

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1108

2001 HOUSE HUMAN SERVICES

HB 1108

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1108

House Human Services Committee

Conference Committee

Hearing Date January 15, 2001

Tape Number	Side A	Side B	Meter #
Tape 1	X		0 to 5108
Committee Clerk Signature <i>Corinne Easton</i>			

Minutes:

Chairman Price, Vice Chairman Devlin, Rep. Dosch, Rep. Galvin, Rep. Klein, Rep. Pollert, Rep. Porter, Rep. Tieman, Rep. Weiler, Rep. Weisz, Rep. Cleary, Rep. Metcalf, Rep. Niemeier, Rep. Sandvig.

Chairman Price: Opened the hearing on HB 1108.

Blaine Nordwall: Director of Economic Assistance Policy for the Department of Human Services. House Bill 1108 reflects several modest changes in the statute under which the department administers the Temporary Assistance for Needy Families program. We also request the committee consider two amendments to correct a word choice and to avoid potential conflict with HB 1037. (See Testimony)

Rep. Metcalf: Referring back to Bill 1037 in regard to domestic violence. 1037 also talks about domestic violence in subsection "i", and in this Bill 1108 in that same subparagraph it does not refer to domestic violence. Should they both read the same then?

Blaine Nordwall: They both should read the same. The problem is that if you have the same subdivision that is amended in two different ways, then the Legislative Council would be faced with questions about which is the later to be enacted. Our only concern is that there not be confusion or a conflict.

Rep. Metcalf: I guess my question is should it be in "j" as well as in "e"? The terminology.

Blaine Nordwall: The department recommended an alternative amendment to the language that was submitted on behalf of the interim committee. It would essentially create a new subsection. Instead of addressing this subsection with these changes, it would create a new subsection.

If the Legislature saw fit to adopt both amendments and pass both bills - whatever the Legislature's desire, the important thing is that it makes sense.

Chairman Price: On page 5, the single application. Part of our goal was to make it easier for the recipient to not have to go through numbers of forms, numbers of questions, and numbers of people - the one-stop type thing and because she's not going to be there for very long, do you think we have any potential of making any headway with it?

Blaine Nordwall: I think the secretary is entirely correct in her assessment of what the federal TANF statute allows her to do. I don't think a different assessment will be forthcoming from a different secretary. What I don't know is whether we will be pressured to have a variety of Medicaid applications forms. The secretary of the United State Department of Health and Human Services is dealing with states who may not have the same local agency administering the TANF and Medicaid program. As a matter of fact there are quite a few states where that is the case. So I suspect this is the one-stop shop that would concern this Legislature and has for our agency for some time.

Rep. Niemeier: On page 5 under "u" and "w" we have progressive stricken from sanctions.

What might these sanctions be, besides termination of benefit? What is progressive removed?

Blaine Nordwall: In our progressive sanctioning it could be not cooperating in participation in work activities and child support. Also when participating in the Medicaid program where children are required to come in for regular medical examinations. First we warn them, and the second thing we do is take part of the grant away that affects the parent, and the third is that we say we will take the whole grant away. What we would like to do is not abandon progressive sanctioning, but to have an environment in which we could do progressive sanctioning in cases where appropriate. I think it is immoral that we impose sanctions on people who can't comply.

Rep. Niemeier: On "Z" in your discussion of removing the benefit cap, I am looking at that we have been enforcing the benefit cap for three and a half years and now Indiana Court has ruled that it is unconstitutional. Is there any possibility that our state can be hit with litigation to recover benefits in that time period?

Blaine Nordwall: What the Indiana Court found to be unconstitutional was the assignment part of it, not the benefit cap.

Susan Beehler: Lobbyist for R-KIDS. In her testimony (attached) she addressed the Assignment of Support Rights. She stated that support rights was difficult to understand. She explained that support rights means money, child support. Arrears (past due child support) could be money to the child owed but not collected. Unassigned arrears (money collected or uncollected after the family no longer gets welfare. Pre-assistance arrears is arrears which accumulated before the parent got welfare. Post-assistance arrears is arrears which accumulated after the parent got off welfare. Bill 1108 does not clearly state how the arrearages will be distributed. On page 2 line 28 "eligibility" leaves me feeling concerned why doesn't it say when assistance is terminated?

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House Human Services Committee  
Bill/Resolution Number HB 1108  
Hearing Date January 15, 2001

Does that mean if you are eligible for 60 months, they could still hold the arrearages collected on your behalf even if you went off welfare after 9 months, and would the amount collected go to that "secret unreimbursed fund? Does this mean the state still gets the arrearage and the federal mandate has not been acted? Because of these concerns we urge a DO NOT PASS on HB 1108 as written.

Chairman Price: Closed the hearing on HB 1108.

**COMMITTEE WORK:**

Chairman Price: Let's go to HB 1108.

Rep. Weisz: I move a DO PASS as amended.

Vice Chairman Devlin: Second.

**14 YES 0 NO 0 ABSENT CARRIED BY REP. WEISZ**

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1108 A

House Human Services Committee

Conference Committee

Hearing Date February 20, 2001

Tape Number	Side A	Side B	Meter #
Tape 2		X	(Tape didn't work)
Committee Clerk Signature <i>Cornie Easton</i>			

Minutes:

**COMMITTEE WORK:**

REP. WEISZ: Move the amendments.

REP. DOSCH: Second.

(14 Yes, 0 No, 0 Absent)

REP. NIEMEIER: Move 1st Amendment (Do Pass).

REP. CLEARY: Second.

(4 Yes, 10 No, 0 Absent)

REP. NIEMEIER: Moved 2nd Amendment (Do Pass).

REP. SANDVIG: Second.

(10 Yes, 4 No, 0 Absent)

**REP. WEISZ: DO PASS AS AMENDED.**

**REP. DEVLIN: SECOND.**

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House Human Services Committee

Bill/Resolution Number HB 1108

Hearing Date February 20, 2001

14 YES 0 NO 0 ABSENT CARRIED BY REP. WEISZ



**FISCAL NOTE**  
 Requested by Legislative Council  
 02/22/2001

Bill/Resolution No.:

Amendment to:            HB 1108

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill removes obsolete references to the welfare reform demonstration project, updates the requirements surrounding child support assignments, Temporary Assistance for Needy Families (TANF) and Indian unemployment calculation directions so they are in compliance with Federal law. The bill specifically allows the Department to conduct local demonstration projects for hard-to-serve TANF cases. This bill also calls for the Department to process Domestic Violence cases under incapacity determination. This bill has no fiscal impact.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

<b>Name:</b>	Brenda M. Weisz	<b>Agency:</b>	Department of Human Services
<b>Phone Number:</b>	328-2307	<b>Date Prepared:</b>	02/27/2001

**FISCAL NOTE**  
 Requested by Legislative Council  
 12/21/2000

Bill/Resolution No.: HB 1108

Amendment to:

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2006 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2006 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill removes obsolete references to the welfare reform demonstration project, updates the requirements surrounding child support assignments, Temporary Assistance for Need Families (TANF) and Indian unemployment calculation directions so they are in compliance with federal law. In addition, this bill specifically allows the Department to conduct local demonstration projects for hard-to-serve TANF cases.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

<b>Name:</b>	Brenda M. Welsz	<b>Agency:</b>	Department of Human Services
<b>Phone Number:</b>	328-2397	<b>Date Prepared:</b>	01/12/2001

PROPOSED AMENDMENTS TO HOUSE BILL NO 1108

Page 3, line 30, after "14-08.1-05.1" Insert ", including up to twenty-four months of postsecondary education."

Page 4, line 25, overstrike "Consider exempting" and insert immediately thereafter "Exempt" and after "accounts" insert "and provide one hundred percent matching funds from the maintenance of effort payments"

Page 5, line 26, remove "z.", remove "Except", and overstrike "in cases of pregnancy resulting from rape"

Page 5, overstrike lines 27 through 30

Page 6, line 1, replace "aa" with "z"

Page 6, line 3, replace "bb" with "aa"

Page 6, line 14, replace "cc" with "bb"

Renumber accordingly

Date: 2-20-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1108

House Human Services Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Moved the Amendment

Motion Made By Rep. Weisz Seconded By Rep. Dosch

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairman	✓		Audrey Cleary	✓	
William Devlin - V. Chairman	✓		Ralph Metcalf	✓	
Mark Dosch	✓		Carol Niemeier	✓	
Pat Galvin	✓		Sally Sandvig	✓	
Frank Klein	✓				
Chet Pollert	✓				
Todd Porter	✓				
Wayne Tieman	✓				
Dave Weiler	✓				
Robin Weisz	✓				

Total (Yes) 14 No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

