

SS SCS HCS HB 73 & 47 -- TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

This bill requires the Department of Social Services to develop a program to screen each applicant for or recipient of Temporary Assistance for Needy Families (TANF) Program benefits and test, using a urine dipstick five panel test, each person whom the department has reasonable cause to believe, based on the screening, engages in the illegal use of a controlled substance. An applicant or recipient who tested positive for the illegal use of a controlled substance which has not been prescribed by a licensed health care provider or who refuses to submit to a test must, after an administrative hearing by the department, be declared ineligible for TANF benefits for three years from the date of the administrative hearing decision and must be referred to an appropriate substance abuse treatment program approved by the Division of Alcohol and Drug Abuse within the Department of Mental Health. However, an applicant or recipient who, after being referred by the department, enters and successfully completes a substance abuse treatment program and does not test positive for the illegal use of a controlled substance for six months from the date of entry into the program will continue to receive benefits while participating in the program. The department may test these individuals for illegal drug use at random or set intervals, at the department's discretion, after the initial six months; and if the individual tests positive a second time, he or she will be declared ineligible for TANF benefits for a period of three years from the date of the administrative hearing decision.

The case worker of an applicant or recipient is required to report or cause a report to be made to the Children's Division within the Department of Social Services of any suspected child abuse as a result of drug abuse when an applicant or recipient has tested positive for the illegal use of a controlled substance or has refused to be tested. Any member of a household which includes a person who has been declared ineligible for TANF benefits, if otherwise eligible, will continue to receive benefits as protective or vendor payments to a third-party payee.

The electronic benefits card distributed to a recipient of TANF benefits must have imprinted on the card a photograph of the recipient or protective payee authorized to use the card and cannot be accepted for use at a retail establishment if the photograph does not match the person presenting the card. A card will expire and be subject to renewal after three years.