

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 693 Family Self-Sufficiency
SPONSOR(S): Children, Families & Seniors Subcommittee; White
TIED BILLS: **IDEN./SIM. BILLS:** SB 1160

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Children, Families & Seniors Subcommittee	10 Y, 3 N, As CS	Langston	Brazzell
2) Appropriations Committee	17 Y, 7 N	Fontaine	Leznoff
3) Health & Human Services Committee	13 Y, 2 N	Langston	Calamas

SUMMARY ANALYSIS

The Supplemental Nutrition Assistance Program (SNAP) offers nutrition assistance to eligible, low-income individuals and families in the form of funds to purchase eligible food. The Food and Nutrition Service (FNS), under the U.S. Department of Agriculture (USDA), administers SNAP, and the Florida Department of Children and Families (DCF) distributes the benefits. Federal law offers two eligibility pathways for SNAP:

- Having a gross income below 130% of the Federal Poverty Level (FPL) (or 165% FPL if at least one person is age 60 or older or is disabled) and less than \$2,250 of counted assets (or \$3,500 if at least one person is age 60 or older or is disabled); or
- Being “categorically,” or automatically, eligible based on receiving benefits from other specified low-income assistance programs.

During the recent recession, Florida became one of forty states to expand eligibility for SNAP, setting eligibility for most households at 200% FPL or less for broad-based categorical eligibility (BBCE). Under BBCE, Florida also waived asset limits for SNAP in most cases. As of October 2017, there were 3,290,218 total individuals enrolled in SNAP in Florida. Certain adult SNAP recipients must meet work requirements as a condition of benefit receipt.

Florida’s Temporary Cash Assistance (TCA) Program, part of the Temporary Assistance to Needy Families program, provides cash assistance to needy families with children. To be eligible for full-family TCA, recipients must participate in work activities unless they qualify for an exemption. DCF refers SNAP and TCA recipients who are not exempt from work requirements to the Department of Economic Opportunity (DEO) to satisfy work requirements through CareerSource regional workforce boards (RWBs). RWBs assign participants to work activities and monitor their compliance with TCA and SNAP work requirements. However, only a small percentage of TCA recipients exit the program because they attain employment and self-sufficiency, in part due to barriers that make it difficult for them to obtain and keep jobs.

The bill requires DCF to seek federal approval to implement a resource limit of \$5,000 in counted assets for SNAP for those households who are eligible under BBCE. It also requires DCF to implement asset verification for SNAP.

The bill also creates pilot programs at three or more RWBs to increase employment and earned income for TCA recipients with significant barriers to employment while reducing their reliance on public assistance. Additionally, the bill increases reporting by CareerSource on employment outcomes and economic self-sufficiency of TCA and SNAP recipients.

The bill’s total appropriation is \$4,142,525 from nonrecurring general revenue. The bill provides nonrecurring appropriations of \$300,000 to DCF to perform technology modifications and \$3,342,525 for asset verification. The bill provides a nonrecurring appropriation of \$500,000 to DEO for CareerSource Florida to contract for the development of a workforce pilot program to serve TCA work registrants experiencing significant barriers to employment. See Fiscal Analysis and Economic Impact Statement.

The bill provides an effective date of July 1, 2018.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0693e.HHS

DATE: 2/21/2018

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Supplemental Nutrition Assistance Program (SNAP)

Program Overview

The Food and Nutrition Service (FNS), under the U.S. Department of Agriculture (USDA), administers the Supplemental Nutrition Assistance Program (SNAP).¹ SNAP offers nutrition assistance to millions² of eligible, low-income individuals and families, in the form of funds to purchase “eligible food,”³ and provides economic benefits to communities by reducing poverty and food insecurity.⁴

The federal government funds 100% of the benefit amount.⁵ However, FNS and states share the administrative costs of the program.⁶ Federal laws, regulations, and waivers provide states with various policy options to better target benefits to those most in need, streamline program administration and field operations, and coordinate SNAP activities with those of other programs.⁷

¹ The Food Stamp Program (FSP) originated in 1939 as a pilot program for certain individuals to buy stamps equal to their normal food expenditures: for every \$1 of orange stamps purchased, people received 50 cents worth of blue stamps, which could be used to buy surplus food. The FSP expanded nationwide in 1974. Under the federal welfare reform legislation of 1996, Congress enacted major changes to the FSP, including limiting eligibility for certain adults who did not meet work requirements. The Food and Nutrition Act of 2008 renamed the FSP the Supplemental Nutrition Assistance Program (SNAP) and implemented priorities to strengthen program integrity; simplify program administration; maintain states’ flexibility in how they administer their programs; and improve access to SNAP. *A Short History of SNAP*, UNITED STATES DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE, available at <https://www.fns.usda.gov/snap/short-history-snap> (last visited December 7, 2017); and *State Options Report: Supplemental Nutrition Assistance Program*, UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, (11th ed.), Sept. 2013, available at http://www.fns.usda.gov/sites/default/files/snap/11-State_Options.pdf (last visited December 7, 2017).

² In an average month in Federal Fiscal Year (FFY) 2015, nationally, SNAP provided benefits to 45.2 million people living in 22.3 million households. *Characteristics of Supplemental Nutrition Assistance Program Households: Fiscal Year 2015*, Report No. SNAP-16-CHAR, SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, NUTRITION ASSISTANCE PROGRAM REPORT SERIES, OFFICE OF POLICY SUPPORT, available at <https://www.fns.usda.gov/sites/default/files/ops/Characteristics2015.pdf> (last visited December 7, 2017).

³ The Food and Nutrition Act of 2008 defines eligible food as any food or food product intended for human consumption except alcoholic beverages, tobacco, hot foods and hot food products prepared for immediate consumption, with some exceptions. 7 USC § 2012(k); see also 7 CFR § 271.2. For an explanation of the inclusion of “junk food” and luxury items as eligible foods, see UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, *Supplemental Nutrition Assistance Program (SNAP) Eligible Food Items*, <https://www.fns.usda.gov/snap/eligible-food-items> (last visited November 20, 2017).

⁴ For a detailed overview of SNAP, see Randy Alison Aussenberg, *Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits*, CONGRESSIONAL RESEARCH SERVICE, Dec. 29, 2014, available at <https://www.fas.org/sqp/crs/misc/R42505.pdf> (last visited November 20, 2017).

⁵ For FFY 2016, the maximum benefit amount was \$649 for a family of four, with an average benefit amount of \$471. *Policy Basics: Introduction to the Supplemental Nutrition Assistance Program (SNAP)*, CENTER FOR BUDGET AND POLICY PRIORITIES, updated March 24, 2016, available at <http://www.cbpp.org/sites/default/files/atoms/files/policybasics-foodstamps.pdf> (last visited December 7, 2017). For FFY 2017, the maximum benefit amount remained \$649 for a family of four; however, for FFY 2018, this amount decreased to \$640. Letter from Lizbeth Silberman, Director, Program Development Division, Food and Nutrition Service, United States Department of Agriculture, to all Regional Directors of the Supplemental Nutrition Assistance Program, RE: SNAP -Fiscal Year 2018 Cost-of-Living Adjustments, July 28, 2017, available at https://fns-prod.azureedge.net/sites/default/files/snap/SNAP_Fiscal_Year_2018_Cost_of_Living_Adjustments.pdf (last visited December 7, 2017).

⁶ In FFY 2016, FNS issued \$5,216,754,147 of benefits to Florida recipients; the state share of administrative costs for Florida was \$86,306,772 and the federal share of administrative costs for Florida was \$83,205,956. *Supplemental Nutrition Assistance Program, State Activity Report: Fiscal Year 2015*, FOOD AND NUTRITION SERVICE, SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM: PROGRAM ACCOUNTABILITY AND ADMINISTRATION DIVISION, September 2017, available at <https://fns-prod.azureedge.net/sites/default/files/snap/FY16-State-Activity-Report.pdf> (last visited December 7, 2017).

⁷ *State Options Report: Supplemental Nutrition Assistance Program*, UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, (11th ed.), Sept. 2013, available at http://www.fns.usda.gov/sites/default/files/snap/11-State_Options.pdf (last visited December 7, 2017).

The amount of benefits, or allotment, for which a households qualifies depends on the number of individuals in the household and the household's net income.

Maximum Monthly Allotment for Federal Fiscal Year (FFY) 2018⁸

Household Size	Maximum Allotment		
	48 States (incl. FL)	Alaska ⁹	Hawaii
1	\$192	\$230-327	\$358
2	\$352	\$422-655	\$657
3	\$504	\$604-938	\$941
4	\$640	\$767-1,191	\$1,195
5	\$760	\$911-1,415	\$1,419
6	\$913	\$1,094-1,698	\$1,703
7	\$1,009	\$1,209-1,876	\$1,883
8	\$1,153	\$1,382-2,145	\$2,152
+ per person	+\$144	+\$173-268	+\$269

To calculate a household's allotment, 30% of its net income is subtracted from the maximum allotment for that household size.¹⁰ This is because SNAP households are expected to spend about 30% of their own resources on food.¹¹ For example, a household of three with a net monthly income of \$1,500 must subtract \$450 from the maximum allotment for their household, which is \$504 per month; the household would receive a food stamp allotment of \$54 for the month.

SNAP Eligibility

Federal law establishes two ways for a household to be eligible for SNAP:

- Having a gross income¹² below 130% of the Federal Poverty Level (FPL) (or 165% FPL if at least one person is age 60 or older, or is disabled),¹³ a net income¹⁴ no greater than 100% FPL, and less than \$2,250 of counted liquid and nonliquid assets¹⁵ (or \$3,500 if at least one person is age 60 or older or is disabled);¹⁶ or

⁸ Letter from Lizbeth Silberman, Director, Program Development Division, Food and Nutrition Service, United States Department of Agriculture, to all Regional Directors of the Supplemental Nutrition Assistance Program, RE: SNAP -Fiscal Year 2018 Cost-of-Living Adjustments, July 28, 2017, available at, https://fns-prod.azureedge.net/sites/default/files/snap/SNAP_Fiscal_Year_2018_Cost_of_Living_Adjustments.pdf (last visited December 7, 2017).

⁹ Id. Alaska's allotment varies for families depending upon whether they live in a region classified as Urban, Rural 1, or Rural 2.

¹⁰ UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, *Supplemental Nutrition Assistance Program (SNAP) How Much Could I Receive*, <https://www.fns.usda.gov/snap/how-much-could-i-receive> (last visited December 7, 2017).

¹¹ Id.

¹² Income is defined as all earned income, including all wages and salaries, and unearned income, including public assistance payments such as SSI and TCA. 7 CFR § 273.9(b). For details on what income is excluded, see 7 CFR § 273.9(c).

¹³ 7 CFR § 273.9(a)(1)-(2); 7 USC § 2014(c).

¹⁴ To calculate a household's net income the following deductions are applied to a household's gross income: a 20% deduction from earned income; a standard deduction of \$160 for households of three or fewer, \$170 for a household of four, \$199 for a household of five, and \$228 for households of six or more; a dependent care deduction; medical expenses for elderly or disabled members that exceed \$35 for the month, if they are not paid by insurance or someone else; legally owed child support payments; and a deduction up to \$535 of shelter costs that are more than half of the household's income after the other deductions.

¹⁵ Counted liquid assets include cash on hand, checking and savings accounts, savings certificates, stocks and bonds, and nonrecurring lump sum payments. 7 CFR §273.8(c).

¹⁶ 7 CFR § 273.8(b) sets the maximum allowable resources at \$2,000 and \$3,000, respectively; however, these limits were raised to \$2,250 and \$3,250 pursuant to annual cost-of-living adjustments in October 2014. See, letter from Lizbeth Silberman, Director, Program Development Division, Food and Nutrition Service, United States Department of Agriculture, to all Regional Directors of the Supplemental Nutrition Assistance Program, RE: SNAP -Fiscal Year 2017 Cost-of-Living Adjustments, Aug. 10, 2016, available at, <https://www.fns.usda.gov/sites/default/files/snap/SNAP-Fiscal-Year-2017-Cost-of-Living-Adjustments.pdf> (last visited December 7, 2017). Beginning with FFY 2018, the maximum allowable resources for households with one or more persons age 60 or older, or disabled, increased to \$3,500. See, Letter from Lizbeth Silberman, Director, Program Development Division, Food and Nutrition Service, United States Department of Agriculture, to all Regional Directors of the Supplemental Nutrition Assistance Program, RE:

- Being “categorically,” or automatically, eligible based on receiving benefits from other specified low-income assistance programs.¹⁷

For households that must meet the resource limit of \$2,250, or \$3,500, in counted liquid assets, certain liquid and nonliquid resources to be counted include:¹⁸

- Liquid resources such as cash on hand, money in checking or savings accounts, savings certificates, stocks or bonds, and money received in the form of a nonrecurring lump-sum payment, such as income tax refunds, rebates, or credits; lump-sum insurance settlements; and refunds of security deposits on rental property or utilities.
- Nonliquid resources such personal property, licensed and unlicensed vehicles, buildings, land, recreational properties, and any other property, provided that these resources are not specifically excluded.

While certain resources must be counted, federal regulations explicitly require other resources to be excluded from a state’s asset test, such as:¹⁹

- The home and surrounding property;
- Household goods and personal effects;
- The cash value of life insurance policies;
- One burial plot per household member;
- The cash value of pension plans or retirement funds (i.e. employer based defined benefit plans, pensions, IRAs, Roth IRAs, 401(k)s, etc.);
- Tax-favored savings accounts that provide secured funding for disability-related expenses);
- Vehicles meeting specified criteria;²⁰
- Property, such as farmland or work-related equipment, which is essential to the employment or self-employment of a household member;
- Property that produces income consistent with its fair market value;²¹
- Resources having a cash value which is not accessible to the household, including, but not limited to, irrevocable trust funds, security deposits, property in probate, and real property that the household is making a good faith effort to sell at a reasonable price that has not been sold;
- Earned income tax credits;
- Non-liquid asset(s) against which a lien has been placed as a result of taking out a business loan and the household is prohibited by the security or lien agreement with the lien holder (creditor) from selling the asset(s); and
- The resources of a household member who receives Supplemental Security Income (SSI) or TANF – Temporary Cash Assistance (TCA) benefits.

Categorical eligibility allows households that already met financial eligibility rules in specified means-tested programs²² to be eligible for SNAP without going through another financial eligibility determination. Federal regulations *require* that states make categorically eligible those households in which all members are either eligible for or receive *cash* benefits, known as temporary cash assistance (TCA), from the Temporary Assistance for Needy Families (TANF) program, Social Security Income

SNAP -Fiscal Year 2018 Cost-of-Living Adjustments, July 28, 2017, available at https://fns-prod.azureedge.net/sites/default/files/snap/SNAP_Fiscal_Year_2018_Cost_of_Living_Adjustments.pdf (last visited December 7, 2017).

¹⁷ 7 CFR § 273.2(j).

¹⁸ 7 CFR § 273.8(c).

¹⁹ 7 CFR § 273.8(e).

²⁰ Vehicles used for income producing purposes, or which are essential to the employment of a household member are excluded.

Vehicles that are used as the household’s home are also excluded, as are vehicles that are necessary to transport a physically disabled household member. 7 CFR § 273.8(e)(3)(i). Additionally, Florida excludes the combine value of two vehicles, up to \$8,500.

²¹ While the property is not counted, any income it produces is a countable asset.

²² Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), or state-financed general assistance (GA) programs.

(SSI), or another general assistance program.²³ Additionally, federal regulations give states the *option* to make categorically eligible those households in which members are eligible for *noncash or in-kind* benefits or services from a program with an income limit of no more than 200% of the federal poverty level (FPL).²⁴

FFY 2018 Gross Monthly Income Eligibility Standards²⁵

Household Size	100% FPL	130% FPL	165% FPL	200% FPL
1	\$1,005	\$1,307	\$1,659	\$2,010
2	\$1,354	\$1,760	\$2,233	\$2,708
3	\$1,702	\$2,213	\$2,808	\$3,404
4	\$2,050	\$2,665	\$3,383	\$4,100

The USDA has developed a typology of state practices on categorical eligibility, categorizing states into three groups:

1. **Traditional categorical eligibility (mandatory):** Households where all members receive need-tested cash aid are automatically eligible for SNAP.
2. **Narrow categorical eligibility (optional):** Expanded beyond traditional categorical eligibility to those who receive certain TANF noncash benefits (e.g. child care).
3. **Broad-based categorical eligibility (BBCE) (optional):** Expands categorical eligibility to most, if not all, households with low incomes in a state. States may set their own income thresholds, not to exceed 200% FPL.²⁶

Of the states that have expanded categorical eligibility to BBCE, the majority do not impose a resource limit; however, some do. Texas,²⁷ Michigan, and Idaho impose a limit of \$5,000 in counted assets, and Nebraska²⁸ imposes a resource limit of \$25,000 in counted liquid assets.²⁹

²³ 7 CFR § 273.2(j)(i).

²⁴ 7 CFR § 273.2(j)(ii); nationally, households with income in excess of 130% FPL (the majority of those recipients made eligible at the states' option) accounted for 5.6% of all SNAP households in FFY 2015. *Characteristics of Supplemental Nutrition Assistance Program Households: Fiscal Year 2015*, Report No. SNAP-16-CHAR, SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, NUTRITION ASSISTANCE PROGRAM REPORT SERIES, OFFICE OF POLICY SUPPORT, available at, <https://www.fns.usda.gov/sites/default/files/ops/Characteristics2015.pdf> (last visited December 7, 2017).

²⁵ *Supra*, note 8. Please note that this applies to all 48 states, the District of Columbia, Guam, and the Virgin Islands; Alaska's and Hawaii's FPLs are higher.

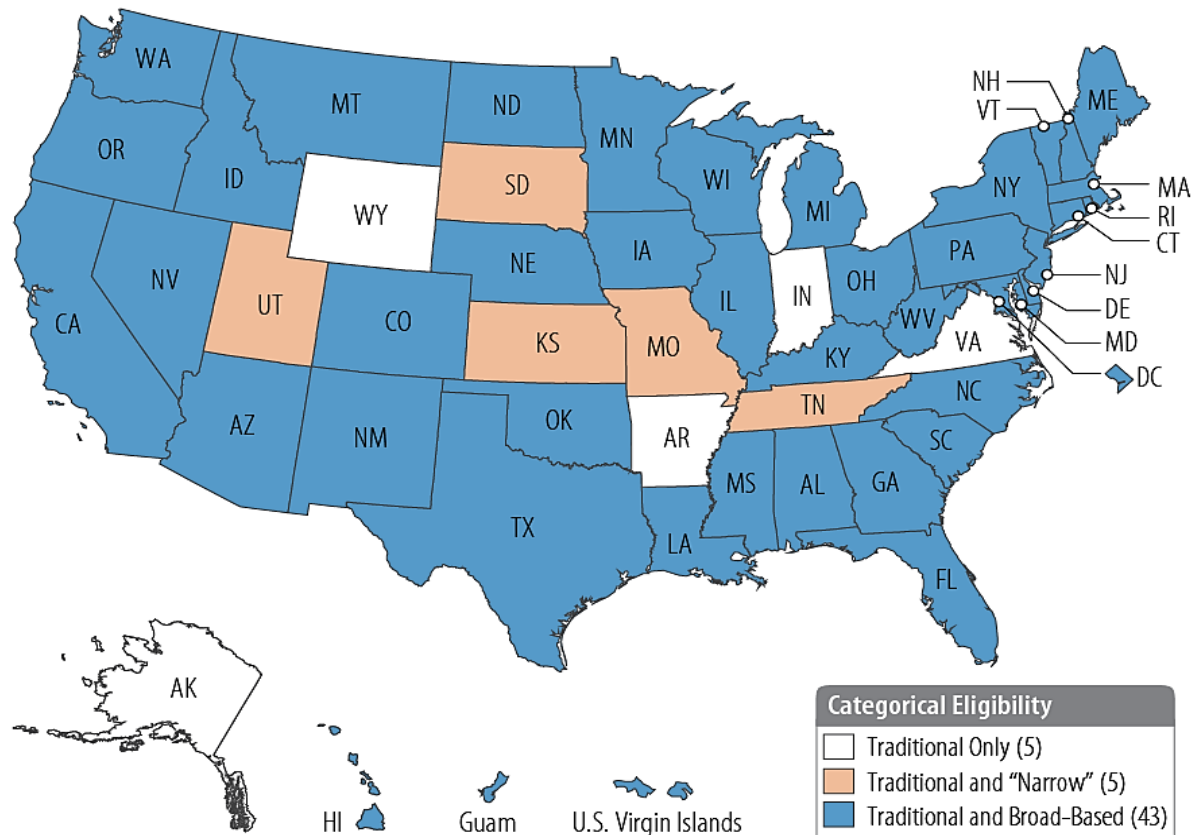
²⁶ Gene Falk and Randy Alison Aussenberg, *The Supplemental Nutrition Assistance Program (SNAP): Categorical Eligibility*, CONGRESSIONAL RESEARCH SERVICE, July 22, 2014, available at <https://www.fas.org/sqp/crs/misc/R42054.pdf> (last visited December 7, 2017).

²⁷ Texas SB 184 (2001) directed Texas's Department of Human Services to implement categorical eligibility (BBCE) and "establish resource limits governing categorical eligibility for food stamps."

²⁸ See s. 68-1017.02(3), Nebraska Statutes, and title 475 Nebraska Administrative Code s. 2-004.11

²⁹ Research on file with Children, Families, and Seniors Subcommittee staff.

Scope of SNAP Categorical Eligibility by State³⁰



Quality Control and Penalties for Improperly Disbursed Benefits

SNAP's quality control system requires states each month to select a representative sample of SNAP cases and have independent state reviewers check the accuracy of the state's eligibility and benefit decisions within federal guidelines.³¹ Federal officials then re-review a subsample of the cases to ensure accuracy in the error rates.³² USDA annually releases state and national error rates based on these reviews.³³

Depending upon a state's error rate, the USDA may impose financial penalties or award performance bonuses.³⁴ The USDA awards \$48 million in state performance bonuses each year to the top and the most improved state performers across four measures:³⁵

- Payment accuracy (\$24 million),
- Case and procedural error rate (\$6 million),
- Application processing timeliness (\$6 million), and
- Program access index (\$12 million).³⁶

For the most recent year in which all states were evaluated (FFY 2014),³⁷ Florida had one of the lowest error rates of any state.³⁸ For having such a low error rate, DCF received a \$7 million bonus from the

³⁰ Id.

³¹ Dottie Rosenbaum, *SNAP Error Rates at All-Time Lows*, CENTER ON BUDGET AND POLICY PRIORITIES, Jul. 2, 2014, available at <http://www.cbpp.org/sites/default/files/atoms/files/7-2-14fa.pdf> (last visited December 7, 2017).

³² Id.

³³ Id.

³⁴ Id.

³⁵ Id.

³⁶ Id. This is separate from the quality control system and measures states' success in reaching eligible low-income individuals, based on an estimate of the number of SNAP participants.

USDA.³⁹ 2014 was the seventh consecutive year that DCF was rewarded for improvements and accuracy in correctly processing SNAP applications; Florida's bonuses total more than \$54 million.⁴⁰

SNAP Work Requirements

Generally, SNAP recipients are subject to the same work requirements as TCA recipients if they also receive TCA through TANF.⁴¹ SNAP recipients who are able-bodied adults without dependents (ABAWDs) must also meet work requirements in order to receive benefits.⁴² Qualifying activities include unsubsidized paid employment as well as subsidized employment and on-the-job training.⁴³ Individuals who fail to comply with the work requirements are limited to three months of SNAP benefits within a three-year period.⁴⁴ However, individuals are exempt from the time limit if they are:

- Under 18 years of age⁴⁵ or 50 years of age or older,
- A parent or responsible for the care of a child or incapacitated household member,
- Medically certified as physically or mentally unfit for employment,
- Pregnant,
- Participating in a drug or alcohol addiction treatment and rehabilitation program, or
- Already exempt from the general SNAP work requirements.⁴⁶

The American Recovery and Reinvestment Act (ARRA) of 2009⁴⁷ authorized the federal government to waive the SNAP benefit time limits, waive noncompliance sanctions, and make the work requirements voluntary, for states with high unemployment rates at those states' requests. In order to qualify, states must demonstrate that they have an unemployment rate above 10 percent or a lack of sufficient jobs.⁴⁸

Florida implemented the ABAWD waiver in 2009; however, statewide eligibility for this waiver expired⁴⁹ on December 31, 2015, because of Florida's improved economy.⁵⁰ When the ABAWD waiver was first implemented, Florida's unemployment rate was over 11%; however, by the waiver's expiration it had fallen to 5.1%.⁵¹ As of June 2017, Florida's unemployment rate has fallen lower, to 4.1%.⁵²

³⁷ Due to the data quality issues uncovered in 42 of 53 State agencies during the reviews, the State-reported error rates derived from that data cannot be validated. Since that data cannot be validated, USDA was unable to calculate a national error rate for FFY15. USDA released State error rates for the 11 States whose quality control data could be validated. *Supplemental Nutrition Assistance Program (SNAP) Quality Control*, UNITED STATES DEPARTMENT OF AGRICULTURE, <https://www.fns.usda.gov/snap/quality-control> (last visited December 7, 2017).

³⁸ *Supplemental Nutrition Assistance Program: Payment Error Rates FY 2014*, UNITED STATES DEPARTMENT OF AGRICULTURE, <https://www.fns.usda.gov/sites/default/files/snap/2014-rates.pdf> (last visited November 20, 2017).

³⁹ *DCF Receives \$7 Million in Federal Bonus for Food Assistance Accuracy*, FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, <http://www.myflfamilies.com/press-release/dcf-receives-7-million-federal-bonus-food-assistance-accuracy> (last visited December 7, 2017).

⁴⁰ *Id.*

⁴¹ 7 USC § 2015(d)(2). For a discussion of TANF work requirements, see pp. 10-11, *infra*.

⁴² ABAWDs must work, participate in a work program, or engage in a combination of work and participation in a work program for a total of 20 hours per week, averaged to 80 hours a month, or participate in and comply with a workfare program. 7 CFR § 273.24(a)(1).

⁴³ 7 CFR § 273.24(a)(2)-(4).

⁴⁴ 7 CFR § 273.24(b).

⁴⁵ A person age 16 or 17 who is not the head of a household or who is attending school, or is enrolled in an employment training program, on at least a half-time basis, is also exempt. 7 CFR § 273.7(b)(1)(i).

⁴⁶ 7 CFR § 273.24(c); see also § 273.7(b)(1).

⁴⁷ Pub. L. 111-5.

⁴⁸ 7 CFR § 273.24(f).

⁴⁹ S. 414.455, F.S., (s. 2, ch. 2015-226, Laws of Fla.) requires DCF to obtain specific authorization from the Legislature before seeking, applying for, accepting, or renewing any future waiver of work requirements established under 7 USC § 2015(o).

⁵⁰ Email from Jennifer Lange, Assistant Secretary for Economic Self-Sufficiency, Florida Department of Children and Families, RE: This Is What Happened When Maine Forced Welfare Recipients To Work For Their Benefits (May 1, 2015) (Email on file with Children, Families, and Seniors Subcommittee staff).

⁵¹ BUREAU OF ECONOMIC AND BUSINESS RESEARCH, UNIVERSITY OF FLORIDA, *Employment (SA) – Monthly Unemployment Rate*, <https://www.bebr.ufl.edu/data/2031/state/12000-state-florida> (last visited November 20, 2017).

⁵² *Id.*

Currently, 17 states, including Florida, do not have any ABAWD waivers; 27 states have waivers that only apply to certain areas of the state; and nine states and territories have statewide ABAWD waivers.⁵³ The number of waivers is down from the same time two years ago, when 32 states and territories had statewide ABAWD waivers, and only nine states did not have any ABAWD waivers.⁵⁴

Florida's SNAP Program

Various state agencies and entities work together through a series of contracts or memoranda of understanding to administer the SNAP Program in Florida.

- The Department of Children and Families (DCF) determines and monitors eligibility and disperses benefits to SNAP recipients.
- The Department of Economic Opportunity (DEO) submits financial and performance reports, ensures compliance with federal and state measures, and provides training and technical assistance to Regional Workforce Boards (RWBs).
- CareerSource Florida has planning and oversight responsibilities for all workforce-related programs, including those for “work eligible”⁵⁵ SNAP recipients through its RWBs.⁵⁶
- RWBs provide a coordinated and comprehensive delivery of local workforce services within their respective areas. The RWBs focus on strategic planning, policy development and oversight of the local workforce investment system within their respective areas and contract with one-stop career centers.

SNAP enrollment in Florida has more than doubled over the last ten years;⁵⁷ however, enrollment has decreased slightly since early 2016 due to the reinstatement of work requirements for ABAWDs.⁵⁸ Participation in SNAP from 2010 to 2015 outpaced population growth in Florida; in 2010, 16.4%⁵⁹ of all Floridians received SNAP, while that number increased to 18.5%⁶⁰ in 2015.⁶¹ Additionally, the median annual income (adjusted for inflation) for a household receiving SNAP has increased from \$17,100 in 2007 to \$21,652.⁶² As of October 2017, there were 3,290,218 individuals enrolled in SNAP in Florida.⁶³

⁵³ *Status of State Able-Bodied Adult without Dependents (ABAWD) Time Limit Waivers, Fiscal Year 2018 – First Quarter*, UNITED STATES DEPARTMENT OF AGRICULTURE, available at <https://fns-prod.azureedge.net/sites/default/files/snap/FY-2018-Quarter-1-ABAWD-Waiver-Status.pdf> (last visited December 7, 2017).

⁵⁴ *Status of State Able-Bodied Adult without Dependents (ABAWD) Time Limit Waivers, Fiscal Year 2016 – First Quarter*, UNITED STATES DEPARTMENT OF AGRICULTURE, available at <https://fns-prod.azureedge.net/sites/default/files/snap/FY-2016-1st-Quarter-ABAWD-Time-Limit-Waiver-Status.pdf> (last visited December 7, 2017).

⁵⁵ For the SNAP program, “work eligible” is defined as individuals who are physically and mentally fit, aged 16-59, and do not qualify for an exemption.

⁵⁶ For a listing of all the RWBs, see FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY, *CareerSource Florida Network Details*, <http://www.floridajobs.org/onestop/onestopdir/OneStopDirList.asp> (last visited December 7, 2017).

⁵⁷ Presentation to Children, Families, and Seniors Subcommittee on January 12, 2017 (PowerPoint on file with Children, Families, and Seniors Subcommittee staff).

⁵⁸ When the ABAWD waiver expired and the work requirements were put into place, over 300,000 ABAWDs initially failed to comply and were time limited as of April 2016. Email from Rachel Moscoso, Deputy Legislative Affairs Director, Department of Children and Families, RE: Fwd: ESS Response to House subcommittee (Jan. 18, 2017) (Email on file with Children, Families, and Seniors Subcommittee staff).

⁵⁹ In 2010 the state population was 18,801,310, and 3,079,742 people received SNAP benefits.

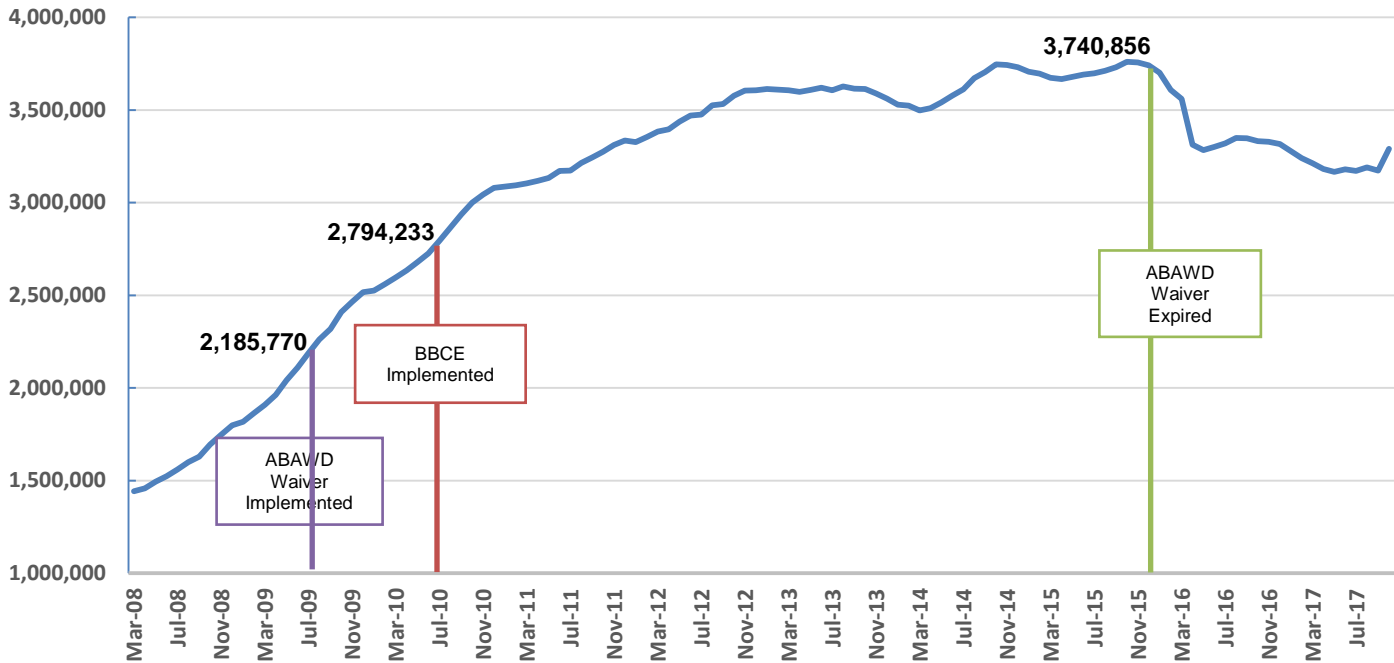
⁶⁰ In 2015 the state population was estimated to be 20,271,272, and 3,740,856 people received SNAP benefits.

⁶¹ Email from Rachel Moscoso, Deputy Legislative Affairs Director, Department of Children and Families, RE: Info request - SNAP Enrollment and Eligibility Questions - House CSE (Oct. 13, 2016) (Email on file with Children, Families, and Seniors Subcommittee staff).

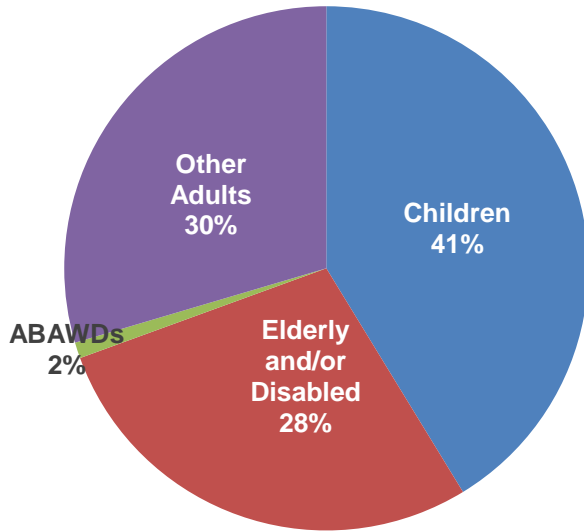
⁶² BUREAU OF ECONOMIC AND BUSINESS RESEARCH, UNIVERSITY OF FLORIDA, *Food Stamps and Snap – Income Level 1-Year Estimates*, <https://www.bebr.ufl.edu/data/6407/state/12000-state-florida> (last visited December 7, 2017).

⁶³ Department of Children and Families, Public Assistance Caseload Report: October 2017, http://eww.dcf.state.fl.us/ess/reports/docs/caseload_circuit.xlsx (last visited December 7, 2017).

Florida SNAP Recipients (2008-2017):⁶⁴



Florida SNAP Enrollment as of October 2017⁶⁵



Children	1,357,828
Elderly and/or Disabled	926,859
ABAWDs	32,378
Other Adults ⁶⁶	973,194
Total Individuals	3,290,259

Florida SNAP Eligibility

In 2010, Florida, along with thirty-nine other states, Guam, and the U.S. Virgin Islands, opted to use BBCE.⁶⁷ The federal government had encouraged states to expand eligibility to households that had been hurt by the economic downturn but which also had modest resources. Florida's BBCE standards

⁶⁴ Id.

⁶⁵ Email from Michael Wickersheim, Legislative Affairs Director, Department of Children and Families, RE: OSLA: Data Request - Current SNAP Recipients - House CFS (Whitney) (Dec. 1, 2017) (Email on file with Children, Families, and Seniors Subcommittee staff).

⁶⁶ This includes those adults who are federally mandated to be categorically eligible and all other adults eligible under BBCE who are not ABAWDs or elderly/disabled.

⁶⁷ *Supra*, note 26, see also *Broad-based Categorical Eligibility*, UNITED STATES DEPARTMENT OF AGRICULTURE, available at <https://www.fns.usda.gov/sites/default/files/snap/BBCE.pdf> (last visited December 7, 2017).

allow most households to meet a gross income limit less than or equal to 200% FPL.⁶⁸ However, households with a member disqualified for breaking Food Assistance Program rules, felony drug trafficking, running away from a felony warrant, or not participating in a work program are excluded from BBCE and instead must have gross income less than or equal to 130% of the FPL and a net income less than 100% of the FPL.⁶⁹ Florida also has exercised its authority under BBCE to waive asset limits for SNAP in most cases. DCF permits most households to have assets such as vehicles, bank accounts, and property and still receive SNAP,⁷⁰ but requires that households with disqualified members meet an asset limit of either \$2,250, or \$3,500 if the household has an elderly or disabled member.⁷¹

SNAP Eligibility Verification

DCF administers the Automated Community Connection to Economic Self-Sufficiency (ACCESS) Program which verifies identities and determines eligibility for SNAP as well as TANF and Medicaid.⁷² DCF collects household, identity, and income information from applicants. For example, SNAP applicants must provide DCF with proof of identity, citizenship, and noncitizen status of household members, including furnishing a Social Security number or proof of Social Security number application for each member.⁷³ Applicants also provide proof of earned and unearned income for each household member (such as recent check stubs, child support information, and notices from the Social Security or Veteran's Administrations).⁷⁴

The ACCESS system's identity verification module compares the applicant's data against its database to verify an applicant's identity.⁷⁵ The ACCESS system also validates information by comparing applicant's or recipient's data with income and eligibility data provided through the use of approximately 20 data exchanges, some of which are required by the federal government while others are used at the state's option.⁷⁶ To finalize the application process, the ACCESS system's identity verification module generates four unique identity verification questions that an applicant may choose to answer before submitting the full application.⁷⁷ These questions are complex and unrelated to the basic identifying information a thief could obtain from stealing an applicant's wallet.⁷⁸

Once eligible, recipients must report when their household income exceeds 130% FPL. DCF takes action to reevaluate SNAP eligibility or recalculate the SNAP benefit amount only on changes where the recipient's income exceeds 130% of the FPL or when it obtains certain information from its databases that would impact the recipient's benefit eligibility or amount.⁷⁹

⁶⁸ *Id.*; see also, rule 65A-1.602(9), F.A.C., and *Supplemental Nutrition Assistance Program: DCF Has Mechanisms in Place to Facilitate Eligibility, Verify Participant Identity, and Monitor Benefit Use*, OPPAGA, Jan. 7, 2016. (Research Memorandum on file with Children, Families, and Seniors Subcommittee staff). With the BBCE option, Floridians who lose their jobs or experience a decrease in wages but continue to have high expenses and/or assets (e.g. fishing boats) are able to gain eligibility, which helps them maintain self-sufficiency over time; in FY 2014-15, DCF reported that approximately 22,000 of the 147,000 households whose income was below 200% FPL but above 130% FPL had assets in excess of the traditional asset limits, but were eligible for SNAP under BBCE.

⁶⁹ Rules 65A-1.602(8)(b), (10), F.A.C.

⁷⁰ Rules 65A-1.303(1) and 1.602(11), F.A.C., incorporate by reference the relevant federal statutes and regulations governing assets but explicitly exclude vehicles from the eligibility determination for food assistance under 7 CFR § 273.8(f)(4).

⁷¹ Rules 65A-1.602(8)(b), (11), F.A.C.

⁷² Rule 65A-1.205. F.A.C

⁷³ *Supplemental Nutrition Assistance Program: DCF Has Mechanisms in Place to Facilitate Eligibility, Verify Participant Identity, and Monitor Benefit Use*, OPPAGA, Jan. 7, 2016.

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ A list of all databases queried is on file with Children, Families, and Seniors Subcommittee staff.

⁷⁷ *Supra*, note 73.

⁷⁸ *Id.*

⁷⁹ Email from Rachel Moscoso, Deputy Legislative Affairs Director, Department of Children and Families, RE: Follow-up from ACCESS call (Nov. 29, 2016) (Email on file with Children, Families, and Seniors Subcommittee staff).

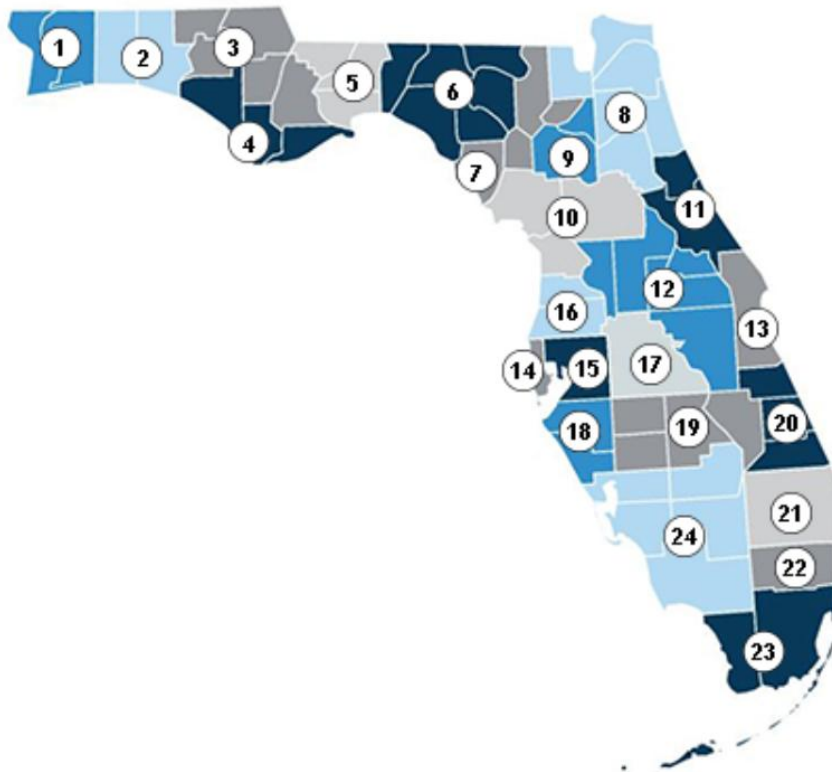
SNAP Work Requirements

Beginning January 1, 2016, Florida implemented mandatory work requirements for all ABAWDs in all 67 counties, reinstating benefit time limits for ABAWDs who fail to meet work requirements.⁸⁰

ABAWDs who must comply with work requirements are referred to their local RWB,⁸¹ which provides information about available jobs, on-the-job training, and education and training services.⁸² ABAWDs may meet work requirements in a variety of ways by accessing services offered through RWBs.⁸³ ABAWDs are required to inform their CareerSource worker of their monthly hours working, volunteering, or in an RWB work program to retain their SNAP benefits.⁸⁴

ABAWDs must report to DCF when their weekly work hours fall below 20 hours per week (80 hours per month).⁸⁵ If an ABAWD's work hours fall below 20 hours per week, DCF refers the ABAWD for mandatory participation with CareerSource.⁸⁶ CareerSource's RWBs include 76 full-service career centers, 29 satellite career centers, and one business center.⁸⁷

CareerSource RWB Map⁸⁸



RWBs:

1. **CareerSource Escarosa** (Escambia, Santa Rosa)
2. **CareerSource Okaloosa Walton**
3. **CareerSource Chipola** (Calhoun, Holmes, Jackson, Liberty, Washington)
4. **CareerSource Gulf Coast** (Bay, Franklin, Gulf)
5. **CareerSource Capital Region** (Gadsden, Leon, Wakulla)
6. **CareerSource North Florida** (Hamilton, Jefferson, Lafayette, Madison, Suwannee, Taylor)
7. **CareerSource Florida Crown** (Columbia, Dixie, Gilchrist, Union)
8. **CareerSource Northeast Florida** (Baker, Clay, Duval, Nassau, Putnam, St. Johns)
9. **CareerSource North Central Florida** (Alachua, Bradford)
10. **CareerSource Citrus Levy Marion**
11. **CareerSource Flagler Volusia**
12. **CareerSource Central Florida** (Lake, Orange, Osceola, Seminole, Sumter)
13. **CareerSource Brevard**
14. **CareerSource Pinellas**
15. **CareerSource Tampa Bay** (Hillsborough)
16. **CareerSource Pasco Hernando**
17. **CareerSource Polk**
18. **CareerSource Suncoast** (Manatee, Sarasota)
19. **CareerSource Heartland** (Desoto, Hardee, Highlands, Okeechobee)
20. **CareerSource Research Coast** (Indian River, Martin, St. Lucie)
21. **CareerSource Palm Beach County**
22. **CareerSource Broward**
23. **CareerSource South Florida** (Miami-Dade, Monroe)
24. **CareerSource Southwest Florida** (Charlotte, Collier, Glades, Hendry, Lee)

⁸⁰ 7 CFR § 273.24(b).

⁸¹ Rule 65A-1.605(5), F.A.C.

⁸² Workforce Investment Act – Workforce Innovation and Opportunity Act Annual Report for 2015-2016 Program Year, CareerSource Florida, Inc., available at https://careersourceflorida.com/wp-content/uploads/2016/10/161003_AnnualReport.pdf (last visited December 7, 2017).

⁸³ Id.

⁸⁴ *Supra*, note 79.

⁸⁵ Id.

⁸⁶ Id.

⁸⁷ DEPARTMENT OF ECONOMIC OPPORTUNITY, *CareerSource Florida Network Directory*, <http://www.floridajobs.org/onestop/onestopdir/> (last visited December 7, 2017).

⁸⁸ Id.

Temporary Assistance for Needy Families (TANF) Program

Under the federal welfare reform legislation of 1996, the TANF program replaced the welfare programs known as Aid to Families with Dependent Children, the Job Opportunities and Basic Skills Training program, and the Emergency Assistance program. The law ended federal entitlement to assistance and instead created TANF as a block grant that provides federal funds to states, territories, and tribes each year. These funds cover benefits, administrative expenses, and services targeted to needy families. TANF became effective July 1, 1997, and was reauthorized in 2006 by the Deficit Reduction Act of 2005. States receive block grants to operate their individual programs and to accomplish the goals of the TANF program.

Florida's temporary cash assistance (TCA) program is one of several programs funded with TANF block grant funds. The purpose of the TCA program is to help families become self-supporting while allowing children to remain in their own homes; it provides cash assistance to families with children that meet the technical, income, and asset requirements.⁸⁹ In August 2017, 10,811 adults and 61,382 children received TCA.⁹⁰

Various state agencies and entities work together through a series of contracts or memoranda of understanding to administer the TCA program. DCF is the recipient of the federal TANF block grant and administers the TCA program, monitoring eligibility and dispersing benefits. As with the SNAP program, DEO is responsible for financial and performance reporting ensuring compliance with federal and state measures and providing training and technical assistance to RWBs. CareerSource Florida has planning and oversight responsibilities for all workforce-related programs.

TCA Work Requirement

To be eligible for full-family TCA, applicants must participate in work activities in accordance with s. 445.024, F.S., unless they qualify for an exemption.⁹¹ Section 445.024(3), F.S., permits exemptions from the work requirements for:

- An individual who receives benefits under the SSI program or the Social Security Disability Insurance (SSDI) program.
- An adult who is not defined as a work-eligible individual⁹² under federal law.
- A single parent of a child under 3 months of age, except that the parent may be required to attend parenting classes or other activities to better prepare for raising a child.
- An individual who is exempt from the time limitations of TCA because of a hardship exemption.⁹³

Individuals receiving TCA who are not otherwise exempt from work activity requirements must participate in work activities for the maximum number of hours allowable under federal law.⁹⁴ The number of required work or activity hours is determined by calculating the value of the cash benefits

⁸⁹ Children must be under the age of 18, or under age 19 if they are full time secondary school students. Parents, children and minor siblings who live together must apply together. Additionally, pregnant women may also receive TCA, either in the third trimester of pregnancy if unable to work, or in the 9th month of pregnancy.

⁹⁰ Department of Children and Families, Monthly Flash Report Caseload Data: August 2017, <http://eww.dcf.state.fl.us/ess/reports/docs/flash2005.xlsx> (last visited December 7, 2017).

⁹¹ S. 414.095(1), F.S.

⁹² 45 C.F.R. 261.2(n) excludes from the definition of "work-eligible individuals" minor parents who are not the head of household, ineligible non-citizens, recipients of SSI, parents caring for a disabled family member, parents who receive SSDI, and certain individuals participating in a Tribal TANF program.

⁹³ S. 414.105, F.S., provides hardship exemptions for individuals who have diligently participated in activities but have an inability to obtain employment or extraordinary barriers to employment, victims of domestic violence, individuals subject to a time limitation under the Family Transition Act of 1993, individuals who receive SSI or SSDI, and individuals who are totally responsible for the care of a disabled family member.

⁹⁴ S. 445.024(2), F.S.

and then dividing that number by the hourly minimum wage amount. Federal law requires individuals to participate in work activities for at least:

- 20 hours per week, or attend a secondary school or the equivalent or participate in education directly related to employment if under the age of 20 and married or single head-of-household.
- 20 hours per week for single parents with a child under the age of six.
- 30 hours per week for all other single parents.
- 35 hours per week, combined, for two-parent families not receiving subsidized child care.
- 55 hours per week, combined, for two-parent families receiving subsidized child care.

Pursuant to federal rule⁹⁵ and state law,⁹⁶ job search, on-the-job training, education, and subsidized and unsubsidized employment, among other things, may be used individually or in combination to satisfy the work requirements for a participant in the TCA program.

TCA Workforce Services

If no exemptions from work requirements apply, DCF refers the applicant to DEO.⁹⁷ Upon referral, the participant must complete an in-take application and undergo assessment by RWB staff which includes:

- Identifying barriers to employment.
- Identifying the participant's skills that will translate into employment and training opportunities.
- Reviewing the participant's work history.
- Identifying whether a participant needs alternative requirements due to domestic violence, substance abuse, medical problems, mental health issues, hidden disabilities, learning disabilities or other problems which prevent the participant from engaging in full-time employment or activities.

Once the assessment is complete, the staff member and participant create an Individual Responsibility Plan (IRP). The IRP includes:

- The participant's employment goal;
- The participant's assigned activities;
- Services provided through program partners, community agencies and the workforce system;
- The weekly number of hours the participant is expected to complete; and
- Completion dates and deadlines for particular activities.

RWBs currently have discretion to assign an applicant to a work activity, including job search, before receiving TCA.⁹⁸ Currently, Florida's TANF Work Verification Plan⁹⁹ requires participants to record each on-site job contact and a representative of the employer or RWB provider staff to certify the validity of the log by signing each entry. If the applicant conducts a job search by phone or internet, the activity must be recorded on a job search report form and include detailed, specific information to allow follow-up and verification by the RWB provider staff.¹⁰⁰

⁹⁵ 45 C.F.R. § 261.30.

⁹⁶ This information is not required as part of CareerSource Florida's annual report to the Legislature and Governor. See, s. 445.024, F.S.

⁹⁷ This is an electronic referral through a system interface between DCF's computer system and DEO's computer system. Once the referral has been entered into the DEO system the information may be accessed by any of the RWBs or One-Stop Career Centers.

⁹⁸ Department of Children and Families, Agency Analysis of 2016 House Bill 563 (Nov. 20, 2015) (on file with Children, Families, and Seniors Subcommittee staff).

⁹⁹ DEPARTMENT OF CHILDREN AND FAMILIES ECONOMIC SELF-SUFFICIENCY PROGRAM OFFICE, *Temporary Assistance for Needy Families State Plan Renewal October 1, 2014 – September 30, 2017*, Nov. 14, 2014, available at www.dcf.state.fl.us/programs/access/docs/TANF-Plan.pdf (last visited December 7, 2017).

¹⁰⁰ *Supra*, note 98 at 2.

For State Fiscal Year (SFY) 2016-2017, the Legislature appropriated \$59,875,524 in TANF funds to DEO, \$54,014,907 of which was for CareerSource Inc. to disperse to its 24 RWBs to provide workforce services to TCA and SNAP recipients.¹⁰¹ For SFY 2017-2018, the Legislature appropriated \$58,084,001 in TANF funds to DEO, with \$53,930,903 going to the RWBs; additionally, CareerSource Florida Inc. received \$10,125,764 in SNAP E&T funds to provide workforce services for SNAP recipients.¹⁰²

Employment Outcomes for TCA Recipients

CareerSource Florida does not track or document employment outcomes for the TCA recipients subject to mandatory work requirements.¹⁰³ However, based on data from the Florida Department of Education (DOE) and federal reports, it appears that very few TCA recipients exit the program because of self-sufficiency.

Annual outcome reports published by DOE's Florida Education and Training Placement Information Program indicate that, of those who received TCA in 2013-14, only 14% found employment, and the majority of those employed earned below minimum wage.¹⁰⁴ Of those who were employed, 86% continued to receive either SNAP or TCA benefits.¹⁰⁵ Additionally, federal TANF data shows that, in 2015, only 12.3% of cases in Florida were closed because TCA recipients gained employment that moved them out of the program; this was below the national average of 16.9 percent.¹⁰⁶ More participants exited the program due to sanctions for failure to meet work requirements than through employment.¹⁰⁷

Barriers to Employment for TCA Recipients

Poor employment outcomes for TCA recipients are in part due to barriers that make it difficult for them to obtain and keep jobs. Most TCA recipients have at least one barrier to work and many have multiple barriers, with their likelihood of employment decreasing as the number of barriers increases.¹⁰⁸ Common barriers to employment for TCA recipients include lack of a high school diploma, no or negative work experience, work-limiting health conditions, and poor mental and emotional health.¹⁰⁹

These barriers were associated with a reduction in the estimated odds that the TCA recipient with them would secure employment.¹¹⁰ For example, the estimated odds of being employed were 71% lower for TCA recipients who had no prior work experience as compared with those who had some prior work experience; additionally, the odds of being employed were also significantly lower for TCA recipients who had no high school diploma or GED (30%), who had a physical or mental disability (33%), or whose health was fair or poor (37%).¹¹¹

¹⁰¹ CAREERSOURCE FLORIDA, *Approval of State and Local Budget Allocations for Fiscal Year 2016/17*, Board of Directors Meeting, (May 26, 2016) (on file with Children, Families, and Seniors Subcommittee staff).

¹⁰² CAREERSOURCE FLORIDA, *Fiscal Year 2017/18 CareerSource Florida Network Funding Allocations*, available at <https://careersourceflorida.com/wp-content/uploads/2017/05/May2017Budget.pdf> (last visited December 7, 2017).

¹⁰³ S. 445.004, F.S.

¹⁰⁴ Florida Education & Training Placement Information Program, *Annual Outcomes Report: Fall 2014 Data*, Dec. 2015, FLORIDA DEPARTMENT OF EDUCATION, available at <http://www.fldoe.org/core/fileparse.php/7592/urlt/AORPublicationForWeb.pdf> (last visited December 7, 2017).

¹⁰⁵ *Id.*

¹⁰⁶ Information on reasons for TANF case closures on file with Children, Families, and Seniors Subcommittee staff.

¹⁰⁷ *Id.* 14.5% of participants' TANF cases were closed for failure to comply with work requirements. Another 42.3% were closed for failure to comply with other, non-work related, program requirements.

¹⁰⁸ See, Dan Bloom, Pamela J. Loprest, and Sheila R. Zedlewski, *TANF Recipients with Barriers to Employment*, THE URBAN INSTITUTE, Aug. 2012, available at <http://www.mdrc.org/sites/default/files/TANF%20Recipients%20with%20Barriers%20to%20Employment.pdf> (last visited December 7, 2017); Amy Dworsky and Mark E. Courtney, *Barriers to Employment Among TANF Applicants and Their Consequences for Self-Sufficiency*, *Families in Society: The Journal of Contemporary Social Services*, Vol. 88, No. 3 (2007), available at <https://secure.ce4alliance.com/articles/101210/dworsky.pdf> (last visited December 7, 2017).

¹⁰⁹ *Id.*

¹¹⁰ Dan Bloom, Pamela J. Loprest, and Sheila R. Zedlewski, *TANF Recipients with Barriers to Employment*, THE URBAN INSTITUTE, Aug. 2012, *supra*.

¹¹¹ *Id.*

Best Practices for Improving Employment Outcomes for SNAP and TCA Recipients

A study by FNS reviewed research on employment and training (E&T) program components and practices that assist members of households participating in SNAP to obtain regular employment.¹¹² FNS found the strategies that best improve employment outcomes and economic self-sufficiency of participants include:

- Using individualized service plans to address recipients' strengths and weaknesses as identified through initial assessments;
- Developing third-party partnerships between the state workforce development programs, community colleges, and local non-profit organizations to increase the scope and intensity of available services; and
- Serving individuals who volunteer to participate, rather than mandating participation as a condition of eligibility.¹¹³

To improve the ability of low-income individuals, both working-poor and unemployed, to advance beyond low-wage jobs, workforce development agencies should provide:

- Work requirements and work incentives;
- Job search assistance and placement supports;
- Subsidized employment;
- Education and training;
- Case management and supportive services;
- Focus on in-demand sectors; and
- Collaboration with other programs to provide comprehensive services to targeted participants.¹¹⁴

Stand-alone basic skills instruction and job search assistance programs fall short of helping participants achieve lasting self-sufficiency.¹¹⁵ In contrast, more intensive services that combine several components simultaneously or sequentially appear to be more promising in helping participants achieve the desired improvements in employment and earnings.¹¹⁶ For example, programs that combine job search and education/training activities with a specific mix of services based upon the individual's needs resulted in higher rates of participation, overall and by component, and longer lasting impacts than single activity programs.¹¹⁷

One of the findings from the FNS study was that programs leading to academic credentials or community college certificates are often associated with improved outcomes, especially when the E&T is in a sector that has been targeted for its expected high growth and ability to offer high-wage jobs, and that strategies that connect participants to in-demand fields or careers, including apprenticeships and on-the-job training, also lead to improved earnings.¹¹⁸ The career pathways approach helps

¹¹² *Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) Best Practices Study: Final Report*, UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, Nov. 2016, available at <https://www.fns.usda.gov/sites/default/files/ops/SNAPEandTBestPractices.pdf> (last visited December 7, 2017).

¹¹³ Id.

¹¹⁴ Id.

¹¹⁵ Id.

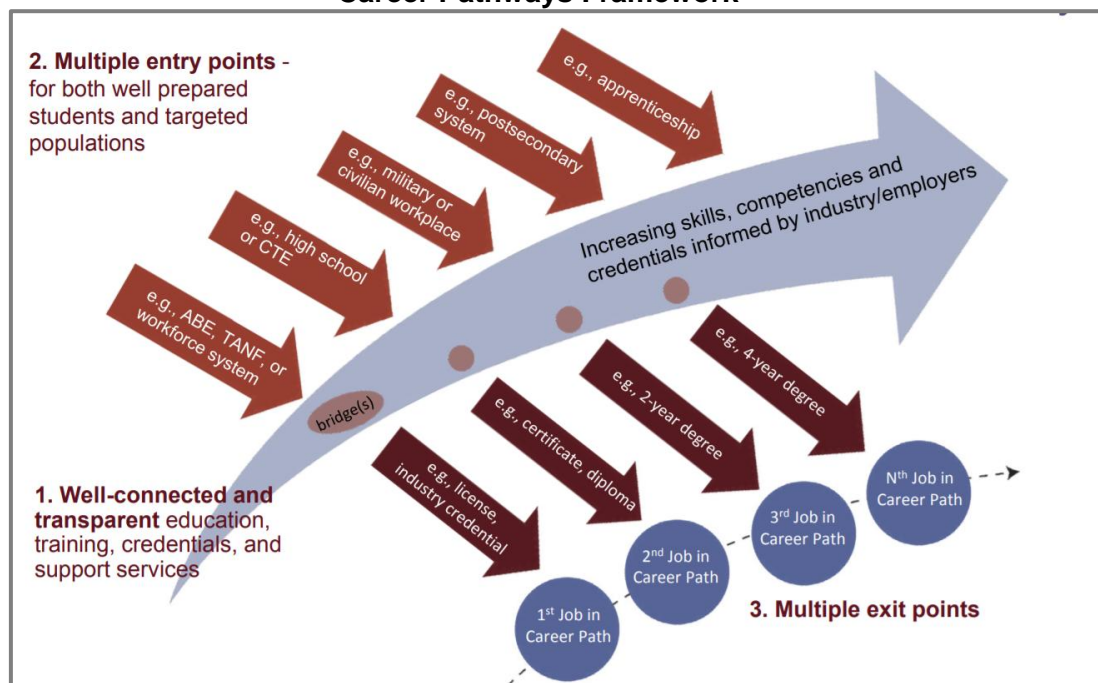
¹¹⁶ Id.

¹¹⁷ Gayle Hamilton, *Moving People from Welfare to Work: Lessons from the National Evaluation of Welfare-to-Work Strategies*, MANPOWER DEMONSTRATION RESEARCH CORPORATION, July 2002, available at <http://eric.ed.gov/?id=ED469794> (last visited November 20, 2017); Karin Martinson & Julie Strawn, *Built to Last: Why Skills Matter for Long-Run Success in Welfare Reform*, CENTER FOR LAW AND SOCIAL POLICY, April 2003, available at <http://www.clasp.org/resources-and-publications/files/0119.pdf> (last visited December 7, 2017); Judith M. Gueron & Gayle Hamilton, *The Role of Education and Training in Welfare Reform. Welfare Reform and Beyond*, THE BROOKINGS INSTITUTION, April 2002, available at <http://files.eric.ed.gov/fulltext/ED478580.pdf> (last visited December 7, 2017); Anu Rangarajan, Alicia Meckstroth, & Tim Novak, *The Effectiveness of the Postemployment Services Demonstration: Preliminary Findings*, MATHEMATICA POLICY RESEARCH, INC., January 22, 1998, available at <https://www.mathematica-mpr.com/-/media/publications/pdfs/impact.pdf> (last visited December 7, 2017).

¹¹⁸ *Supra*, note 112.

participants upgrade their skills and move up to better jobs over time through connected education and training steps in a particular industry, combined with coaching, support services, financial assistance, and job placement services.¹¹⁹ Each education and training step in a career pathways approach is designed to prepare individuals for a specific job and to lead to progressively higher levels of education and employment.¹²⁰

Career Pathways Framework¹²¹



One state where this approach shows promise is Arkansas. The Arkansas Career Pathways Initiative (CPI) provides education and training for TANF-eligible low-income parents to help them acquire the degrees and credentials necessary to obtain and hold jobs in selected high-demand, high-wage industries.¹²² The program offers participants with a comprehensive set of academic and support services along with personalized case management and access to financial support.¹²³ The most recent data reflects a 92% overall job retention among participants for fiscal year 2014 and 72% of participants entering employment for fiscal year 2015.¹²⁴

Similarly, Washington’s Basic Food Employment and Training (BFET) program, a public-private partnership SNAP E&T Program for recipients who are not on TANF, provides services through community-based organizations and community colleges with an emphasis on basic education and vocational training.¹²⁵ After two years of the program being implemented, nearly 70% of participants

¹¹⁹ *SNAP to Skills: Integrating SNAP E&T into Career Pathway Systems to Boost Outcomes*, UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, May 2017, available at https://snaptoskills.fns.usda.gov/sites/default/files/2017-05/S2SBrief6_IntegratingSNAPandPathways.pdf (last visited December 7, 2017).

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² ARKANSAS CAREER PATHWAYS, *Background of Arkansas Career Pathways Initiative*, http://www.arpathways.com/about_us_history.html (last visited December 7, 2017).

¹²³ See *TANF Education and Training: The Arkansas Career Pathways Initiative*, CENTER FOR POSTSECONDARY AND ECONOMIC SUCCESS CENTER FOR LAW AND SOCIAL POLICY, April 2010, available at <http://www.clasp.org/resources-and-publications/files/Arkansas-Career-Pathways.pdf> (last visited December 7, 2017); and *The Arkansas Career Pathways Initiative: Phase One Research Results*, COLLEGE COUNT\$, available at http://www.collegecounts.us/s/CollegeCounts_Full_Report.pdf (last visited December 7, 2017).

¹²⁴ *Arkansas Career Pathways Initiative Progress/Close Out Report of Activities and Outcomes (July 1, 2015 – June 30, 2016)*, ARKANSAS DEPARTMENT OF HIGHER EDUCATION, 2016, available at <http://www.arpathways.com/pdfs/Progress%20Reports/Progress%20Report%20Year%20Eleven%20Final.pdf> (last visited December 7, 2017).

¹²⁵ *Washington State’s Basic Food Employment & Training Program*, SEATTLE JOBS INITIATIVE, June 2014, available at <http://www.aecf.org/m/resourcedoc/sji-WashingtonStatesFoodEmploymentTraining-2014.pdf> (last visited December 7, 2017).

were employed.¹²⁶ Participants received annual earnings of \$4,100 more than before they entered the BFET program.¹²⁷

Washington was also among ten states awarded a three-year grant by the 2014 Farm Bill to develop an innovative program to improve employment outcomes.¹²⁸ In order to be eligible for the new program, Resources to Initiate Successful Employment (RISE), participants must qualify for BFET and must have one critical barrier (e.g. mental or physical health problems, domestic violence, child welfare involvement) or three or more stand-alone barriers (e.g. housing, learning disability, lack of employment history).¹²⁹ RISE provides additional services for BFET participants facing these greater barriers by providing intensive case management¹³⁰ and comprehensive job readiness training as well as wraparound services.¹³¹ Since its launch in February 2016, the RISE pilot developed a comprehensive program model and promoted communication and collaboration among providers; however, it has also faced challenges achieving its enrollment goals and finalizing pilot processes and systems.¹³²

Some studies have found that transitional jobs strategies often produce outcomes such as increases in soft-skills, self-esteem, and life stability, and exposure to new fields and opportunities that are important for long-term employment success; however, outcomes can be difficult to measure.¹³³ Several programs have worked to improve participants' soft-skills as part of their E&T or TANF workforce program. For example, Ramsey County, Minnesota, implemented motivational interviewing and soft-skill development as part of its Lifelong Learning Initiative to improve employment outcomes for TANF recipients.¹³⁴ Early observations from Ramsey County indicate that soft-skill gains in decision making, priority setting, and planning increase participants' ability and confidence to also manage their health,

¹²⁶ *Washington's Basic Food Employment & Training Program (BFET)*, CENTER FOR LAW AND SOCIAL POLICY, May 2014, available at <http://www.clasp.org/resources-and-publications/publication-1/Washingtons-Basic-Food-Employment-Training-Program-BFET.pdf> (last visited December 7, 2017).

¹²⁷ *Id.*

¹²⁸ In March 2015, USDA awarded grants (ranging from \$8.9 million to \$22.3 million) to ten pilots through a competitive grants solicitation. Pilot projects in California, Delaware, Georgia, Illinois, Kansas, Kentucky, Mississippi, Virginia, Vermont, and Washington were chosen. The pilots have designed and are building job-driven employment and training strategies that connect to in-demand and emerging industries, foster new partnerships, breakdown silos, and incorporate evidence-based strategies that are being tested for the first time among the target population. *Annual Report to Congress: SNAP Employment and Training (E&T) Pilot Projects Authorized by the Agricultural Act of 2014*, UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, available at <https://www.fns.usda.gov/sites/default/files/snap/SNAP-E-and-T-2016-report.pdf> (last visited December 7, 2017).

¹²⁹ *2016-17 Resources to Initiate Successful Employment (RISE) Grant Guidance*, WASHINGTON STATE BOARD FOR COMMUNITY & TECHNICAL COLLEGES, June 2016, available at <https://www.sbctc.edu/resources/documents/colleges-staff/grants/ffy17riseguidance.pdf> (last visited December 7, 2017).

¹³⁰ Intensive case management models, for example, often connect individuals with a myriad of services, including mental health counseling, substance abuse treatment, vocational rehabilitation, and domestic violence services, so that instead of having to find their way to each service, hard-to-employ TANF recipients have easier access through a case manager who coordinates their services for them.

¹³¹ *Id.*

¹³² *Annual Report to Congress, Fiscal Year 2016: Evaluation of SNAP Employment and Training Pilots*, UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, (Nov. 23, 2016), available at <https://fns-prod.azureedge.net/sites/default/files/snap/Annual-Report-Congress-2017.pdf> (last visited December 7, 2017).

¹³³ Gretchen G. Kirby, Heather Hill, LaDonna Pavetti, Jon Jacobson, Michelle Derr, & Pamela Winston. *Transitional Jobs: Stepping Stones to Unsubsidized Employment*. MATHEMATICA POLICY RESEARCH, INC., 2002, available at <https://www.mathematica-mpr.com/-/media/publications/pdfs/transitionalreport.pdf> (last visited December 7, 2017); Jonah Kushner, *Chicago Neighborhood JobStart Full Evaluation Report: A Transitional Jobs Response to the Great Recession*, SOCIAL IMPACT RESEARCH CENTER, February 2012, available at https://peerts.acf.hhs.gov/sites/default/files/public/uploaded_files/Chicago%20Evaluation_LK.pdf (last visited December 7, 2017); LaDonna Pavetti, Liz Schott, & Elizabeth Lower-Basch, *Creating Subsidized Employment Opportunities for Low-Income Parents: The Legacy of the TANF Emergency Fund*, CENTER ON BUDGET AND POLICY PRIORITIES AND CENTER FOR LAW AND SOCIAL POLICY, February 16, 2011, available at <http://www.cbpp.org/sites/default/files/atoms/files/2-16-11tanf.pdf> (last visited December 7, 2017); Dana Rotz, Nan Maxwell, & Adam Dunn, *Economic Self-Sufficiency and Life Stability One Year After Starting a Social Enterprise Job*, MATHEMATICA POLICY RESEARCH, INC., January 13, 2015, available at <http://redf.org/wordpress/wpcontent/uploads/2015/02/REDF-MJS-Final-Report.pdf> (last visited December 7, 2017); Margaret Schultz, *Michigan Earn and Learn: An Outcome & Implementation Evaluation of a Transitional Job and Training Program*, SOCIAL IMPACT RESEARCH CENTER, (April 2014), available at http://www.issuelab.org/resource/michigan_earn_and_learn_an_outcome_implementation_evaluation_of_a_transitional_job_and_training_program (last visited December 7, 2017).

¹³⁴ *Lifelong Learning Initiative for MFIP Families*, RAMSEY COUNTY WORKFORCE SOLUTIONS, available at http://mwca-mn.org/Best_Practices/2016/Ramsey%20County%20Lifelong%20Learning%20Initiative.pdf (last visited December 7, 2017).

children's education, and personal finances.¹³⁵ These soft-skills have also created a more prepared workforce for employers.¹³⁶ The findings from the synthesized research suggest SNAP recipients will benefit most from SNAP E&T if services offered by State programs:

- Are based on assessments of the work-related strengths and weaknesses of SNAP clients;
- Comprehensively address individuals' needs for skills training, basic skills education, and overcoming barriers to employment;
- Help participants earn credentials valued by employers in their chosen industry or sector; and
- Develop skills closely linked to labor market demands in the local area.¹³⁷

In 2015, the National Skills Coalition and the Seattle Jobs Institute partnered to help four states expand their SNAP E&T programs.¹³⁸ In a policy brief that shares their recommendations for other states based on their work in Connecticut, Iowa, Maine, and Oregon, on suggestion is for states looking to expand skills-based programs do so with pilots.¹³⁹ Pilots provide states the opportunity to test expansion strategies, refine administrative procedures, build on lessons learned, and create political support that can facilitate subsequent expansion.¹⁴⁰

Effect of Proposed Changes

SNAP Eligibility

CS/HB 693 requires DCF to seek federal approval to implement a resource limit of \$5,000 in counted assets. The bill also requires DCF to perform asset verification to prevent errors and fraud. DCF does not currently collect asset information for most SNAP recipients; therefore, it is unknown how many recipients would no longer be eligible.

SNAP and TCA Waivers

The bill limits DCF's authority to seek waivers for the TCA and SNAP programs: DCF cannot seek waivers that would increase income or asset limits for TCA or SNAP eligibility.

Workforce Services

Pilot Program

The bill creates a program to be piloted in at least three RWBs to provide additional workforce services to TCA recipients with "significant barriers to employment." To be eligible, a TCA recipient must have:

- At least one "critical barrier:" substance abuse, mental illness, physical or mental disability, domestic violence,¹⁴¹ homelessness, and a criminal record affecting employment; or
- Three or more "standalone barriers:" significant job skill deficiencies; significant soft-skill deficiencies, such as communication, time management, and problem-solving skills; child welfare system involvement; and a negative or nonexistent employment history.

¹³⁵ Id.

¹³⁶ Id.

¹³⁷ *Supra*, note 112.

¹³⁸ Brooke Diaz and David Katz, *Building Skills through SNAP Employment and Training: Recommendations from Lessons Learned in Four States*, SEATTLE JOBS INSTITUTE, (April 2016), available at <http://www.seattlejobsinitiative.com/wp-content/uploads/SNAP-final-web.pdf> (last visited December 7, 2017).

¹³⁹ Id. at 9.

¹⁴⁰ Id.

¹⁴¹ CareerSource Florida, Inc. must ensure that the pilot program refers victims of domestic violence to, and consults with a certified domestic violence center to address safety issues and ensure the victim is not placed at further risk of abuse.

TCA recipients who are work ready or whose barriers are not significant are not eligible to participate in the pilot and, instead, would continue to receive the services currently available through their RWB.

The bill directs CareerSource Florida, in consultation with DEO, to contract with a vendor to develop the program. The vendor must have expertise in design and development of workforce programs, and the program it develops must be based on best available research and include comprehensive assessment, an individual responsibility plan, and intensive case management for each participant. The comprehensive assessment must identify the participants' significant barriers, and the intensive case management must address these barriers by providing ongoing one-on-one guidance, motivation, and support for participants by assessing their needs and barriers, identifying resources, and advising on career and training opportunities, and working collaboratively with community partners to provide comprehensive services to the participants. Additionally, vendors in the pilot program must receive training from certified domestic violence centers, substance abuse treatment providers, mental health treatment providers, and other community partners with demonstrated expertise addressing the critical barriers.

The vendor may include other elements, such as a combination of job search assistance, basic skills training, vocational education, strategies that connect registrants to relevant career opportunities by supporting their efforts to obtain educational certificates or industry certification, and transitional employment subsidies designed to eliminate significant barriers.

The bill directs CareerSource Florida, in consultation with DEO, to select RWBs for the pilot through a competitive process based on the RWBs' commitment to effectively serve the target population, record of innovation, and strong community partnerships.

Once CareerSource selects the RWBs, the bill directs them to contract with vendors to implement the program in their regions. Selected RWBs will all implement the same program as designed by the vendor.

CareerSource Florida must report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 15, 2020, on the pilot projects' outcomes.

Reporting Requirements

The bill requires CareerSource Florida to collect and report on participation statistics and employment outcomes for mandatory workers in SNAP and TCA as a part of the annual report it submits to the Governor, the House of Representatives, and the Senate. For the mandatory work participants in TCA and SNAP, CareerSource must report on:

- Individuals served;
- Services received;
- Activities in which individuals participated;
- Types of employment secured;
- Individuals securing employment but remaining in each program;
- Individuals exiting programs due to employment; and
- Individuals' employment status at 3 months, 6 months, and 12 months after exiting the program, for the past 3 years.

B. SECTION DIRECTORY:

Section 1: Amends s. 414.14, F.S., relating to public assistance policy simplification.

Section 2: Amends s. 414.175, F.S., relating to review of existing waivers.

Section 3: Creates s. 414.315, F.S., relating to food assistance program resource eligibility standards.

Section 4: Creates s. 414.393, F.S., relating to applicant asset verification.

Section 5: Amends s. 445.004, F.S., relating to CareerSource Florida, Inc.; creation; purpose; membership; duties and powers.

Section 6: Provides an appropriation to the Department of Children and Families.

Section 7: Provides an appropriation to the Department of Economic Opportunity.

Section 8: Provides an effective date of July 1, 2018.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill provides a total nonrecurring appropriation of \$4,142,525 for the three components in this bill affecting state expenditures.

Technology Impact: DCF indicates this bill will require one-time modifications to the technology system to accommodate the revised SNAP asset limits (the Self-Service Portal, notices, data extracts for reporting, and the eligibility system).¹⁴² The bill provides a \$300,000 nonrecurring appropriation for this purpose.

Asset Verification: The bill requires DCF to implement asset verification for SNAP eligibility determination. The bill provides a \$3,342,525 nonrecurring appropriation for DCF to implement asset verification.

CareerSource Florida: The bill appropriates \$500,000 in nonrecurring funds to DEO for distribution to CareerSource Florida to pay for initial costs to develop and implement the pilot program, such as initial program design, evaluation design, training curricula development and delivery of training, implementation oversight, development of informational materials, and technical assistance. Actual workforce services provided by CareerSource Florida and the RWBs will continue to be funded by federal TANF funds, of which CareerSource Florida has received \$54 million annually, for the last two SFY.¹⁴³

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

SNAP recipients with countable assets over the resource limit will no longer be eligible for benefits.

D. FISCAL COMMENTS:

None.

¹⁴² Department of Children and Families, Agency Bill Analysis for 2018 House Bill 0693, (Nov. 16, 2017) (On file with Children, Families, and Seniors Subcommittee Staff).

¹⁴³ *Supra*, note 101.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On December 6, 2017, the Children, Families, and Seniors Subcommittee adopted two amendments that required:

- CareerSource Florida, Inc. to ensure that the pilot program refers victims of domestic violence to, and consults with a certified domestic violence center to address safety issues and ensure the victim is not placed at further risk of abuse.
- Vendors in the pilot program to receive training from certified domestic violence centers, substance abuse treatment providers, mental health treatment providers, and other community partners with demonstrated expertise with the critical barriers identified in the bill.

The bill was reported favorably as a committee substitute. The analysis is drafted to the committee substitute as passed by the Children, Families, and Seniors Subcommittee.