

Mr. Edward J. Zogby, Director
Bureau of Policy
Department of Public Welfare
Room 431, Health & Welfare Building
Harrisburg, PA 17120

FEB 08 2002

REFER TO: _____

Re: DPW Proposed Regulations/ Extended TANF

Dear Mr. Zogby:

I am writing to urge changes to DPW's proposed regulations concerning extended TANF benefits, which were published in the Pennsylvania Bulletin on January 26, 2002. I want to thank DPW for its decision to provide extended TANF benefits. I am very pleased that the proposed regulations provide for benefits beyond sixty months for families facing a variety of barriers, including domestic violence, disabilities and other obstacles to finding and keeping jobs. Extended TANF benefits are especially critical given the current recession and loss of jobs in many of the industries that employ low-income parents.

However I am concerned that the proposed regulations fail to protect needy families enough. The proposed regulations do not consider the needs of families with limited English proficiency at all, and are seriously flawed in their treatment of children whose parents are not eligible for extended TANF benefits, survivors of domestic violence, and families with disabilities. They don't acknowledge DPW's existing Time-out program and other rules about the counting of time towards the sixty-month time limit on federally funded TANF assistance, and don't provide for short term emergency benefits, which federal law permits. I urge you to make changes to the proposed regulations to protect these vulnerable families.

Here are some of the most important problems:

●The regulations don't provide *any acknowledgment at all* of the problems faced by families with limited English proficiency, in violation of Title VI of the Civil Rights Act of 1964. Families with limited English proficiency, including immigrants and refugees, face particularly difficult barriers to employment. In addition, DPW has not provided English as a Second Language programs or vocational training in languages other than English, and has not given families with limited English proficiency access to the full range of welfare to work programs. The regulations should provide for extended TANF benefits for families with limited English proficiency, and should provide for services to address their needs.

●The regulations punish children whose parents are not eligible for extended TANF benefits, in violation of Pennsylvania's state General Assistance statute. The regulations say that if a parent fails to comply with a requirement for Extended TANF, the entire family is ineligible for General Assistance. Our state welfare law is very clear that, except for violations of the work requirements, only the individual who fails to comply with the rules is ineligible. Children of parents who have failed to comply with the Maximizing Participation Program, or with other non-work requirements, are eligible for General Assistance.

●The regulations don't properly protect survivors of domestic violence. The

regulations do not fully implement the Family Violence Option as adopted by DPW and the recommendations of DPW's own Domestic Violence Task Force. The regulations should provide for waivers of the time limit "as long as necessary" and for families "at risk of further domestic violence" as provided in the federal statute. They should also permit families to qualify for extended TANF benefits whether or not they previously got a waiver of child support or work requirements.

●**The regulations don't provide for short-term emergency benefits.** Federal law clearly allows the state to use federal TANF funds to provide up to four months of benefits for families dealing with a crisis—including unemployment, homelessness, or other problems—without those months counting towards the 60 month time limit. Recently unemployed parents may just need temporary help while they are looking for another job. A short-term emergency assistance program would make more sense than putting these parents into DPW's proposed MPP or WPP programs.

●**The regulations don't properly count TANF days, so people will reach their time limit sooner than they should.** Months shouldn't count towards the time limit if the family has been given a Time-Out, or is getting cash assistance that is state funded, rather than federally funded, or if DPW has been fully reimbursed (for example through child support).

●**There are problems with DPW's plans for assessing disabilities and other barriers to employment.** The standards for determining disability and work exemptions are unclear, and there are not enough procedures to protect clients' rights.

●**The regulations concerning the Work Plus Program violate state and federal law.** The regulations require 30 hours per week of participation in work activities, in violation of Act 35, which requires 20 hours per week. Furthermore, the regulations don't acknowledge that the federal Fair Labor Standards Act requires payment of the minimum wage for required work activities.

Thank you for considering these comments. I hope that you will make sure these problems are fixed before approving final regulations.

Sincerely,

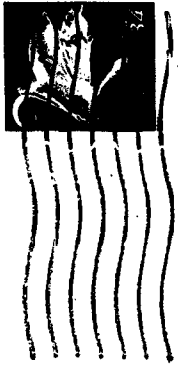
Joy S. Hankerson
St. Paul's Church (Chestnut Hill)

cc: Secretary Feather Houston
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

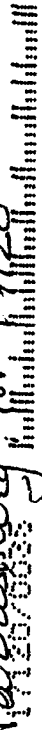


Joy Harteson
1025 Kitchens Ln
Philadelphia PA 19119-3707

14-474-2



Mr. Edward J. Zagy, Director
Bureau of Policy
Dept of Public Welfare
Room 431, Health & Welfare Building
Harrisburg PA 17129



Original: 2224

CARL L. MEASE
DIRECTOR

ROBERT W. ZECH, JR.
ASSISTANT DIRECTOR

GARY R. HOFFMAN
DIRECTOR
PENNSYLVANIA BULLETIN
PENNSYLVANIA CODE



LEGISLATIVE REFERENCE BUREAU

ROOM 641 MAIN CAPITOL BUILDING
HARRISBURG, PENNSYLVANIA 17120-0033

October 2, 2001

Tom Vracarich
Department of Public Welfare
308 Health and Welfare Building
Harrisburg, PA 17105

Re: Department of Public Welfare
Document 14-472
(Office of Income Maintenance
Bureau of Policy)

Dear Tom:

We acknowledge receipt of the above Notice of Proposed Rulemaking.

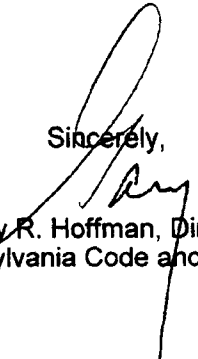
Under 1 Pa. Code §§ 13.53 and 13.91 through 13.93 (enclosed), please be advised that the document has been assigned to our Special Schedule. The document is voluminous and contains many references that must be checked out.

Planned publication date is October 20, 2001.

We are writing to you in your role of official liaison officer for the Department of Public Welfare.

Thank you.

Sincerely,


Gary R. Hoffman, Director
Pennsylvania Code and Bulletin

Enclosures

cc: Robert Nyce
Mary Jane Phelps

Barbara Furjanic
Deb Fake

GRH:sh
DPWDOC14472.wpd

§ 13.52. Filing by Bureau.

(a) Section 722(a) of 45 Pa.C.S. (relating to deposit of documents required) provides that if the Bureau finds that a document deposited with it under the act has been approved as to legality, if approval is required, and is in the form and format required by this part, it shall file the document, assign thereto and indicate thereon a distinctive serial number, and indicate thereon the date and time of filing. Upon filing, one copy shall be immediately available for public inspection and copying under § 13.55 (relating to filing for public inspection). The copy shall be retained by the Bureau for 1 year after the publication thereof, whereupon it shall be forwarded to the Pennsylvania Historical and Museum Commission for preservation in the Commonwealth archives. If the Bureau determines that the document will be published the Bureau shall transmit the other copy immediately after filing to the Department of General Services, or to a printer designated by it, for publication as provided in the act.

(b) Documents deposited with the Bureau will be held without filing during preliminary examination and processing and will be filed in accordance with §§ 13.53—13.56, 13.74, 13.81, 13.82, and 13.91—13.93 (relating to publication schedules, receipt and processing, filing for public inspection, correction of errors, effectiveness prior to publication, regular schedule, and special schedule).

§ 13.53. Publication schedules.

Documents properly submitted for publication in the *Bulletin* will be immediately assigned by the Bureau to one of the following publication schedules:

Schedule 1—Regular.

Schedule 2—Special.

Authority

The provisions of this § 13.53 issued under 45 Pa.C.S. §§ 501—907.

Source

The provisions of this § 13.53 amended October 8, 1982, effective October 9, 1982, 12 Pa.B. 3639. Immediately preceding text appears at serial pages (0268) and (0269).

Cross References

This section cited in 1 Pa. Code § 13.52 (relating to filing by Bureau).

§ 13.54. Receipt and processing.

Documents shall be received during official office hours as fixed by § 17.3 (relating to location and office hours of the Bureau). Upon receipt, documents shall be held for confidential processing until filed for public inspection.

Cross References

This section cited in 1 Pa. Code § 13.52 (relating to filing by Bureau).

§ 13.91. Procedure for Special Schedule.

(a) A document received in the ordinary course of business may be assigned to Special Schedule by the Bureau. The agency concerned will be immediately notified of the assignment and the reasons therefor.

(b) A document that is the subject of agreement involving special editorial or publication services may be placed in Special Schedule by prearrangement.

Cross References

This section cited in 1 Pa. Code § 13.41 (relating to illustrations and tabular material); and 1 Pa. Code § 13.52 (relating to filing by Bureau).

§ 13.92. Criteria for Special Schedule.

Except by prearrangement, documents may be assigned to Special Schedule only because of technical problems requiring additional time to prepare material for the press. A requirement for additional time generally may be obviated through advance consultation with the Bureau respecting unusual tabulations, illustrations, or exceptionally voluminous submissions.

Cross References

This section cited in 1 Pa. Code § 13.52 (relating to filing by Bureau).

§ 13.93. Timing.

(a) Except as provided in subsection (b), a document assigned to Special Schedule because of technical problems shall be published as nearly on Regular Schedule as practicable.

(b) A document assigned to Special Schedule by prearrangement shall be published on the date agreed upon, without regard to the Regular Schedule.

Cross References

This section cited in 1 Pa. Code § 13.52 (relating to filing by Bureau).

{Next page is 15-1.}

Women's Law Project

125 South Ninth Street
Suite 300
Philadelphia, PA 19107

T: 215.928.9801 F: 215.928.9848
w: www.womenslawproject.org
e: info@womenslawproject.org

ORIGINAL: 2224

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Stacy McGinnis

ADMINISTRATIVE ASSISTANT

Katherine Suter



A Womens Way Agency

December 13, 2001

Independent Regulatory Review Commission
333 Market Street
Harrisburg, PA 17120

Re: Supplementary Explanatory Comment
Comments on DPW's Proposed TANF Regulations
31 Pa. Bull. 5875 (October 20, 2001)
IRRC No. 2224 14-472

To The Independent Regulatory Review Commission:

This letter includes the rationale for one of the modifications to the proposed regulations identified in the marked-up proposed regulations appended to the comments submitted by the Women's Law Project and Community Justice Project on November 13, 2001 but inadvertently omitted from the comments themselves.

Section 187.27(c)(4)(i) Proof of good cause at redetermination


Proposed regulation 187.27(c)(4)(i) contains a requirement that was never discussed by the Domestic Violence/TANF Task Force, is inconsistent with the resolution reached by the Task Force and DPW and published in Operations Memorandum 00-06-10, and is unduly burdensome for victims of domestic violence. Under the new verification procedure, which gives TANF recipients three options for demonstrating good cause based upon domestic violence, it was agreed that recipients who had received good cause waivers based on either documentation or third party statements would not have to submit additional verification at redetermination if circumstances had not changed. While the first sentence of the proposed regulation reflects this agreement and is consistent with the text of the Operations Memorandum, the second sentence undermines it by imposing the additional requirement that such individuals submit a verification completed by a person trained in domestic violence.


Remedy: Delete the second sentence of 187.27(c)(4)(i).

RECEIVED
NOV 17 2001
INDEPENDENT REGULATORY REVIEW COMMISSION

We hope this additional explanation is helpful.

Very truly yours,


Peter Zurflieh
Community Justice Project
118 Locust Street
Harrisburg, PA 17101
717-236-9486 ext. 210


Terry Fromson
Women's Law Project
125 S. 9th Street, Suite 300
Philadelphia, PA 19107
215-928-9801 ext. 203

14-474-3

ORIGINAL: 2224

Mr. Edward J. Zogby, Director
Bureau of Policy
Department of Public Welfare
Room 431, Health & Welfare Building
Harrisburg, PA 17120

Re: DPW Proposed Regulations/ Extended TANF

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However I am concerned that the proposed regulations fail to protect needy families enough. The proposed regulations do not consider the needs of families with limited English proficiency at all, and are seriously flawed in their treatment of children whose parents are not eligible for extended TANF benefits, survivors of domestic violence, and families with disabilities. They don't acknowledge DPW's existing Time-out program and other rules about the counting of time towards the sixty-month time limit on federally funded TANF assistance, and don't provide for short term emergency benefits, which federal law permits. I urge you to make changes to the proposed regulations to protect these vulnerable families.

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●The regulations don't properly protect survivors of domestic violence. The

Office of Income Maintenance
Bureau of Policy

FEB 11 2002

REFER TO: _____

C. J. Agnew
575 Spring Lane
Wyncote, Pa. 19038



Mr. E. J. Zogby, Director
Bureau of Policy
Dept. Public Welfare
Room 431, Health & Welfare Building
Harrisburg, Pa. 17120

17120/0038

Ayuda Community Center
4400 N. Marshall Street
Philadelphia, PA 19140-2320

Edward J. Zogby, Director, Bureau of Policy
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

Independent Regulatory Review Commission
333 Market St.
Harrisburg, PA 17120

Original: 2224

Re: DPW Proposed Regulations
Implementation of TANF/Act 35

Dear Mr. Zogby and Members of the IRRC:

I am writing to urge changes to DPW's proposed regulations implementing TANF and Act 35, which were published in the Pennsylvania Bulletin on October 20, 2001. The proposed regulations' five-year time limit without any exceptions jeopardizes the income and well-being of the nearly 12,000 families that will be reaching the time limit beginning on March 3, 2002. These regulations as written would also harm TANF recipients trying to move into the workforce and battered women. These harmful changes are being considered at the very time when Pennsylvania's unemployment rate and TANF caseload are rising. We urge you to make changes to the proposed regulations to protect these vulnerable families.

Here are some of the most important problems:

- **The regulations don't provide any exceptions at all to the 60 month TANF time limit. DPW should consider all of its time limit policies together rather than piecemeal.** The federal law gives states many options to extend the time limit beyond 60 months: Pennsylvania may exempt 20% of its TANF caseload as well as battered women from the time limit using federal funds, and may extend the time limit to additional families using its own funds. DPW has announced that it intends to use all of these options, through its "overtime" and "time out" policies. The "time out" program is already in effect, and DPW has said that it will be issuing "overtime" rules shortly. These proposed regulations, however, would not permit either of these programs, and could result in thousands of families losing their only source of income in a matter of months. Although DPW officials have said they intend to modify the time limit rule in this set of regulations soon, they should not ask the public to "trust them" that they will fix this flawed regulation in the coming months. Instead, the Department should consider all of its time limit policies, including "overtime," together in the later set of regulations. The time limit regulation should be removed from this package of regulations altogether.
- **The protections to prevent inappropriate sanctions have been gutted.** Important protections have been in place to ensure that families don't lose their benefits when they are trying to comply with work requirements, or when they have been unable to comply because of illness,

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INDEPENDENT REGULATORY REVIEW COMMISSION

child care problems, or misunderstanding. The regulations eliminate these protections. As a result, families could lose their benefits even though they are trying their best to comply with work requirements. The regulations should restore existing protections requiring conciliation sessions to work out problems a family may be facing, and reminding sanctioned individuals that they may start receiving benefits again.

- **The regulations don't include the compromise modifications to DPW's work program that DPW adopted to avoid legislation that would have allowed more education and training.** When House Bill 1266 was pending, DPW agreed to exercise its discretionary authority to make important changes in its work requirements to allow greater access to education and training. These changes, which are consistent with Act 35, should be included in the regulations.

- **The regulations don't properly protect survivors of domestic violence.** Waivers of TANF child support cooperation requirements are crucial to protect victims of domestic violence from danger that arises when support papers inform a batterer where the woman lives, provoke retaliatory violence, and place the woman in direct contact with batterer in court. DPW's proposed regulations fail to provide adequate procedures to make waivers a true option for victims of domestic violence by not requiring full notification about the waiver possibility, by permitting arbitrary waiver deadlines instead of allowing the waiver to continue for so long as necessary, and by imposing documentary requirements for waivers that unnecessarily burden both domestic violence victims and domestic violence service providers.

- **The regulations attempt to impose more work obligations than the General Assembly required, and lessen parents' ability to design their own path off welfare.** Pennsylvania's welfare reform law provides for DPW and parents to develop mutually-agreed-upon plans for the parent to move toward self-sufficiency, assuming the parent is meeting the law's work requirements. These proposed regulations, however, would allow DPW to impose more obligations on parents than the law envisions, without the parent's involvement.

Thank you for considering these comments. I hope that you will make sure these problems are fixed before approving final regulations.

Sincerely,

Mary Kilian
Mary Kilian

cc: Secretary Feather Houstoun
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

11

ORIGINAL: 2224

Edward J. Zogby, Director, Bureau of Policy
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

Office of Income Maintenance
Bureau of Policy

NOV 20 2001

Independent Regulatory Review Commission
333 Market St.
Harrisburg, PA 17120

REFER TO: *Copy said Willie*

Re: DPW Proposed Regulations
Implementation of TANF/Act 35

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Here are some of the most important problems:

- **The regulations don't provide any exceptions at all to the 60 month TANF time limit. DPW should consider all of its time limit policies together rather than piecemeal.**
The federal law gives states many options to extend the time limit beyond 60 months: Pennsylvania may exempt 20% of its TANF caseload as well as battered women from the time limit using federal funds, and may extend the time limit to additional families using its own funds. DPW has announced that it intends to use all of these options, through its "overtime" and "time out" policies. The "time out" program is already in effect, and DPW has said that it will be issuing "overtime" rules shortly. These proposed regulations, however, would not permit either of these programs, and could result in thousands of families losing their only source of income in a matter of months. Although DPW officials have said they intend to modify the time limit rule in this set of regulations soon, they should not ask the public to "trust them" that they will fix this flawed regulation in the coming months. Instead, the Department should consider all of its time limit policies, including "overtime," together in the later set of regulations. The time limit regulation should be removed from this package of regulations altogether.
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child care problems, or misunderstanding. The regulations eliminate these protections. As a result, families could lose their benefits even though they are trying their best to comply with work requirements. The regulations should restore existing protections requiring conciliation sessions to work out problems a family may be facing, and reminding sanctioned individuals that they may start receiving benefits again.

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Thank you for considering these comments. I hope that you will make sure these problems are fixed before approving final regulations.

Sincerely,



cc: Secretary Feather Houstoun
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

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DEPARTMENT OF PUBLIC WELFARE
HARRISBURG, PA

12

ORIGINAL: 2224

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Office of Income Maintenance
Bureau of Policy
Edward J. Zogby, Director, Bureau of Policy
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

NOV 20 2001

Independent Regulatory Review Commission
333 Market St.
Harrisburg, PA 17120

REFER TO: *Copy Mail Willie*

Re: DPW Proposed Regulations
Implementation of TANF/Act 35

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Thank you for considering these comments. I hope that you will make sure these problems are fixed before approving final regulations.

Sincerely,


Mary Kilian

cc: Secretary Feather Houstoun
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

WOMEN AGAINST ABUSE, INC.

Original: 2224

November 19, 2001

SENT VIA FACSIMILIE AND U.S. MAIL

Independent Regulatory Review Commission
333 Market Street
Harrisburg, PA 17120

**Re: Department of Public Welfare (DPW) Proposed Regulations
Implementation of TANF/Act 35**

Dear Members of the IRRC:

I am writing to express several concerns about the Department of Public Welfare's proposed regulations implementing Temporary Assistance to Needy Families (TANF) and Act 35, which were published in the Pennsylvania Bulletin on October 20, 2001.

Over the course of our twenty-seven (27) year history, WAA has grown from a counseling and hotline program to a full-service agency that offers shelter, counseling, hotline services, transitional housing, and comprehensive legal services. The mere fact that our needs assessments directed us to implement these comprehensive programs suggests that the needs of battered women are also comprehensive. They need not only counseling, but affordable housing, education to lead to employment, and most of all, time to rebuild their lives, which state welfare programs frequently and unfortunately do not allow.

Our clients are largely of color, indigent and urban. They frequently face multiple challenges: (1) victimization by domestic violence; (2) homelessness; (3) poverty; (4) marginal education to illiteracy; and (5) marginal employment to unemployment. The proposed regulations to Temporary Assistance to Needy Families benefits are, therefore, clearly important to both our clients and our agency.

As more and more research studies are conducted on the welfare system and welfare reform, a stark correlation has emerged between the presence of current or past experience of domestic violence and/or past childhood physical or sexual abuse in female recipients of TANF benefits. This has prompted more research, making the connection between the experience of domestic violence and poverty quite apparent. Nearly all studies which have addressed the issue of poverty, welfare and domestic violence, conducted in cities and states throughout the United States, agree that well over half of the women receiving (at the time) AFDC benefits reported that they had experienced physical abuse by an intimate male partner at some point during their adult lives, and most also reported physical and/or sexual abuse in childhood,

The official registration and financial information of Women Against Abuse may be obtained from the PA Department of State by calling toll-free within Pennsylvania 1-800-732-0999. Registration does not imply endorsement.

Administrative Office

Post Office Box 13768
Philadelphia, PA 19101-3758
(215) 386-1280
(215) 386-2476 (FAX)

24 Hour Hotline

(215) 386-7777

Website

www.waasafe.org

with rates hovering at around sixty percent (60%). Department of Justice data also reveal that rates of domestic violence/intimate partner violence increase as household income decreases, with women in families with a household income of less than \$9,999 experiencing violence at a rate over five (5) times as high as women in families with incomes over \$30,000.

The reasons for this connection are many, and remain largely unstudied. Some, however, are clear. For example, one common form of control in an abusive intimate relationship is independence, frequently economic. An abusive partner therefore forbids or sabotages efforts at education, training and employment, and may also frequently harass the victim in the workplace and make her late to work or even miss work entirely. Statistics show that domestic violence creates quite a strain on our economy, and many large companies have high estimates for productivity lost due to intimate partner violence.

Having made clear the proven correlation between welfare recipients and domestic violence, I would like to explain in greater detail my concerns about the proposed regulations:

1. Length of Waivers

However, the Department of Public Welfare's regulations set expiration dates, placing victims at immediate risk for further acts of domestic violence. Shelter workers and advocates for survivors of domestic violence have long stated that many women are forced to return to an abusive partner because of economic constraints and lack of affordable housing. In light of this, the proposed time limits are also problematic. Also, the regulations do not provide any exceptions at all to the sixty month time limit. Federal law gives many options to extend time limit – Pennsylvania may exempt 20% of its TANF caseload, as well as battered women from the time limit using federal funds, and may extend the time limit to additional families using its own funds. We also need to consider the option that perhaps time limit regulations should be removed from this package of regulations altogether and reviewed at a later date as a whole. TANF benefits are a lifeline for women fleeing abusive relationships. Transitional housing is hard to come by, and one can only stay in an Emergency Shelter for a limited period of time due to funding constraints. As noted above, in the absence of benefits, many women and their children are forced to return to abusive situations. In recognition the untenable dilemma that battered women face, the regulations should take such situations into consideration and allow for exceptions.

2. Waiver Notification

The proposed regulations do not include provisions for both verbal as well as written notification of waivers. In order for waivers to be truly meaningful, it should be mandatory that those receiving TANF benefits be provided oral as well as written notification. When notice is provided only in written form, it does not recognize the level of challenges facing persons applying for welfare, including, but not limited to, literacy.

3. Work Requirement Compliance

Protections were in place to ensure that families do not lose their benefits when they are making all reasonable attempts to comply with work requirements, or when unable

to comply due to illness, lack of childcare, or misunderstanding. The proposed regulations eliminate these protections, which are critical to the success of many women as they attempt to make the transition to a successful independent life free from the violence and turmoil of domestic violence. As noted above, research has shown that abusive relationships do not only affect a victim in the home, but also in the workplace. Research indicates that, for many victims of domestic violence, it can be almost impossible to get or keep a job when one is involved in an abusive relationship or immediately following the end of an abusive relationship. This challenge is further compounded by the frequently inadequate access to affordable child care.

4. Work Obligations

The proposed regulations attempt to impose more work obligations than the General Assembly required. Pennsylvania's welfare reform law provides for the Department of Public Welfare and parents to develop mutually agreed-upon plans for the parent to move toward self-sufficiency, assuming that the parent is meeting the law's work requirements. These proposed regulations, however, would allow DPW to impose more obligations on parents than the law envisions, without the parent's involvement. Clearly, with such a wide variety of individuals, a one-size-fits-all approach will be unsuccessful and more of an attempt should be made to allow for a variety of plans and programs to assist the family based upon individual need.

5. Provisions for Education and Training

The proposed regulations do not include modifications to the Department of Public Welfare's work program, which was adopted to avoid legislation that would have allowed more education and training. When House Bill 1266 was pending, DPW agreed to exercise its discretionary authority to make important changes in its work requirements to allow greater access to education and training. These changes, which are consistent with Act 35, should be included in the regulations. Education and job training are clearly indispensable as a route out of poverty, not only for survivors of domestic violence but for all who are attempting to build an economically independent life.

I am concerned that the regulations do not take into consideration, as it were, the specific state of being that is a battered single mother. This concern is exemplified in the limited recognition of the challenges posed for battered women living in poverty as it relates to: employment, work requirements, childcare, education and training, and the new time limits. As the abovementioned statistics and research show, survivors and victims of domestic violence are a large portion of those to be affected by these regulations. I strongly urge you to reconsider the proposed regulations in light of the population they will affect most severely.

I am certain that you will consider these comments before you approve the regulations. Should you have any questions or wish to speak to me further about the issues facing survivors of domestic violence and low-income women with these impending regulations, please feel free to call me at (215) 386-1280, extension 15.

I look forward to further collaboration between social service agencies such as Women Against Abuse, Inc. and the Department of Public Welfare towards our common goal of improving the quality of life for battered women and their children.

Sincerely,



Nichelle A. Mitchem, Esq.
Executive Director

Cc: Secretary Feather Houstoun
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

NOV 19 2001
11:20 AM 8:22
RECEIVED DEPARTMENT OF PUBLIC WELFARE



WOMEN AGAINST ABUSE, INC.

**HELPING WOMEN AND CHILDREN
BREAK FREE OF DOMESTIC VIOLENCE**

Original: 2224

P. O. BOX 13758
PHILADELPHIA, PA 19144
PHONE (215) 386-1280 FAX (215) 386-8863
24 HOUR HOTLINE (215) 386-7777

RECEIVED
2001 NOV 20 AM 8:15
COMMUNICATIONS

FAX TRANSMISSION

TO: IRRC **FAX NO.:** 717 783-2664

FROM: Nichelle Mitchem **FAX NO.:** 215-386-2476

SUBJECT: DPW Proposed Regulations

DATE: 11/19/01 **PAGES:** 5

NOTE: _____

[I]n 1998, about 1 million violent crimes were committed against persons by their current or former spouses, boyfriends, or girlfriends. (Bureau of Justice Statistics, Special Report: Intimate Partner Violence. 2000).

In 1998, 187,970 acts of aggravated assault occurred by an intimate partner. Of these aggravated assaults, 140,050 occurred against a woman. (Bureau of Justice Statistics, Special Report: Intimate Partner Violence. 2000).

Three (3) million to 10 million children in the United States are at risk for witnessing domestic violence. (Eddleson, J. & Peled, E., Small Group Intervention with Children of Battered Women. Violence Update, Vol.4 (9) May 1994).

In Pennsylvania, over \$320 million is spent annually on the medical costs of domestic violence survivors. This figure is more than the combined cost of medical care for survivors of elder abuse, child abuse and street violence. (Pennsylvania Coalition Against Domestic Violence).



ORIGINAL: 2224
Just Harvest
A CENTER FOR ACTION AGAINST HUNGER

13

Building understanding
about hunger since 1987

120 East 9th Avenue
Homestead PA 15120
Phone: (412) 464-0739
Fax: (412) 464-0758

Edward J. Zogby, Director, Bureau of Policy
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

Independent Regulatory Review Commission
333 Market St.
Harrisburg, PA 17120

Re: DPW Proposed Regulations
Implementation of TANF/Act 35

Office of Income Maintenance
Bureau of Policy

NOV 20 2001

REFER TO: Copy Gail Willie

Dear Mr. Zogby and Members of the IRRC:

Just Harvest's Welfare Justice Project, a coalition of Welfare consumers, advocates and allies in Allegheny County, strongly urges that significant changes be made to DPW's proposed regulations for implementing TANF and Act 35. On behalf of WJP, we'd like to strongly endorse the comments of Community Legal Services (CLS) in Philadelphia regarding these regulations. We would like to echo each of the concerns that CLS raise in their comments. The areas we feel are in most pressing need of critical revision are:

- **The absence of any exceptions to the 60 month TANF time limit.** The Federal law implicitly gives states many options to extend the time limit beyond 60 months for families who are in extreme need of cash assistance. The regulations should, for starters, clearly state the time extensions that they are obligated to implement or have already implemented such as the Time Out program. We concur with CLS that the time limit regulation should be removed from this package of regulations altogether.
- **The absence of policies to allow for more education and training.** Since TANF was implemented, many parents have missed crucial opportunities to further their education and thereby increase the chances of getting their families out of poverty because of DPW's work-first policies. DPW should make good on its agreement (when HB 1266 was pending) to exercise its discretionary authority to make significant changes in its work requirements to allow better and greater access to education.
- **The proposal to impose more work obligations on parents than the law requires.** The "Agreement of Mutual Responsibility" is a critical piece of TANF practice in PA. The development of the AMR allows parents to work with DPW to create goals to meet both TANF work requirements and their own personal career goals. The regulations should not include the provision to allow DPW to impose more work obligations on parents (without input from the parents) than the law requires.

Just Harvest is an Equal Opportunity/Affirmative Action Employer

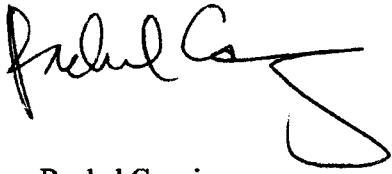
Winner of the Congressional Hunger Center's 1997 Victory Against Hunger Award, World Hunger Year's

1993 Harry Chapin Food Self-Reliance Award, and the Pa. Public Health Association's 1993 Rodale Award for Health Promotion.

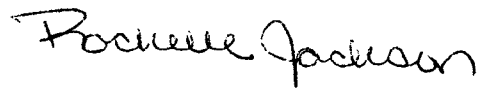
A copy of the official registration and financial information may be obtained from the Pa. Department of State by calling toll-free, within Pa., 1-800-732-0999. Registration does not imply endorsement.

We hope that you will reject these regulations as they are currently written. Tens of thousands of poor children in Pennsylvania are reliant on TANF policy that will give their families opportunities to truly get out of poverty. The proposed regulations, especially because they do not address the very real issue of the nearly 10,000 families who will exhaust their lifetime TANF limit in 2002, jeopardize the health and well-being of Pennsylvania's poorest kids.

Very Sincerely,



Rachel Canning
Organizer
Welfare Justice Project
Just Harvest



Rochelle Jackson
Advocate
Welfare Justice Project
Just Harvest

Cc: Community Legal Services, Inc.

RECEIVED
COMMUNITY LEGAL SERVICES, INC.
APR 11 11 13 AM '94

THE WELFARE COALITION

A statewide coalition
With the following
members:

Bucks County
Housing Group

Community Justice
Project

Community Legal Services

County Commissioners
Association of PA

Delaware Valley Child
Care Council

Episcopal Community
Services

Just Harvest/Welfare
Justice Protect

Lutheran Advocacy
Ministry in PA

Mon-Valley Unemployed
Committee

National Association of
Social Workers-Pa Chapter

PA AFL-CIO

PA Alliance for Children
and Families

PA Catholic Conference

PA Council of Children, Youth
And Family Services

PA Council of Churches

PA Episcopal Public Policy
Network

PA Hunger Action Center

PA Jewish Coalition

PA League of Women
Voters

Pa Social Services Union

Philadelphia Citizens for
Children and Youth

Philadelphia
Unemployment Project

Regional Workforce
Partnership

Success Against
All Odds

United Way of PA

Women's Ass'n for
Women's Alternatives

November 19, 2001

Original: 2224

Mr. John R. McGinley, Jr.
Chairman
Independent Regulatory Review Commission
124th Floor, Harrisstown 2
333 Market Street
Harrisburg, Pennsylvania 17101
VIA FACSIMILE and REGULAR MAIL

RE: DPW Proposed Regulations #14-472 - TANF & General Assistance

Dear Chairman McGinley:

On behalf of the Welfare Coalition -- a community of parents, religious leaders, community-based organizations, employers, labor, public officials, providers and advocates -- I am writing to offer abbreviated comments on the TANF and General Assistance Regulations (#14-472) proposed by Pennsylvania's Department of Public Welfare on October 20, 2001. While the Coalition's comments will be abridged, I am assured that IRRC is receiving many thought provoking letters from our individual members outlining concerns and suggestions to improve the proposed regulations.

We wish to acknowledge from the onset, that the Coalition has enjoyed an extensive opportunity for dialogue with DPW officials over the last year. We have been invited to offer input on the continued implementation and maturation of welfare reform, as well as policies designed to support low-income families who have left the welfare rolls and still confront economic insecurity daily.

While we continue to have constructive dialogue, this dialogue has not diminished many of our concerns overall. Chief among our unresolved concerns is the lack of definitive policies outlining the exact steps that will be taken to address, if not resolve, the continued vulnerability of thousands and thousands of Pennsylvania children and families.

Unfortunately, the proposed regulations, subject to your current review, do little to diminish our anxiety on behalf of children and families. It is our view that the regulations may undermine current policies already agreed-to by DPW -- policies related to counting education as "work", supporting domestic violence victims, and ensuring families a conciliatory process before the imposition of a full family sanction. Additionally, the proposed regulations are silent on options that will be offered to families that have exhausted their 60-month lifetime access to federal TANF assistance.

The diverse membership of the Coalition including the County Commissioners Association of Pennsylvania, the Pennsylvania Catholic Conference, Community Legal Services, the United Way of Pennsylvania, Philadelphia Citizens for Children and Youth, the AFL-CIO, and the Pennsylvania Council of Churches has endorsed a set of Principles to guide our on-going work. Ultimately, these Principles articulate the foundation of the Coalition's future advocacy on behalf of poor and low-income Pennsylvania families.

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 COMMUNICATIONS SECTION

Mr. John R. McGinley, Jr.
Independent Regulatory Review Commission
Welfare Coalition's Comments on Proposed Regulations #14-472
November 19, 2001
Page 2


The Principles, which are included for your review, recognize that there are essentially three populations of families that current and, more importantly, future policies must acknowledge and address. Simply defined these populations are:

1. **Families that have done all the right things and had exchanged a full welfare check for an employment check, but due to circumstances beyond their control including dramatic alterations in the Commonwealth's economic landscape again find themselves without a job and unable to fully support their families.**
2. **Families who are doing what is expected of them – working 20 hours per week – but for a myriad of reasons including issues related to child care, language barriers, medical or behavioral impediments can not attempt to do more at this time.**
3. **Families who are confronted with a long-term medical, emotional or life circumstance that will continue to preclude their full participation in the current requirements of welfare reform.**

We are enclosing a September 2001 letter addressed to then Deputy Secretary for the Office of Income Maintenance – Sherri Heller – outlining specific recommendations for the next steps of welfare reform. These recommendations repeatedly return to suggested policy decisions related to the populations we have just defined.

It is our hope that our Principles and September letter to DPW will serve as a basis for your own recommendations to DPW. We appreciate your consideration of our input and recommendations.

Sincerely,


Joel Weisberg
Chair, Welfare Coalition
Executive Director, PA Jewish Coalition

cc: Secretary Feather Houstoun
Senator Harold F. Mowery, Jr.
Senator Vincent J. Hughes
Representative Dennis O'Brien
Representative Frank Oliver

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Women's Ass'n for
Women's Alternatives

Welfare Coalition Principles for the Next Phase of Welfare Reform August 30, 2001

Pennsylvania is better and stronger as it upholds the dignity of individuals and the integrity of families, protects the interests of children, educates and trains its workforce, and provides opportunities for sustained self-sufficiency.

As a community of parents, religious leaders, community-based organizations, employers, labor, public officials, providers, advocates, and other concerned citizens, we affirm a shared responsibility of all Pennsylvanians in helping persons attain self-sufficiency. Recognizing that certain persons in society will never be able to achieve self-sufficiency, we believe it appropriate that economic and social supports must be made available so that every Pennsylvanian can develop to their full potential.

Pennsylvania's welfare structure should retain the capacity to help all families in need.

Pennsylvania should maintain its historic capacity to support needy families residing in the Commonwealth through times of personal hardship and/or economic recession. TANF is an important federal funding stream, but it should not define social welfare policy for the Commonwealth. Pennsylvania should establish "hardship criteria" by which 20 percent of the caseload can receive federally-funded TANF assistance beyond a 60-month lifetime limit, as permitted by federal law. However, Pennsylvania should also provide state-funded assistance to ensure that needy families are not left without financial support.

Parents who follow the rules should be protected from the 60-month federal time limits.

Pennsylvania's Act 35 requires 20 hour of work per week by all those who can work. Any parent complying with this requirement should continue to have access to assistance.

Pennsylvania can and should design programs to ensure that those who have worked and who remain willing to work receive the help they need to support their families.

Fluctuating economic and unemployment trends have the potential to threaten the long-term self-sufficiency of families that have worked their way off the welfare rolls. Pennsylvania should design safety net programs that flexibly combine continued cash assistance, access to public service jobs, and other non-cash assistance options to promote the economic health and overall well being of the family.

Pennsylvanians who cannot or should not be expected to work (e.g., the ill, the disabled, children) should be protected from the time limits.

Under current Pennsylvania law, General Assistance is made available without time limits to the most vulnerable residents of our Commonwealth. This important safety net should remain in place.

Families that need continued assistance due to current or past domestic violence or the threat of further domestic violence should be protected from the 60-month federal time limits.

Victims of domestic violence are afforded special protections under federal TANF regulations. Consistent with federal rules and Pennsylvania's adoption of the Family Violence Option, DPW

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Women's Ass'n for
Women's Alternatives

September 5, 2001

Dr. Sherri Heller
Deputy Secretary, Office of Income Maintenance
Pennsylvania Department of Public Welfare
Health & Welfare Building
Harrisburg, Pennsylvania 17120

Dear Dr. Heller:

The members of Pennsylvania's Welfare Reform Coalition appreciate the Department's continued willingness to meet with us and to discuss the important problems being faced by those who may soon find themselves beyond their 60 month TANF assistance limit. We write this letter to communicate our recommendations to the Department in anticipation of the imminent regulatory, administrative, and budgetary actions the Ridge Administration may advance to determine which families will qualify for federally funded cash assistance beyond 60 months.

Although we have already provided you with a copy of the Welfare Coalition's Principles, we are including them again with this letter. Ultimately these Principles articulate the foundation of our future advocacy on behalf of poor and low-income Pennsylvania families. They have been endorsed by more than 20 diverse organizations including the County Commissioners Association of Pennsylvania, the Pennsylvania Catholic Conference, Community Legal Services, the United Way of Pennsylvania, Philadelphia Citizens for Children and Youth, the AFL-CIO, and the Pennsylvania Council of Churches.

Our policy recommendations reflect our Principles and the discussion at our August 10, 2001 meeting where the Department outlined its intention to publish a proposed regulation related to overtime options in the near future. It is important to state clearly that promulgation of this regulation may have the effect of ending subsistence support for many highly vulnerable families on the basis of a time limit. Currently, Pennsylvania law contains no such provision. Thus, the proposed regulation is a matter of great significance and concern.

As you know and thus it bears consideration, a large number of the families approaching the 60-month federal deadline remain on cash assistance despite their full compliance with all of Pennsylvania's rigorous work requirements. By and large, the parents in the families at risk have multiple barriers to employment and are willing to fully comply with the Department's plans to address those barriers.

In addition, we note with alarm that the Department's own data indicates that most families who have left welfare remain highly vulnerable. Only 37 percent of the adults who left TANF in 1997, 1998 and 1999 (and who have not returned) have achieved consistent employment. For the group that left TANF in 1997, that figure is only 26 percent. Most families that have left welfare over the past four years remain in jeopardy and many will need to return to cash assistance in the years to come.

In light of the foregoing, we offer the following recommendations to the Department as it finalizes its plans for implementation of any action that will directly impact

Pennsylvania families who have approached or exceeded the 60-month deadline outlined in federal law.

1. **The regulation or other immediate administrative action should provide for continued cash assistance to any parents who are in compliance with the Department's regulations.**

Approximately 16,000 family units may continue to receive federally funded cash assistance under the 20 percent hardship exception. During the sixth year of Pennsylvania's welfare reform initiative, less than that number will reach the 60-month limit. It is neither necessary, nor appropriate, to cut any compliant family off assistance given the adequacy of federally funded hardship exemptions, the availability of non-assistance options and the Commonwealth's Maintenance of Effort (MOE) funds.

2. **The regulation should not limit the length of time or the number of times a parent may receive cash assistance under the hardship criteria.**

"Addressing", "resolving" or "managing" a barrier to employment is a complex interaction. It is not once-and-done. Whether a parent is able to surmount a barrier depends on internal family dynamics, the stresses triggered by the contingencies of life, and external economic trends. Obviously, the configuration of these factors will have an impact on a parent's capacity to continue moving forward toward self-sufficiency. A parent's capacity to leave welfare at one point in time is not indicative of an equal capacity at another time when circumstances have changed. Thus, multiple periods of participation in programs designed by your Department should be permitted.

3. **The regulation should define "hardship" to include external factors which, when combined with a personal or family barrier, may constitute a hardship.**

Secretary Houstoun has consistently noted her opposition to an approach whereby the regulation would create categories of people who could qualify for continued cash assistance. Such an approach, in the Secretary's view, would prompt parents to focus on their deficiencies rather than their capacities. We support the Secretary's view in this regard. Thus, we caution against an approach that would be tantamount to the very thing the Secretary has opposed: a definition of "hardship" that describes "barriers" that are favored and that become the focus of parental efforts.

Circumstances are important, not categories. Thus, we urge the Department to define "hardship" as a physical or mental incapacity, family responsibility, or skill deficiency which, by itself or when combined with other barriers or with external circumstances, including the inability to get and keep a 20 hour/week job, significantly restricts the ability of a parent to achieve self-sufficiency.

Such an approach would open the hardship exemption and programs created by the Department like the Maximum Participation Plan (MPP) to most of the families at risk, which should be the objective of the Commonwealth.

We understand that the Department is considering proposing alternatives outside the regulation that would cover a parent who has a functional limitation in a broad sense and that may be announced in the near future as part of the Commonwealth's 2002-2003 budget. We object to a process that bifurcates policy decisions of this significance in such a manner. Given the gravity of what is at stake, if the Department delays announcing the other action steps that they intend to initiate to protect these parents, we may be forced to assume, in our response to the proposed regulation, that such responses will not be adequate.

4. **At the same time as it proposes the hardship regulation, the Department should implement a program of enhanced work supports for families who will not be covered by the regulation.**

The Department has substantial flexibility to enhance existing programs in ways that make those programs more effective. We ask the Department to act immediately to exercise that flexibility in the following ways.

- Issue non-assistance in the form of monthly work support stipends of up to \$200 a month to parents who are working 20 hours or more per week.
- Issue an Ops Memo to all county assistance offices instructing them to offer short-term monthly cash as non-assistance (not to exceed four months in any one consecutive period) to any family in which a parent has lost employment or has experienced a significant reduction in hours.
- Announce the Department's intention to fund paid work experience, at least at the minimum wage rate, for any parent who has exhausted 60 months of TANF and who does not qualify for a hardship exemption or for short-term assistance.

5. **The Department should not use this regulation to undermine the General Assistance Program.**

From time to time, more Pennsylvania families will need monthly cash assistance than there are slots available in the federally funded hardship exemption and some families may remain outside the eligibility requirements for such exemption all together. Therefore, the General Assistance Program must continue to be available so that these families are protected. We caution the Department against using this regulation to in any way narrow the General Assistance Program, particularly in regard to its coverage of needy children. Such an action would be inappropriate and, in our view, outside the proper authority of an executive agency.

6. **The Department should address victims of domestic violence separately from the above policies, by granting Family Violence Option waivers.**

In developing the Family Violence Option policy the Department should be guided by the recommendations of its own Domestic Violence Task Force.

7. **The Department should not require an independent medical exam to establish eligibility for overtime assistance.**

The Department should not require TANF recipients to submit to independent medical exams as a requirement of qualifying for overtime benefits. The Department should mirror its longstanding medical examination practices for establishing eligibility for General Assistance or a TANF work exemption.

Thank you for your consideration of these recommendations.

Sincerely,



Joel Weisberg
Chair, Welfare Coalition
Executive Director, PA Jewish Coalition

cc: Senator Robert C. Jubelirer
Senator Robert J. Mellow
Representative John Perzel M. Perzel
Representative H. William DeWeese
Senator Harold F. Mowery
Senator Shirley M. Kitchen
Representative Dennis M. O'Brien
Representative Frank L. Oliver

CATHLEEN L. PALM & ASSOCIATES
FORGING INFORMATION, EDUCATION, AND ADVOCACY

Original: 2224

FACSIMILE TRANSMITTAL SHEET

TO:	Chairman John R. McGinley, Jr.	FROM:	Cathleen Palm on behalf of Joel Weisberg & The Welfare Coalition
COMPANY:	Independent Regulatory Review Commission	DATE:	11/19/01
FAX NUMBER:	717-783-2664	TOTAL NO. OF PAGES INCLUDING COVER:	8
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	717-697-7502
RE:	DPW TANF & GA Regulations #14-472	YOUR REFERENCE NUMBER:	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

At the request of Joel Weisberg -- Chair of the Welfare Coalition -- I am enclosing the following comments of the Coalition relating to proposed DPW regulations #14-472. These documents will also be mailed to your attention. You can contact Joel at 717-233-1110 or myself at 717-697-7502. Thank you!

2001 NOV 19 PM 4:20
REGULATORY COMMISSION

*cc: Hicks
Kovacs
Kline
Kline*

172409

14

ORIGINAL: 2224

CATHLEEN L. PALM & ASSOCIATES

FORGING INFORMATION, EDUCATION AND ADVOCACY

*Zogey
NOV 19
044936*

*Houston
FYI*

2001 NOV FACSIMILE TRANSMITTAL SHEET

*cc: Hicks (ATM)
Eckley*

*Hicks
Cohn
File*

TO: **Secretary Feather Houston**

FROM: **Cathleen Palm on behalf of Joel Weisberg & The Welfare Coalition**

COMPANY: **Department of Public Welfare**

DATE: **11/19/01**

FAX NUMBER: **717-772-2062**

TOTAL NO. OF PAGES INCLUDING COVER: **5**

PHONE NUMBER:

SENDER'S REFERENCE NUMBER: **717-697-7502**

RE: **DPW TANF & GA Regulations #14-472**

YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

At the request of Joel Weisberg -- Chair of the Welfare Coalition -- I am enclosing the following comments of the Coalition relating to proposed DPW regulations #14-472. These documents will also be mailed to your attention. You can contact Joel at 717-233-1110 or myself at 717-697-7502. Thank you!

NOV 21 2001

REFER TO: _____

11/19/01 03:31

THE WELFARE COALITION

A statewide coalition
With the following
members:

Bucks County
Housing Group

Community Justice
Project

Community Legal Services

County Commissioners
Association of PA

Delaware Valley Child
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Women's Alternatives

November 19, 2001

Mr. John R. McGinley, Jr.
Chairman
Independent Regulatory Review Commission
124th Floor, HARRISTOWN 2
333 Market Street
Harrisburg, Pennsylvania 17101
VIA FACSIMILE and REGULAR MAIL

RE: DPW Proposed Regulations #14-472 - TANF & General Assistance

Dear Chairman McGinley:

On behalf of the Welfare Coalition - a community of parents, religious leaders, community-based organizations, employers, labor, public officials, providers and advocates - I am writing to offer abbreviated comments on the TANF and General Assistance Regulations (#14-472) proposed by Pennsylvania's Department of Public Welfare on October 20, 2001. While the Coalition's comments will be abridged, I am assured that IRRC is receiving many thought provoking letters from our individual members outlining concerns and suggestions to improve the proposed regulations.

We wish to acknowledge from the onset, that the Coalition has enjoyed an extensive opportunity for dialogue with DPW officials over the last year. We have been invited to offer input on the continued implementation and maturation of welfare reform, as well as policies designed to support low-income families who have left the welfare rolls and still confront economic insecurity daily.

While we continue to have constructive dialogue, this dialogue has not diminished many of our concerns overall. Chief among our unresolved concerns is the lack of definitive policies outlining the exact steps that will be taken to address, if not resolve, the continued vulnerability of thousands and thousands of Pennsylvania children and families.

Unfortunately, the proposed regulations, subject to your current review, do little to diminish our anxiety on behalf of children and families. It is our view that the regulations may undermine current policies already agreed-to by DPW -- policies related to counting education as "work", supporting domestic violence victims, and ensuring families a conciliatory process before the imposition of a full family sanction. Additionally, the proposed regulations are silent on options that will be offered to families that have exhausted their 60-month lifetime access to federal TANF assistance.

The diverse membership of the Coalition including the County Commissioners Association of Pennsylvania, the Pennsylvania Catholic Conference, Community Legal Services, the United Way of Pennsylvania, Philadelphia Citizens for Children and Youth, the AFL-CIO, and the Pennsylvania Council of Churches has endorsed a set of Principles to guide our on-going work. Ultimately, these Principles articulate the foundation of the Coalition's future advocacy on behalf of poor and low-income Pennsylvania families.

Mr. John R. McGinley, Jr.
Independent Regulatory Review Commission
Welfare Coalition's Comments on Proposed Regulations #14-472
November 19, 2001
Page 2

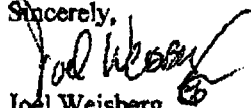
The Principles, which are included for your review, recognize that there are essentially three populations of families that current and, more importantly, future policies must acknowledge and address. Simply defined these populations are:

1. **Families that have done all the right things and had exchanged a full welfare check for an employment check, but due to circumstances beyond their control including dramatic alterations in the Commonwealth's economic landscape again find themselves without a job and unable to fully support their families.**
2. **Families who are doing what is expected of them – working 20 hours per week – but for a myriad of reasons including issues related to child care, language barriers, medical or behavioral impediments can not attempt to do more at this time.**
3. **Families who are confronted with a long-term medical, emotional or life circumstance that will continue to preclude their full participation in the current requirements of welfare reform.**

We are enclosing a September 2001 letter addressed to then Deputy Secretary for the Office of Income Maintenance – Sherri Heller – outlining specific recommendations for the next steps of welfare reform. These recommendations repeatedly return to suggested policy decisions related to the populations we have just defined.

It is our hope that our Principles and September letter to DPW will serve as a basis for your own recommendations to DPW. We appreciate your consideration of our input and recommendations.

Sincerely,



Joel Weisberg
Chair, Welfare Coalition
Executive Director, PA Jewish Coalition

cc: Secretary Feather Houstoun
Senator Harold F. Mowery, Jr.
Senator Vincent J. Hughes
Representative Dennis O'Brien
Representative Frank Oliver

THE WELFARE COALITION

A statewide coalition
With the following
members:

Bucks County
Housing Group

Community Justice
Project

Community Legal Services

County Commissioners
Association of PA

Delaware Valley Child
Care Council

Episcopal Community
Services

Just Harvest/Welfare
Justice Project

Lutheran Advocacy
Ministry in PA

Mon-Valley Unemployed
Committee

National Association of
Social Workers-Pa Chapter

PA AFL-CIO

PA Alliance for Children
and Families

PA Catholic Conference

PA Council of Children, Youth
And Family Services

PA Council of Churches

PA Episcopal Public Policy
Network

PA Hunger Action Center

PA Jewish Coalition

PA League of Women
Voters

Pa Social Services Union

Philadelphia Citizens for
Children and Youth

Philadelphia
Unemployment Project

Regional Workforce
Partnership

Success Against
All Odds

United Way of PA

Women's Ass'n for
Women's Alternatives

Welfare Coalition Principles for the Next Phase of Welfare Reform August 30, 2001

Pennsylvania is better and stronger as it upholds the dignity of individuals and the integrity of families, protects the interests of children, educates and trains its workforce, and provides opportunities for sustained self-sufficiency.

As a community of parents, religious leaders, community-based organizations, employers, labor, public officials, providers, advocates, and other concerned citizens, we affirm a shared responsibility of all Pennsylvanians in helping persons attain self-sufficiency. Recognizing that certain persons in society will never be able to achieve self-sufficiency, we believe it appropriate that economic and social supports must be made available so that every Pennsylvanian can develop to their full potential.

Pennsylvania's welfare structure should retain the capacity to help all families in need.

Pennsylvania should maintain its historic capacity to support needy families residing in the Commonwealth through times of personal hardship and/or economic recession. TANF is an important federal funding stream, but it should not define social welfare policy for the Commonwealth. Pennsylvania should establish "hardship criteria" by which 20 percent of the caseload can receive federally-funded TANF assistance beyond a 60-month lifetime limit, as permitted by federal law. However, Pennsylvania should also provide state-funded assistance to ensure that needy families are not left without financial support.

Parents who follow the rules should be protected from the 60-month federal time limits.

Pennsylvania's Act 35 requires 20 hour of work per week by all these who can work. Any parent complying with this requirement should continue to have access to assistance.

Pennsylvania can and should design programs to ensure that those who have worked and who remain willing to work receive the help they need to support their families.

Fluctuating economic and unemployment trends have the potential to threaten the long-term self-sufficiency of families that have worked their way off the welfare rolls. Pennsylvania should design safety net programs that flexibly combine continued cash assistance, access to public service jobs, and other non-cash assistance options to promote the economic health and overall well being of the family.

Pennsylvanians who cannot or should not be expected to work (e.g., the ill, the disabled, children) should be protected from the time limits.

Under current Pennsylvania law, General Assistance is made available without time limits to the most vulnerable residents of our Commonwealth. This important safety net should remain in place.

Families that need continued assistance due to current or past domestic violence or the threat of further domestic violence should be protected from the 60-month federal time limits.

Victims of domestic violence are afforded special protections under federal TANF regulations. Consistent with federal rules and Pennsylvania's adoption of the Family Violence Option, DPW

WELFARE REFORM BILL

should assure victims of domestic violence that: (1) they will not be cut off assistance when they reach the time limit if they still need assistance; and (2) that they can return for assistance if the threat recurs.

To make a successful and lasting transition from welfare to self-sufficiency, education, training, and job readiness opportunities must be encouraged, actively promoted, and offered to all.

The experience of the past four years has prompted Pennsylvania to shift from a pure work first approach toward a greater recognition of the necessity of promoting education and training so Pennsylvania parents can find and retain family sustaining jobs. Pennsylvania policies should fully support these activities.

Pennsylvania should streamline, improve, and coordinate access to vital support services.

To further ensure a successful and lasting transition from welfare to self-sufficiency, important services including -- child care, health care, transportation and other critical services -- should be provided to families who have received state and federal assistance.

Parents, who are striving toward self-sufficiency, should be respected and supported.

To encourage family self-sufficiency, Pennsylvania should not undercut a parent's attempt to be present and to participate in her child's life. The Commonwealth should continue to ensure that a parent's obligation to comply with the Agreement of Mutual Responsibility does not conflict with or jeopardize progress within other mandated activities, including the requirements of a family service plan within the child welfare system.

IRRC

From: Richard Weishaupt [RWeishaupt@clsphila.org]
Sent: Monday, November 19, 2001 4:14 PM
To: IRRC
Subject: Cooments



Original: 2224

Endorsing
rganizations 2001.d.

Attached is a list of five low income organizations on whose behalf our previously submitted comments are filed on behalf of; in addition, as you can see, 20 other organizations have also endorsed our comments. Please include this page with our previously filed comments. Thank you.

We look forward to sitting down with the IRRC staff to discuss these regulations and our comments.

Richard P. Weishaupt
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102
Phone:215.981.3773
Fax:215.981.0436

2001 NOV 19 PM 4:55
RECEIVED COMMUNICATIONS
NOV 19 2001

**LOW INCOME ORGANIZATIONS ON WHOSE BEHALF
THE COMMENTS ARE FILED**

Original: 2224

Kensington Welfare Rights Union
Mon Valley Unemployed Committee
Philadelphia Unemployment Project
Philadelphia Welfare Rights Organization
Success Against the Odds

ENDORISING ORGANIZATIONS

Coalition for the Welfare of Women and Children
Community Justice Project
Delaware Valley Child Care Council
Institute for Study of Civic Values
Just Harvest
Keystone Research Center
Maternity Care Coalition
National Association of Social Workers–Pennsylvania Chapter
Pennsylvania Association for Adult Continuing Education
Pennsylvania Center for Literacy
Pennsylvania Jewish Coalition
Pennsylvania Hunger Action Center
Pennsylvania State AFL-CIO
People’s Emergency Center
Philadelphia Citizens for Children and Youth
Project Home
Regional Workforce Partnership
WAWA
Women’s Association for Women’s Alternatives
Women’s Law Project

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2011 NOV 19 PM 4:55

2011 NOV 19 PM 4:55

PHILADELPHIA UNEMPLOYMENT PROJECT

1201 Chestnut Street - Room 702
Philadelphia, PA 19107
(215) 557-0822
FAX (215) 557-6981
e-mail: philaup@aol.com

Original: 2224

November 19, 2001

Edward J. Zogby, Director, Bureau of Policy
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

Independent Regulatory Review Commission
333 Market St.
Harrisburg, PA 17120

Re: DPW Proposed Regulations
Implementation of TANF/Act 35

Dear Mr. Zogby and Members of the IRRC:

I am writing to urge changes to DPW's proposed regulations implementing TANF and Act 35, which were published in the Pennsylvania Bulletin on October 20, 2001. The proposed regulations' five-year time limit without any exceptions jeopardizes the income and well-being of the nearly 12,000 families that will be reaching the time limit beginning on March 3, 2002. These harmful changes are being considered at the very time when Pennsylvania's unemployment rate and TANF caseload are rising. I urge you to make changes to the proposed regulations to protect these vulnerable families.

Here are some of the most important problems:

- **The regulations don't provide any exceptions at all to the 60 month TANF time limit. DPW should consider all of its time limit policies together rather than piecemeal.**
The federal law gives states many options to extend the time limit beyond 60 months: Pennsylvania may exempt 20% of its TANF caseload as well as battered women from the time limit using federal funds, and may extend the time limit to additional families using its own funds. DPW has announced that it intends to use all of these options, through its "overtime" and "time out" policies. The "time out" program is already in effect, and DPW has said that it will be issuing "overtime" rules shortly. These proposed regulations, however, would not permit either of these programs, and could result in thousands of families losing their only source of income in a matter of months. Although DPW officials have said they intend to modify the time


limit rule in this set of regulations soon, they should not ask the public to "trust them" that they will fix this flawed regulation in the coming months. Instead, the Department should consider all of its time limit policies, including "overtime," together in the later set of regulations. The time limit regulation should be removed from this package of regulations altogether.

- **The protections to prevent inappropriate sanctions have been gutted.** Important protections have been in place to ensure that families don't lose their benefits when they are trying to comply with work requirements, or when they have been unable to comply because of illness, child care problems, or misunderstanding. The regulations eliminate these protections. As a result, families could lose their benefits even though they are trying their best to comply with work requirements. The regulations should restore existing protections requiring conciliation sessions to work out problems a family may be facing, and reminding sanctioned individuals that they may start receiving benefits again.
- **The regulations don't include the compromise modifications to DPW's work program that DPW adopted to avoid legislation that would have allowed more education and training.** When House Bill 1266 was pending, DPW agreed to exercise its discretionary authority to make important changes in its work requirements to allow greater access to education and training. These changes, which are consistent with Act 35, should be included in the regulations.
- **The regulations don't properly protect survivors of domestic violence.** Waivers of TANF child support cooperation requirements are crucial to protect victims of domestic violence from danger that arises when support papers inform a batterer where the woman lives, provoke retaliatory violence, and place the woman in direct contact with batterer in court. DPW's proposed regulations fail to provide adequate procedures to make waivers a true option for victims of domestic violence by not requiring full notification about the waiver possibility, by permitting arbitrary waiver deadlines instead of allowing the waiver to continue for so long as necessary, and by imposing documentary requirements for waivers that unnecessarily burden both domestic violence victims and domestic violence service providers.
- **The regulations attempt to impose more work obligations than the General Assembly required, and lessen parents' ability to design their own path off welfare.** Pennsylvania's welfare reform law provides for DPW and parents to develop mutually-agreed-upon plans for the parent to move toward self-sufficiency, assuming the parent is meeting the law's work requirements. These proposed regulations, however, would allow DPW to impose more obligations on parents than the law envisions, without the parent's involvement.

In addition, Community Legal Services has prepared more extensive comments on these proposed regulations, which the Philadelphia Unemployment Project endorses.

Thank you for considering these comments. I hope that you will make sure these problems are fixed before approving final regulations.

Sincerely,



Suc Sierra
Researcher/Organizer

cc: Secretary Feather Houstoun
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

PHILADELPHIA UNEMPLOYMENT PROJECT

1201 Chestnut Street - Room 702

Philadelphia, PA 19107

(215) 557-0822

FAX (215) 557-6981

e-mail: philaup@aol.com

Original: 2224



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RECEIVED (UPPER CASE)

Date 11.19.01

FAX TRANSMITTAL SHEET

TO: IRRC
(Name)

(Organization)

77 483 - 2664
(Fax Number)

From: Sue Sierra
(Name)
Philadelphia Unemployment Project
Fax: (215) 557-6981

Number of pages including cover sheet: 4

Comments: _____



Gloria Guard
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Grant Rowdin, Esq.
PRESIDENT

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Phone: 215-382-7523
Fax: 215-386-6290
eMail: pec@pec-cares.org

SHELTER & SERVICES
3902 Spring Garden Street
Philadelphia, PA 19104-4655
Phone: 215-382-7522
Fax: 215-349-9099
WEBSITE: www.pec-cares.org

November 19, 2001

Original: 2224

Independent Regulatory Review Commission Members
IRRC
333 Market Street
Harrisburg, PA 17120

Dear Members of the IRRC:

On behalf of People's Emergency Center (PEC), Pennsylvania's oldest and most comprehensive shelter for homeless women and children, I write to urge changes to the proposed regulations implementing TANF and Act 35, which were published in the Pennsylvania Bulletin on October 20, 2001. As proposed, the regulations will have a serious negative impact upon homeless families striving to leave the welfare rolls.

At PEC, we have long understood that homeless mothers need to be able to make the difficult transition from welfare to work if they are to achieve independence and greater economic self-sufficiency. PEC launched its Job Opportunities and Business Skills in 1993, four years before the implementation of Welfare Reform. As part of the City's *Greater Philadelphia Works* program, JOBS serves homeless women living in shelters throughout West Philadelphia as well as those residing at PEC. JOBS provides specialized employment advising with low staff-to-client ratios, testing and assessment, workplace literacy and "soft skills" training, vocational training, externships, job placement and retention services. Since 1997, we have trained and placed 155 women formerly on TANF. More than half of these women remain employed for at least one year.

The proposed DPW regulations will add significant challenges to our clients' ability to make the transition from welfare to work. The regulations do not provide *any exceptions at all* to the 60-month TANF time limit, although federal law allows states to exempt 20% of the TANF caseload from the 60-month time limit and to exempt domestic abuse survivors from the time limit altogether. These regulations do not mention the "Time-Out" program that DPW implemented on July 1, 2001 or the "overtime" policy expected to be announced soon. Some families residing at PEC and enrolled in our JOBS program would be either eligible to go "off the clock" as part of "Time-Out" categories, or should be exempt as domestic abuse survivors. Further, the "good cause" waivers for the child support enforcement cooperation requirement should not have an expiration date and should last as long a family needs a waiver to ensure that their safety is not jeopardized. This is a serious concern for mothers - like many in PEC's programs - who have survived domestic abuse and are working to provide a stable, healthy future for their families.

The regulations eliminate already established protections that prevent sanctions against families who are trying to comply with the work requirements of TANF, or when they have been unable to comply because of illness, child care problems, or an honest misunderstanding. If such regulations were enacted, participants in PEC's programs could lose their benefits even though they are trying their best to comply with work requirements. Further, the regulations do not include modifications to DPW's work program that DPW previously adopted to make important changes in its work requirements to allow greater access to education and training. Women in PEC's JOBS program need to have access to education and training in an effort to become more self-sufficient and secure family-sustaining jobs.

The regulations may impose additional work obligations on parents than required in the regulations set by the General Assembly. Pennsylvania's welfare reform law currently provides for DPW and parents to develop mutually agreed upon plans for the parent to move toward self-sufficiency, assuming the parent is meeting the law's work requirements. These proposed regulations, however, would allow DPW to impose more obligations on parents than the law envisions, without the parent's involvement.



State law requires us to tell you that PEC is registered as a charitable organization with the Commonwealth. You can obtain a copy of our registration and financial information by calling toll free within Pennsylvania 1-800-732-0999. Registration does not imply endorsement.

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 INDEPENDENT REGULATORY REVIEW COMMISSION

Under the proposed regulations, families eligible for Pennsylvania's General Assistance (GA) program would be barred from GA benefits if they have used up their 60 months of federally funded TANF. Families that are no longer eligible for TANF should not be prevented from enrolling in the state's GA program if they meet GA criteria.

Thank you for taking the time to consider these comments in the days remaining for public comment. Again, I urge you to change the proposed Department of Public Welfare's (DPW) Regulations implementing TANF and Act 35.

Sincerely,


Gloria Guard
Executive Director

cc: Feather O'Houston

PEOPLE'S EMERGENCY CENTER
ROWAN HOUSE
325 NORTH 39TH STREET
PHILADELPHIA, PA 19104

TO: MEMBERS

FROM: TRISH BLANCHARD

COMPANY:

DATE: 11/19/01

INDEPENDENT REGULATORY
REVIEW COMMISSION

FAX NUMBER:

TOTAL NO. OF PAGES INCLUDING COVER:

717-783-2664

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PHONE NUMBER:

RE: TANF and Act 35 regulations

A hard copy of the attached letter will follow. For problems with this transmission please contact Trish Blanchard at (215) 382-7523, extension 247.

Thank you.

Trish Blanchard

Development & Public Relations Coordinator

People's Emergency Center

325 North 39th Street

Philadelphia, PA 19104

Phone 215-382-7523 ext. 247

Fax 215-386-6290

Email tblanchard@pec-cares.org

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REVIEW COMMISSION



Just Harvest

A CENTER FOR ACTION AGAINST HUNGER

Building understanding
about hunger since 1987

120 East 9th Avenue
Homestead PA 15120
Phone: (412) 464-0739
Fax: (412) 464-0758

Edward J. Zogby, Director, Bureau of Policy
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

Original: 2224

Independent Regulatory Review Commission
333 Market St.
Harrisburg, PA 17120

Re: DPW Proposed Regulations
Implementation of TANF/Act 35

Dear Mr. Zogby and Members of the IRRC:

Just Harvest's Welfare Justice Project, a coalition of Welfare consumers, advocates and allies in Allegheny County, strongly urges that significant changes be made to DPW's proposed regulations for implementing TANF and Act 35. On behalf of WJP, we'd like to strongly endorse the comments of Community Legal Services (CLS) in Philadelphia regarding these regulations. We would like to echo each of the concerns that CLS raise in their comments. The areas we feel are in most pressing need of critical revision are:

- **The absence of any exceptions to the 60 month TANF time limit.** The Federal law implicitly gives states many options to extend the time limit beyond 60 months for families who are in extreme need of cash assistance. The regulations should, for starters, clearly state the time extensions that they are obligated to implement or have already implemented such as the Time Out program. We concur with CLS that the time limit regulation should be removed from this package of regulations altogether.
- **The absence of policies to allow for more education and training.** Since TANF was implemented, many parents have missed crucial opportunities to further their education and thereby increase the chances of getting their families out of poverty because of DPW's work-first policies. DPW should make good on its agreement (when HB 1266 was pending) to exercise its discretionary authority to make significant changes in its work requirements to allow better and greater access to education.
- **The proposal to impose more work obligations on parents than the law requires.** The "Agreement of Mutual Responsibility" is a critical piece of TANF practice in PA. The development of the AMR allows parents to work with DPW to create goals to meet both TANF work requirements and their own personal career goals. The regulations should not include the provision to allow DPW to impose more work obligations on parents (without input from the parents) than the law requires.

Just Harvest is an Equal Opportunity/Affirmative Action Employer

Winner of the Congressional Hunger Center's 1997 Victory Against Hunger Award, World Hunger Year's 1993 Harry Chapin Food Self-Reliance Award, and the Pa. Public Health Association's 1993 Rodale Award for Health Promotion.

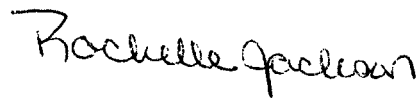
A copy of the official registration and financial information may be obtained from the Pa. Department of State by calling toll-free, within Pa., 1-800-732-0999. Registration does not imply endorsement.

We hope that you will reject these regulations as they are currently written. Tens of thousands of poor children in Pennsylvania are reliant on TANF policy that will give their families opportunities to truly get out of poverty. The proposed regulations, especially because they do not address the very real issue of the nearly 10,000 families who will exhaust their lifetime TANF limit in 2002, jeopardize the health and well-being of Pennsylvania's poorest kids.

Very Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Canning". The signature is fluid and cursive, with a prominent loop at the end.

Rachel Canning
Organizer
Welfare Justice Project
Just Harvest

A handwritten signature in black ink, appearing to read "Rochelle Jackson". The signature is cursive and somewhat stylized.

Rochelle Jackson
Advocate
Welfare Justice Project
Just Harvest

Cc: Community Legal Services, Inc.

ORIGINAL: 2224

10

WOMEN AGAINST ABUSE, INC.

Administrative Office

Post Office Box 13758
Philadelphia, PA 19101-3758
(215) 386-1280
(215) 386-2476 (FAX)

November 19, 2001

24 Hour Hotline

(215) 386-7777

SENT VIA FACSIMILIE

Edward J. Zogby, Director, Bureau of Policy
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

Websitewww.waasafe.org**Re: Department of Public Welfare (DPW) Proposed Regulations
Implementation of TANF/Act 35**

Dear Mr. Zogby:


I am writing to express several concerns about the Department of Public Welfare's proposed regulations implementing Temporary Assistance to Needy Families (TANF) and Act 35, which were published in the Pennsylvania Bulletin on October 20, 2001.

Over the course of our twenty-seven (27) year history, WAA has grown from a counseling and hotline program to a full-service agency that offers shelter, counseling, hotline services, transitional housing, and comprehensive legal services. The mere fact that our needs assessments directed us to implement these comprehensive programs suggests that the needs of battered women are also comprehensive. They need not only counseling, but affordable housing, education to lead to employment, and most of all, time to rebuild their lives, which state welfare programs frequently and unfortunately do not allow.

Our clients are largely of color, indigent and urban. They frequently face multiple challenges: (1) victimization by domestic violence; (2) homelessness; (3) poverty; (4) marginal education to illiteracy; and (5) marginal employment to unemployment. The proposed regulations to Temporary Assistance to Needy Families benefits are, therefore, clearly important to both our clients and our agency.

As more and more research studies are conducted on the welfare system and welfare reform, a stark correlation has emerged between the presence of current or past experience of domestic violence and/or past childhood physical or sexual abuse in female recipients of TANF benefits. This has prompted more research, making the connection between the experience of domestic violence and poverty quite apparent. Nearly all studies which have addressed the issue of poverty, welfare and domestic violence, conducted in cities and states throughout the United States, agree that well over half of the women receiving (at the time) AFDC benefits reported that they had experienced physical abuse by an intimate male partner at some point

The official registration and financial information of Women Against Abuse may be obtained from the PA Department of State by calling toll-free within Pennsylvania 1-800-732-0999. Registration does not imply endorsement.

 A United Way Agency
Donor Choice #00195

during their adult lives, and most also reported physical and/or sexual abuse in childhood, with rates hovering at around sixty percent (60%). Department of Justice data also reveal that rates of domestic violence/intimate partner violence increase as household income decreases, with women in families with a household income of less than \$9,999 experiencing violence at a rate over five (5) times as high as women in families with incomes over \$30,000.

The reasons for this connection are many, and remain largely unstudied. Some, however, are clear. For example, one common form of control in an abusive intimate relationship is independence, frequently economic. An abusive partner therefore forbids or sabotages efforts at education, training and employment, and may also frequently harass the victim in the workplace and make her late to work or even miss work entirely. Statistics show that domestic violence creates quite a strain on our economy, and many large companies have high estimates for productivity lost due to intimate partner violence.

Having made clear the proven correlation between welfare recipients and domestic violence, I would like to explain in greater detail my concerns about the proposed regulations:

1. Length of Waivers

However, the Department of Public Welfare's regulations set expiration dates, placing victims at immediate risk for further acts of domestic violence. Shelter workers and advocates for survivors of domestic violence have long stated that many women are forced to return to an abusive partner because of economic constraints and lack of affordable housing. In light of this, the proposed time limits are also problematic. Also, the regulations do not provide any exceptions at all to the sixty month time limit. Federal law gives many options to extend time limit – Pennsylvania may exempt 20% of its TANF caseload, as well as battered women from the time limit using federal funds, and may extend the time limit to additional families using its own funds. We also need to consider the option that perhaps time limit regulations should be removed from this package of regulations altogether and reviewed at a later date as a whole. TANF benefits are a lifeline for women fleeing abusive relationships. Transitional housing is hard to come by, and one can only stay in an Emergency Shelter for a limited period of time due to funding constraints. As noted above, in the absence of benefits, many women and their children are forced to return to abusive situations. In recognition the untenable dilemma that battered women face, the regulations should take such situations into consideration and allow for exceptions.

2. Waiver Notification

The proposed regulations do not include provisions for both verbal as well as written notification of waivers. In order for waivers to be truly meaningful, it should be mandatory that those receiving TANF benefits be provided oral as well as written notification. When notice is provided only in written form, it does not recognize the level of challenges facing persons applying for welfare, including, but not limited to, literacy.

3. Work Requirement Compliance

Protections were in place to ensure that families do not lose their benefits when they are making all reasonable attempts to comply with work requirements, or when unable to comply due to illness, lack of childcare, or misunderstanding. The proposed regulations eliminate these protections, which are critical to the success of many women as they attempt to make the transition to a successful independent life free from the violence and turmoil of domestic violence. As noted above, research has shown that abusive relationships do not only affect a victim in the home, but also in the workplace. Research indicates that, for many victims of domestic violence, it can be almost impossible to get or keep a job when one is involved in an abusive relationship or immediately following the end of an abusive relationship. This challenge is further compounded by the frequently inadequate access to affordable child care.

4. Work Obligations

The proposed regulations attempt to impose more work obligations than the General Assembly required. Pennsylvania's welfare reform law provides for the Department of Public Welfare and parents to develop mutually agreed-upon plans for the parent to move toward self-sufficiency, assuming that the parent is meeting the law's work requirements. These proposed regulations, however, would allow DPW to impose more obligations on parents than the law envisions, without the parent's involvement. Clearly, with such a wide variety of individuals, a one-size-fits-all approach will be unsuccessful and more of an attempt should be made to allow for a variety of plans and programs to assist the family based upon individual need.

5. Provisions for Education and Training

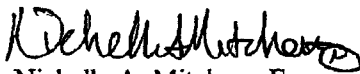
The proposed regulations do not include modifications to the Department of Public Welfare's work program, which was adopted to avoid legislation that would have allowed more education and training. When House Bill 1266 was pending, DPW agreed to exercise its discretionary authority to make important changes in its work requirements to allow greater access to education and training. These changes, which are consistent with Act 35, should be included in the regulations. Education and job training are clearly indispensable as a route out of poverty, not only for survivors of domestic violence but for all who are attempting to build an economically independent life.

I am concerned that the regulations do not take into consideration, as it were, the specific state of being that is a battered single mother. This concern is exemplified in the limited recognition of the challenges posed for battered women living in poverty as it relates to: employment, work requirements, childcare, education and training, and the new time limits. As the abovementioned statistics and research show, survivors and victims of domestic violence are a large portion of those to be affected by these regulations. I strongly urge you to reconsider the proposed regulations in light of the population they will affect most severely.

I am certain that you will consider these comments before you approve the regulations. Should you have any questions or wish to speak to me further about the issues facing survivors of domestic violence and low-income women with these impending regulations, please feel free to call me at (215) 386-1280, extension 15.

I look forward to further collaboration between social service agencies such as Women Against Abuse, Inc. and the Department of Public Welfare towards our common goal of improving the quality of life for battered women and their children.

Sincerely,



Nichelle A. Mitchem, Esq.
Executive Director

Cc: Secretary Feather Houstoun
Department of Public Welfare
Room 431, Health and Welfare Building
Harrisburg, PA 17120

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