

HCS HB 73 & 47 -- RESTRICTIONS ON TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM BENEFITS

SPONSOR: Franz (Brandon)

COMMITTEE ACTION: Voted "do pass" by the Committee on General Laws by a vote of 11 to 4.

This substitute requires the Department of Social Services to develop a program to screen and test each work-eligible applicant or work-eligible recipient for Temporary Assistance for Needy Families (TANF) Program benefits who the department has reasonable cause to believe, based on the screening, engages in the illegal use of controlled substances. An applicant or recipient who tested positive for the illegal use of a controlled substance which has not been prescribed by a licensed health care provider must, after an administrative hearing by the department, be declared ineligible for TANF benefits for one year from the date of the administrative hearing decision and must be referred to an appropriate substance abuse treatment program approved by the Division of Alcohol and Drug Abuse within the Department of Mental Health. Any member of a household which includes a person who has been declared ineligible for TANF benefits, if otherwise eligible, will continue to receive benefits as protective or vendor payments to a third-party payee.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Up to \$1,904,632 in FY 2012, Up to \$2,204,202 in FY 2013, and Up to \$2,296,674 in FY 2014. No impact on state funds in FY 2012, FY 2013, and FY 2014.

PROPOSERS: Supporters of House Bill 73 say that the bill will prevent people who are receiving government assistance through the Temporary Assistance to Needy Families (TANF) Program from using these moneys to buy drugs instead of groceries without cutting the benefits going to the children. Most employers require an applicant to undergo a drug test before he or she is hired, and this program will help people seeking employment.

Supporters of House Bill 47 say that children of those addicted to drugs are being neglected, therefore, the current system needs to be changed.

Testifying for HB 73 were Representative Brandon; Tom Edmonds; and Missouri Family Network.

Testifying for HB 47 were Representative Cookson; and Missouri Family Network.

OPPOSERS: Those who oppose the bills say that the real problem

is providing proper drug treatment to these individuals. The bill will not address this problem sufficiently because there are not adequate resources available for treatment, especially for this newly identified group of people. There is concern that the bill violates the equal protection rights of those required to be tested in order to receive government assistance.

Testifying against HB 73 and HB 47 were Missouri Coalition Against Domestic and Sexual Violence; and American Civil Liberties Union-Eastern Missouri.