and special needs are used in determining eligibility.

**Average Countable Months on TANF by Need Group  
(Based on Oregon Time Limit criteria)**

Need Group Size	Total Number of Adults	Average Countable Months
01	3,204	1.10
02	13,785	2.20
03	9,430	2.11
04	5,458	2.08
05	2,544	1.88
06	1,051	1.65
07	400	1.65
08	138	1.29
09	53	1.38
10	30	1.53
11	9	0.89

The reason for the low average countable months above is not only based on hardship criteria but it also stems from the economic hardship exemption which applied to all families between July 2008 and April 2012.

The Governor's Recommended Budget includes a 36-month time limit which would apply to the entire family. If this policy option goes into effect, current policy would change in three ways: (1) the time limit would be shorter (from 60 to 36 months); 2) each family's circumstances will be reviewed after the family reaches 36 months of TANF receipt to determine whether a hardship exists. If a hardship exists, TANF eligibility for the family would be extended beyond 36 months. And 3) for families where no hardship exists, the entire case would close. Children in the household would no longer be eligible to continue receiving TANF.

**Wages and Benefits after Becoming Employed:** The average starting full-time (30 or more hours per week) wage reported by TANF clients during the 2012 calendar year was \$10.33 per hour. A typical TANF family of three (one adult, two children) would no longer qualify for cash assistance if the adult worked for more than 16 hours per week at minimum wage. Approximately 96 percent of all families receiving TANF benefits have no earnings.

After having their cases close due to employment on or after July 2011, the following number of families (cases) were receiving Employment Related Day Care (ERDC) and/or Medical Assistance (such as OHP) in June 2012:

ERDC Only:	30
Medical Only:	5,825
ERDC and Medical:	1,556

**Rate of Return to Cash Assistance:** For the 2012 calendar year, 82 percent of the families who left TANF cash assistance due to employment were not receiving aid 18 months later. Of these families, 62 percent did not return to cash assistance during the entire 18 month period, while 20 percent returned for some period of time, but had left cash assistance again by the end of the 18 months. The remaining 18 percent of families who left cash assistance due to employment returned to cash assistance and were still receiving cash assistance at the end of the 18 month period.

This report will be posted at the following website:

<http://www.oregon.gov/DHS/assistance/publications/index.shtml>

Please contact Xochitl Esparza at (503) 945-6122 if you have any question or concerns regarding the report.