

Welfare Bulletin



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SELECTED RECENT CASE DEVELOPMENTS

U.S. Supreme Court Upholds Enforcement of Medicaid EPSDT Consent Decree

Frew v. Hawkins, 124 S. Ct. 899 (2004)

The United States Supreme Court, in a unanimous decision, has upheld the enforceability of a consent decree between petitioners, mothers of low income children eligible for Medicaid EPSDT services in Texas who represent a class, and state Medicaid officials.

Plaintiffs had brought a lawsuit claiming that the Texas EPSDT program violated federal Medicaid law. After extensive settlement negotiations, the parties entered into a detailed consent decree prescribing a comprehensive plan for achieving the state's compliance with federal Medicaid law, which the court approved. Two years later plaintiffs asked the court to enforce the decree, claiming that the state officials had not met their obligations. The court agreed, and the defendants appealed. The Fifth Circuit agreed that the Eleventh Amendment barred enforcement unless the consent decree violation also violated a federal Medicaid law provision that imposed a clear and binding obligation on the state. It further concluded that because plaintiffs had not shown such a violation the court did not have jurisdiction to enforce the consent decree.

Justice Kennedy, writing for the unanimous Court, concluded that the consent decree is enforceable under *Ex parte Young*, which held that the Eleventh Amendment allows prospective injunctive relief against state officials for federal law violations. The Court rejected the state's argument that the Eleventh Amendment restricts a court's ability to enforce a federal consent decree against state officials, emphasizing that the decree is a federal court order that furthers the objectives of federal law and that plaintiffs sought enforcement of a remedy consistent with *Ex parte Young* that defendants had agreed to. As the opinion noted, "Federal courts are not reduced to approving consent decrees and hoping for compliance. Once entered, a consent decree may be enforced." In response to the state's concerns that enforcement could interfere with future

officials legislative and legislative powers, the Court noted that courts have equitable powers to modify decrees in light of changed circumstances.

Plaintiffs' attorney: Susan Zinn, San Antonio, Texas.

Second Circuit Rules for Plaintiffs in Transitional Medicaid Case

Rabin v. Wilson-Coker, 362 F. 3d 190 (2nd Cir. 2004)

The Second Circuit Court of Appeals, reversing the district court, has held that a federal Medicaid statute, 42 U.S.C. § 1396-r, requires the provision of Transitional Medical Assistance (TMA) to individuals with earnings who lose their eligibility for Section 1931 Medicaid because the state changes its income eligibility standards. Plaintiffs had filed a federal class action lawsuit, requesting a preliminary injunction, claiming, *inter alia*, they were entitled to TMA for a period of up to one year, because they were eligible for Section 1931 Medicaid, "in at least 3 of the 6 months immediately preceding the month in which [they] bec[ame] ineligible for such aid, because of hours of, or income from employment of the caretaker relative." See 42 U.S.C. § 1396r-6(a)(1), (b)(1).

The district court denied plaintiffs' motion for a preliminary injunction and granted defendant's motion for summary judgment, concluding that the federal TMA statute only applied to individuals who lose eligibility for Medicaid because of an increase in earnings and not to individuals with earnings who lose eligibility because the state's income eligibility standard changes. This conclusion was contrary to that reached by the federal district court in the Missouri case, **White v. Martin**. The district court did not rule on plaintiffs' class certification motion.

The Second Circuit disagreed with the district court, and, after examining the legislative history of the statute found persuasive Congress's deletion of the word "increased"

before "income" in the statute at issue, and concluded that "Section 1396-r requires the provision of TMA to those persons in receipt of earned income whose Medicaid is discontinued because -under new eligibility provisions enacted by the state-their earned income causes them to be ineligible."

Attorneys for Plaintiffs-Appellants: Shelley A. White, Joanne G. Gibau, New Haven Legal Assistance Assoc., Inc., New Haven, CT; Sharon Langer, Connecticut Legal Services, New Britain, CT; Lucy Potter, Greg Bass, Greater Hartford Legal Aid, Hartford, CT.

Second Circuit Rules That Workfare Workers May Sue for Sex and Racial Discrimination

United States v. City of New York, 359 F. 3d 83 (2^d Cir. 2004)

The Second Circuit has ruled that New York City workfare workers (who work in exchange for their public assistance grant) are "employees"

Welfare Law Center Welfare Litigation Monitoring

The Center continues to monitor welfare and related litigation as part of Project Fair Play, our comprehensive effort to undertake, support, and promote critical litigation on public benefits issues. We encourage our readers to mail or e-mail us papers and updates in their significant cases so that we can disseminate this information to our network of litigators and other advocates. Send papers to Gina Mannix (mannix@welfarelaw.org) at the Center.

within the meaning of Title VII of the Civil Rights Act of 1964 and can sue for sexual harassment and sex discrimination and racial discrimination they experienced in their workfare assignment. The lawsuit involved consolidated cases brought by the United States on behalf of several women who alleged sexual harassment and sexual discrimination in their workfare assignments and another by the WLC and NOWLDEF on behalf of a woman alleging similar discrimination.

The Circuit Court reversed a District Court decision dismissing the complaint and held: "We hold that the allegations of plaintiffs' complaints sufficiently pleaded the individual plaintiffs' status as employees entitled to Title VII's protection and that PRWORA does not preempt Title VII with respect to WEP participants. Because the district court dismissed state and local claims solely for lack of supplemental jurisdiction, these dismissals also must be vacated." This holding means that persons who work for their welfare grants are entitled to the protections of federal and possibly state labor law protections and can seek redress if they are subject to unfair treatment. (For a longer article see the May 2004 issue of *Welfare News*.)

Attorneys for Plaintiffs-Appellants: Timothy Casey, Jennifer Brown, Yolanda Wu, Legal Momentum, 395 Hudson Street, New York, NY 10014, tel. (212) 925-6635, fax: (212) 226-1066; Marc Cohan, Anne Pearson, Welfare Law Center 275 7th Ave., #1205, New York, NY 10001, (212) 633-6967.

Tenth Circuit Upholds CO Termination of Medicaid for Legal Immigrants

Soskin v. Reinertson, 353 F.3d 1242 (10th Cir. 2003).

The Tenth Circuit Court of Appeals, in a 2-1 decision, has affirmed in part and reversed in part the lower court's denial of a preliminary injunction in an equal protection and procedural challenge to Colorado's 2003 law eliminating Medicaid for legal immigrants, with very limited exceptions. Some 3,500 legal immigrants are subject to loss of Medicaid.

Plaintiffs challenged Colorado's elimination of Medicaid for legal immigrants as a violation of equal protection. They also claimed that in the rush to implement the new law the state agency failed to do a full review to determine whether a recipient remained eligible for Medicaid on another basis as required by federal law and that it failed to provide legally adequate termination notices and hearing rights. The lower court had granted a temporary restraining order but then denied a preliminary injunction. The 10th Circuit then granted plaintiffs' request for an injunction pending appeal and expedited the appeal. After being notified by the Tenth Circuit that the case

called into question the constitutionality of a federal statute (8 U.S.C. § 1612 (b)), the United States filed a brief supporting the constitutionality of the state statute.

On the equal protection claim, the majority opinion concluded that rational basis review applies to the state's decision to eliminate Medicaid, essentially because the court decided that the federal law permitting states to restrict Medicaid coverage for legal immigrants should result in rational basis review, rather than strict scrutiny review, of the state law.

On the procedural claims, the court held that the state had failed to provide legally required pre-termination hearings to recipients subject to termination for failure to complete redetermination forms and reversed the denial of preliminary relief on this claim (the dissenting judge agreed with the majority on this point). While the majority found that the record was insufficient to lead to a conclusion that the district court abused its discretion in ruling against plaintiffs' on the notice claims, it expressed concern about the adequacy of the notices. The court expressed the hope that "Defendant will review all notices so that it can revise and resend (or instruct the counties to resend) notice to those of the 3,500 affected persons who may have received inadequate notice."

Plaintiffs' petition for rehearing by the panel and rehearing en banc on the equal protection issue was denied on May 25, 2004.

Plaintiffs' attorneys: Lucas Guttentag, American Civil Liberties Union Immigrants' Rights Project, Oakland, CA; Linton Joaquin, Gabrielle Lessard, Tanya Broder, National Immigration Law Center, Los Angeles and Oakland, CA; Marc Cohan (cohan@welfarelaw.org), Mary R. Mannix (mannix@welfarelaw.org), Anne Pearson, Rebecca Scharf, Welfare Law Center, 275 Seventh Ave., Suite 1205, New York, NY 10001, tel. 212 633-6967; Mark Silverstein, ACLU of Colorado; Gregory Piche, Scott Barker, Stephen Masciocchi, Holland & Hart LLP, Denver, CO; Jane Perkins, National Health Law Program, Chapel Hill, NC.

Court Invalidates Texas Medicaid Sanction Policy for TANF Families

Camacho v. Texas Workforce Commission, et al., Case No. A-04-CA-017-SS (U.S. Dist. Ct., W.D. Texas) (April 12, 2004)

This case challenges the state's recently adopted policy of terminating Medicaid for parents and other adult caretakers who are sanctioned under TANF for their inability to ensure that their children attend school and receive health check-ups and immunizations, and for their own inability to refrain from drug and alcohol abuse. Plaintiffs are individuals affected by the new rule, the Texas Welfare Reform

Organization, and the El Paso County Hospital District. Federal Medicaid law allows states to terminate Medicaid for adults whose TANF is terminated for failure to comply with work requirements under 42 U.S.C. § 607. Texas' new policy redefines work by defining "job readiness assistance" to include compliance with non-work conduct requirements included in an individual's responsibility agreement. Plaintiffs claim that the new policy violates federal Medicaid law, 42 U.S.C. § 1396u-1 (b)(3) and the Texas Human Resources Code provision which authorizes termination of Medicaid to the extent allowed by federal law. The case was initially brought in state court, and a temporary restraining order was issued in December 2003. The defendants subsequently removed the case to federal court.

The federal court has ruled for plaintiffs on their application for a preliminary injunction. In concluding that plaintiffs had shown a strong likelihood of success on the merits, the court agreed with plaintiffs' contention that Congress deliberately limited the Medicaid sanction option to "refusing to work" under 42 U.S.C. § 607. Other TANF provisions authorize sanctions for failure to ensure a child's school attendance and failure to comply with an individual responsibility plan. Had Congress wanted to authorize Medicaid sanctions for these such failures, it would have done so.

The court noted that the challenged non-work requirements are in addition to work requirements, and that a working parent who fails to comply with these other requirements would lose Medicaid. It concluded that the state was improperly terminating Medicaid to those eligible under federal law. The court found that plaintiffs had demonstrated irreparable harm, that this harm outweighs any harm to defendants, and that an injunction serves the public interest by protecting Medicaid benefits that Congress intended be provided.

Defendants have filed a notice of appeal.

Plaintiffs' attorneys: P.M. Schenckan, Mary A. Keeney, Graves, Dougherty, Hearon & Moody; Bruce Bower, Texas Legal Services Center, Austin, Texas; Jose Rodriguez, Kitty Schild, El Paso County Attorney; Of Counsel: Marc Cohan, Mary R. Mannix, Rebecca L. Scharf, Welfare Law Ctr., 275 Seventh Ave., Suite 1205, New York, NY 10001, tel. 212 633-6967.

MN Court Rules for Plaintiffs in Challenge to State Welfare Cuts

Austin v. Goodno, *File No. 62-C8-03-7163* (Minn. District Ct., Ramsey Cy., Second Judicial District, Mar. 1, 2004)

Plaintiffs challenged the state agency's implementation of legislative amendments to the state's welfare program without first seeking approval from the United States Department of Agriculture pursuant to federal Food Stamp waiver provisions. The Minnesota Family Investment Program (MFIP) combines food stamps and cash assistance and operates under numerous food stamp waivers. Among the cuts were 1) a \$125 reduction in MFIP grants based on a household member's SSI receipt; and 2) counting as unearned income up to \$50 of a HUD-funded housing subsidy.

The court granted a temporary restraining order on July 1, 2003 barring implementation of the cuts until USDA had reviewed the changes and determined whether waiver modifications were necessary. In mid-July USDA informed the state that the cuts were permissible, and the court vacated the TRO. On cross motions for summary judgment, the court ruled that the state could not legally implement the cuts before the mid-July USDA approval, and that accordingly, the state agency could not recoup benefits paid pursuant to the TRO or otherwise charge plaintiff class with an overpayment for July. It ordered the agency to refund up to \$50 for deductions to the grant for those in HUD-subsidized housing. According to news reports, some 6,700 recipients were affected by the policy to reduce grants based on a household member's SSI, and 8,200 recipients living in subsidized housing were to receive refunds. The state agency has reportedly appealed the decision with respect to the policy to reduce grants based on a household member's SSI.

Plaintiffs' attorneys: Ralonda Mason, Abigail Turner, Mid-Minnesota Legal Assistance, 430 First Ave. North, Suite 300, Minneapolis, MN 55401, tel. 612 334-5755.

Class Certification Granted in CT ADA Public Benefits Case

Raymond v. Rowland, *___F.R.D. ___, 2004 WL 551241* (D. Conn. 2004)

This lawsuit challenges the failure of the Connecticut Department of Social Services (DSS) to provide meaningful access to cash assistance, Medicaid, Food Stamps and other benefits to individuals with physical and mental disabilities. The case claims that a number of agency practices, including the failure to adopt and codify procedures for providing reasonable modifications to individuals with disabilities, the

closure of six DSS offices and failure to develop a plan for ensuring that people with disabilities will be able to access benefits after these closures, the failure to identify applicants' and recipients' disabilities, statewide staff reductions at DSS offices, and the failure to provide adequate notice of rights under the ADA, as well as other agency practices, and the failure to have an appropriate grievance procedure, and other practices, violate the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.

The court certified a class consisting of all disabled individuals who are or will be eligible for subsistence benefits through cash assistance, Food Stamps, Medicaid, who require reasonable accommodations to obtain and maintain essential services and benefits from DSS, and who have been denied reasonable accommodation through DSS's failure to implement appropriate system-wide procedures and regulations for addressing accommodations, including grievance, notice and record keeping procedures. Defendants argued that common questions did not predominate because the question of whether the agency denied reasonable accommodations requires an individual assessment of the needs of each plaintiff. The court rejected this argument on the grounds that the heart of the case was a challenge to the failure to develop a process for accommodating individuals with disabilities, plaintiffs sought only injunctive relief common to the class, and no individual factual determinations were necessary to grant relief.

Plaintiffs' Attorneys: Gregory Lee Bass, Lucy Potter, Maria Morelli-Wolfe, Greater Hartford Legal Aid, Greater Hartford Legal Aid, Hartford, CT, 860-541-5018; Shirley Bergert, Conn. Legal Services, Willimantic, 860-456-1761; Joanne Gibau, New Haven Legal Assistance, 203-946-4811.

Los Angeles County Agrees to Improve Access to CalWorks for Limited English Proficient Individuals

Resolution Agreement Between the Office for Civil Rights, Dep't of Health and Human Services, Region IX and Los Angeles County Dep't of Public Social Services, *Complaint 09-00-3082* (2003) (October 2003)

This agreement arose out of a 1999 discrimination complaint filed with HHS by the Asian-Pacific American Legal Center (APALC), the Western Center for Law and Poverty, the Legal Aid Foundation of Los Angeles, and San Fernando Neighborhood Legal Services, on behalf of several individual low-income individuals and other low-income individuals in

Los Angeles. The HHS Office of Civil Rights, Region IX (OCR) and the county agency have entered into a resolution agreement that details numerous steps that the county agency will undertake to achieve prompt and effective communication with individuals with Limited English Proficiency (LEP) so that they have meaningful access to CalWorks and other programs; welfare-to-work practices that address the linguistic barriers of LEP individuals; and remedies for those LEP individuals who have not received appropriate language assistance.

As to practices to ensure effective communication, the agreement sets forth activities involving assessment of the language needs of the population, development of a comprehensive written policy on language access (including translation of documents and notice to individuals of their right to language services document translation, and various strategies for providing language assistance), staff training, and monitoring the development of language access policies. The provisions apply to contractors as well, and county agency staff is to train and monitor contractors, among other things. The agreement specifies the steps that the county agency must take to provide meaningful access to welfare-to-work programs for LEP individuals and to ensure that these programs are not discriminatory. It outlines steps the agency will take with respect to orientation, the career planning and preparation seminar, appraisal, language assessment to determine literacy in English (and where assessment tools are available, in the language that the individual understands) to determine whether education such as ESL is appropriate, clinical assessments, job club/search (those for whom an individualized determination finds that job search will not be beneficial shall not be required to do job search as their first activity); vocational assessment (for those for whom job search is not appropriate); assignment to work activities based on an individualized assessment that considers English competency, among other factors; development of an individualized work plan that assigns a person to ESL where appropriate to address the language barrier. Job search and work experience cannot be required to the exclusion of other activities, and where work experience is appropriate the agency must consider assigning a person to ESL or vocational ESL as well. The agency will inform LEP participants about the time limits, and they should be assigned to activities that will best position them to develop marketable skills by the time they reach the time limit.

The agreement notes that the agency has reviewed all cases from April 1998 - December 2000 to determine which households may not have received a termination or sanction notice in their designated language and has restored benefits (total reimbursements are about \$1.7 million). The agency has also translated notices into Spanish (in its computer form generation program) and is now sending all Notice of

Actions in English and Spanish. A 2002 state "All County Letter" (ACL) instructed counties on how to remedy improper assignments to work activities (and related sanctions) that were not based on an individualized vocational assessment. The agreement provides that the agency will work with LEP individuals who request review pursuant to this ACL and where appropriate revise the person's work plan, addressing the person's LEP needs and taking other steps required by the ACL, including adjustment of the person's time clock.

For more information contact: Yolanda Arias, Los Angeles Legal Aid Foundation, 1102 S. Crenshaw Blvd., Los Angeles, CA 90019, tel: (323) 801-7989, fax: (323) 801-7921.

Win in California Case Seeking COLA Increase in Welfare Benefits

Guillen v. Schwarzenegger, CPF-03-503797 (San Francisco County, Cal. Superior Ct.) (March 26, 2004)

Petitioners, on behalf of a class, brought a writ of mandate to require the state to provide a cost-of-living adjustment (COLA) to welfare benefits. State law links such a COLA increase to increases in Vehicle License Fees (VLF) tax relief. Last year the former governor eliminated the VLF tax relief. When Governor

Schwarzenegger took office he reinstated VLF tax relief, but the Administration refused to provide the welfare COLA. Petitioners filed this writ, and the court then certified a class and ruled for petitioners, ordering payment of the COLA back to October 1, 2003 and for future months. The COLA amount is 3.6%. According to the Western Center on Law and Poverty, the state will appeal and thus relief will be stayed pending the appeal.

Petitioners' attorneys: *Clare Pastore* (cpastore@wclp.org), *Nu Usaha, Robert Newman, Richard Rothschild, Western Center on Law and Poverty, 3701 Wilshire Blvd., Suite 208, Los Angeles CA 90010, tel. 213487-7211; Oren M. Sellstrom, Lawyers' Committee for Civil Rights of the San Francisco Bay Area.*

Settlement in New York Child Support Cooperation Case

Acevedo v. Turner, 01 Civ. 6014 (SHS) (S.D.N.Y. 2003)

This class action case was brought on behalf of New York City public assistance applicants and recipients who had been sanctioned for failure to comply with child support enforcement cooperation requirements. Sanctions include the reduction of cash assistance and denial or termination of Medicaid. Defendants are New York City and State welfare agency officials. Plaintiffs challenged the city welfare agencies' policies and practices of 1) failing to notify them

of how they can get sanctions lifted; and 2) failing to remove the sanctions when they take steps that are sufficient to lift the sanctions. They alleged violations of federal and state due process requirements, state statutes and regulations, and federal Medicaid law.

The parties have settled the case. Among the settlement terms are the following. The city welfare agency will, among other things, 1) provide notices to sanctioned individuals that specify details about the non-cooperation and provide a phone number to report good cause and begin the process of compliance and removal of the sanction; 2) develop informational flyers to provide to affected individuals who ask about how to get a sanction lifted; 3) lift sanctions within 7 business days after receiving information from the Office of Child Support Enforcement (OCSE) that a person has complied; 4) notice to those currently under sanction about how to get it lifted; and 5) engage in detailed monitoring to ensure compliance. The state agency will review any monitoring provided to it by the city and to take any appropriate action.

Plaintiffs' Attorneys: *Yisroel Shulman, Constance Carden, Randal Jeffrey* (rjeffrey@nylag.org), *New York Legal Assistance Group, 130 E. 59th St., 14th Floor, New York, NY 10022, tel. 212 754-0800, ext. 123.*

RECENT NOTEWORTHY PUBLICATIONS

Low-Income Voters Make a Difference

The New Power Broker: Why Low-Income Voters Matter, *Campaign for Community Change* (Jan. 2004)

This report argues that low-income voters can change the 2004 elections in close races if they are mobilized and turnout increases in key locations. It analyzes the effect that low-income voters have had in recent elections and examines opportunities for low-income voters to have a significant effect on the 2004 elections. Among its findings are the following: Even small shifts in turnout of low-income voters could have changed 2000 election results in Florida, New Mexico, Wisconsin and Iowa. Low-income votes were decisive in the 2002 South Dakota senate race and the Arizona gubernatorial race. Effective

voter turnout campaigns that work within existing community structures and take advantage of local expertise can increase low-income voter turnout. Low-income voters are experiencing unprecedented dislocation and alienation. Increasing numbers of working families fall within this group.

For a copy of the report contact the Campaign for Community Change, 1000 Wisconsin Ave. NW, 2d floor, Washington, DC 20007, tel. 202 342-0567

Community Groups' Technology Use Examined

From Exclusion to Inclusion: Strengthening Community-led Organizations with Effective Technology, *Christina Roessler* (*Progressive Technology Project* 2004)

This report, based on an extensive survey of community-led organizations (CLOs), examines how such organizations use technology and integrate it into their work, how this use has grown in recent years, examples of best practices, and what still needs to be done. It also examines effective approaches in providing CLOs with the resources, training, and technical assistance they need, and cites the Welfare Law Center's LINC Project as a model. Research for the report revealed that the digital divide remains, especially

in the constituencies served by CLOs - low-income individuals, people of color, and immigrants. CLOs themselves are underfunded and have limited resources. The report identifies the following needs: 1) increased funding for CLOs' technology use; 2) research on the role of CLOs in reducing digital inequality; 3) research on and dissemination of model CLO technology practices; 4) increased training for CLOs on technology use; 5) programs, similar to the LINC project, that match CLOs with technology providers who understand organizing; 6) programs to help technology assistance providers be more sensitive to CLOs; 7) research and development on technology applications specifically for CLOs; and 8) greatly expanded peer-to-peer learning opportunities. A copy of the report is available on the web at www.progressivetech.org.

MN Legal Services Advocacy Project Issues MFIP Reports

MFIP "Reform" and Low-Wage Workers: Are Parents With Health Impairments Being Left Behind?

Khanh Nguyen and Regina Wagner, Legal Services Advocacy Project, a program of Mid-Minnesota Legal Assistance (December 2003)

This paper examines the prevalence of health impairments among MFIP families, using administrative data as well as research conducted

by the Department of Human Services (DHS) and other organizations. It discusses the implications of recent policy changes to MFIP that will significantly affect families with health impairments. MFIP data suggests that many requirements because of a health problem. Health impairments are common among "hard to employ" cases. These families need intensive services to transition to employment. Recent legislative changes will make it more difficult to identify and serve these families.

An Unaddressed Knowledge Gap: What Do Parents Understand About

MFIP Assessments? *Khanh Nguyen and Regina Wagner, Legal Services Advocacy Project, a program of Mid-Minnesota Legal Assistance (Feb. 2004)*

This report discusses the use of assessments in MFIP in order to identify and address the barriers to employment faced by parents who are seeking to support their families through work. The report is based on in-depth interviews with 18 MFIP parents about their perceptions of whether they received any assessments, the attributes of successful assessments, and the relationship between parents and their job counselors.

The report finds as follows: Most parents could not identify their barriers to employment or strategies they had agreed upon with their job counselor to address the barriers. Until a parent understands existing limitations and their effect on her ability to work, she will not be able to develop effective strategies to seek or find employment. Most parents viewed the job counselor as an adversary focused on compliance. Job counselors' reliance on a participant's self-disclosure about employment barriers is ineffective because parents

have reasons for not disclosing information. Individuals' experience with assessments is related to the quality and training of the job counselor. The paper offers recommendations for policy makers, county agencies, and employment services providers for improving assessments.

These papers are available on the website at <http://www.lsapmn.org/LocalResources.cfm?pagename=What's%20New>

Review of Strategies for TANF Post-Sanction Policies

Addressing the Needs of Adults Sanctioned Under TANF, *Jan Kaplan, Welfare Information Network Issue Notes, Vol 8, No. 2 (Mar. 2004)*

This *Issue Note* reviews post-sanction strategies that states can use to address the needs of sanctioned TANF individuals, help them come into compliance, and secure other benefits. It discusses issues such as why states might adopt a post-sanction policy, how states can follow-up with sanctioned clients and address employment and participation barriers, how states can improve access to other benefit programs, how they can address the needs of those permanently sanctioned, the public-private partnerships that can support services, and how to fund post-sanction services. The *Note* reviews research findings and includes a list of resources. Available on the web at www.financeprojectinfo.org.

About The Welfare Law Center

The Welfare Law Center is a national legal and policy organization that works with and on behalf of poor people to ensure that adequate income support is available when necessary to meet basic needs and foster healthy individual and family development. The Center achieves its goals through legal and policy analysis, legal representation, public education, training, and aid and support to advocates. Contributions to the Center are tax deductible.

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How To Contribute to the Welfare Law Center

With the loss of federal funding, the Center relies upon contributions and publications sales to support its work. Tax-deductible contributions may be made by check or credit card (MasterCard, Visa, American Express - information can be faxed to the Center). Monthly or quarterly contributions can be scheduled. Bequests have been left to the Center in wills, and we would be pleased to discuss possible arrangements. For information about any of these options, contact Kay Khan at the Center.

About Welfare News and Welfare Bulletin

Welfare News is a periodic publication of the Welfare Law Center, 275 Seventh Avenue, Suite 1205, New York, NY 10001-6708, tel. 212-633-6967; fax: 212-633-6371; e-mail: wlc@welfarelaw.org; web pages: www.welfarelaw.org and www.lincproject.org. **Welfare Bulletin**, issued with **Welfare News**, reports on recent court decisions and noteworthy publications on income support programs.

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