

Legal Services Offices

Statewide Legal Services: (Entry point for the legal services network in Connecticut). **860-344-0380** Central CT area or **1-800-453-3320**.

Other Legal Services Programs:

Hartford, Hartford County:

Greater Hartford Legal Aid
999 Asylum Avenue
Hartford, CT 06105
(860) 541-5000
FAX: (860) 541-5050

Greater New Haven Area:

New Haven Legal Assistance Association, Inc.
426 State Street
New Haven, CT 06510
(203) 946-4811
TDD: (203) 946-4811
FAX: (203) 498-9271

Visit us on the internet:

www.slsct.org
www.ghla.org
www.nhlegal.org
www.connlegalservices.org
www.larcc.org

This pamphlet was produced by the Legal Assistance Resource Center of CT in cooperation with CT Legal Services, Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Statewide Legal Services.

The information in this pamphlet is based on CT law as of December 2009. We hope that the information is helpful. It is not intended as legal advice for an individual situation. If you need further help and have not done so already, please call Statewide Legal Services (see above) or contact an attorney.

Copyright: December 2009

Throughout Connecticut:

Connecticut Legal Services:

Administrative Office: (860) 344-0447

Offices:

211 State Street
Bridgeport, CT 06604
(203) 336-3851

16 Main Street
New Britain, CT 06051
(860) 225-8678

153 Williams Street
New London, CT 06320
(860) 447-0323

20 Summer Street
Stamford, CT 06901
(203) 348-9216

85 Central Avenue
Waterbury, CT 06702
(203) 756-8074

872 Main Street
Willimantic, CT 06226
(860) 456-1761

CLS Satellite Offices:

Danbury (203) 348-9216
Meriden (860) 225-8678
Middletown (860) 225-8678
Norwalk (203) 899-2451
Norwich (860) 447-0323
Rockville 1-800-413-7796
Torrington 1-800-413-7797

AIDS Legal Network for CT

999 Asylum Avenue
Hartford, CT 06105
(860) 541-5027 or 1-888-380-3646

Temporary Family Assistance Program (TFA)

✓ **Time Limits**

and

✓ **Other Programs Available to Your Family If You Lose Cash Benefits**



Note: The programs and their rules are subject to change--use this pamphlet as a guide. If you have any questions, call Statewide Legal Services. This pamphlet is current as of December 2009.

Welfare Has Time Limits

Most families with children are eligible for only 21 months of welfare cash benefits, although *some families* will qualify for limited extensions of benefits. Families receiving benefits must try to find and keep a job. Your 21 months start when you go on Temporary Family Assistance (TFA).

If you do not know when your 21 months began, ask your worker at the Department of Social Services (DSS). Also, ask the date your benefits are expected to end. This information will help you plan for your future.

Which families are EXEMPT (have no time limit)?

Some families do not have a time limit on receipt of welfare cash benefits. These families are considered "exempt" from the 21-month time limit. Families which are exempt from the time limit do not have to participate in the employment services program or work requirements.

If there is more than one adult in the family, the family is exempt from the time limit **only** if **ALL** adults are in **one** of the categories listed below.

Note about minors: a minor parent that lives with and is the caretaker of his/her child is considered an **adult** by DSS. If there are two minor parents living with their child, both parents are considered adults.

To be exempt from the time limits, **ALL** of the **ADULTS** in the household must be one of the following:

- a child under age 18 (or under 19 if attending high school or its equivalent); or
- an "incapacitated" adult (the person has a physical or mental health problem that prevents work and is expected to last at least 30 days); or
- a caretaker for an "incapacitated" household member (child or adult) whose care prevents the caretaker from working; or
- an adult at least 60 years old; or
- a woman who is pregnant, whose pregnancy ended within the past six weeks, or who recently had a baby and is unable to work for medical reasons; or
- a person caring for a child under age one (unless the child was conceived while the parent was receiving TFA); or
- an adult caring for the child(ren) if the adult is not the parent and only the child(ren) receives assistance.

Important:

- ✓ Any adult who falls into one of the above categories is exempt from the **employment services** work requirements **even if** the **family's benefits** are subject to the **time limit**.
- ✓ DSS treats a minor parent as an **adult** when the minor parent lives with and is the caretaker of his/her child. (See "Note about minors" on page 1).
- ✓ Any month your family is exempt from the time limit does **not** count against your 21-month time limit.



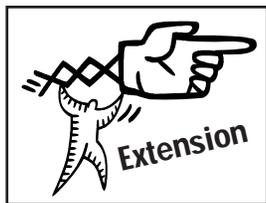
If you believe your family should be exempt from the 21-month time limit, contact your DSS worker and ask to be classified as "exempt." You will need to

provide DSS with proof that you are exempt. For example, your doctor may need to fill out an evaluation form that shows you will be "incapacitated" for at least 30 days.

Another limited exemption from the time limit is available to some families:

■ Unemployed families where the adult has worked for less than 6 months in the past 5 years and has not completed 6th grade, may be exempt. But, these families must cooperate with Employment Services and try to find work. Only after the family has received assistance for 20 months will DSS consider the adult exempt from work requirements and the time limit. Once the exemption is granted, the family will no longer be considered exempt if the adult works for 2 months in a row.

Which families can get EXTENSIONS beyond 21 months?



Some families that are not "exempt" from the 21-month time limit can get an **extension** of cash assistance. An extension is for up to 6 months.

If you do something wrong, DSS can penalize you by ending the extension. If this happens, you will NOT be able to get additional extensions. Your family does not have to be on cash assistance when you ask for an extension--you can leave TFA and later apply for an extension.

Most families can only get two extensions. To qualify for your 1st or 2nd extension, you must...

1. **Have very low or no income.** To get an extension, your family income, including money from a job and all child support, must be less than your current welfare benefits. (If you work, your family income must be less than your current welfare benefit *plus* \$90 a month.) During an extension, you can earn up to the federal poverty level plus \$90 a month (more than twice your welfare benefits) and you can keep getting your welfare benefits.
2. **Cooperate with Employment Services.** You must have cooperated with Employment Services at all times while you were on cash assistance. Cooperation with Employment Services means that you have received no more than one penalty (also called a "sanction"). **Do not ignore a penalty.** Your cash assistance and food stamps may be cut back or ended.
3. **Complete an Individual Performance Contract IF you have received more than one penalty or DSS believes you are at risk of becoming ineligible for an extension.** You must be in your first 20 months of assistance to get this second chance to become eligible for an extension by voluntarily cooperating with an Individual Performance Contract (IPC). If you successfully complete the IPC (with DSS or the Department of Labor) and do not get another penalty, you may be able to get an extension.

Important: Even if you did not cooperate with Employment Services, you *may* get an extension if you can prove you cannot work due to circumstances beyond your control (such as domestic violence).

Which families can get MORE than 2 extensions?

Your family may be able to get more than two extensions if...

1. Your family income is very low; **AND**
- 2-A. All adults in the household cannot work due to domestic violence or other circumstances beyond their control; **OR**
- 2-B. All adults in the household have cooperated with Employment Services **and** fall into one of the following categories:
 - have 2 or more barriers to employment, including, for example,
 - lack of child care ■ lack of transportation
 - substance abuse or addiction ■ serious mental or physical health problems or a child with a serious physical or behavioral health problem
 - learning disability ■ domestic violence ■ low literacy (score below 235 on CT Competency System Test) ■ requirements of a DCF case plan prevent work or compliance with other employment plan requirements or ■ requirements of a court order prevent work or compliance with other employment plan requirements **OR**
 - work at least 35 hours a week and earn at least minimum wage, but less than the family would receive in cash assistance *plus* \$90/month **OR**
 - work less than 35 hours a week because of a disability or the need to care for a family member who is disabled.

Remember, families that are "exempt" from the time limits can get cash benefits even if they have received 2 or more extensions.

NOTE: Being a citizen of a country other than the United States is not considered a barrier to employment.

Which families can get benefits for MORE than 60 MONTHS (5 years)?

Very few families can get benefits after receiving 60 months of cash assistance.

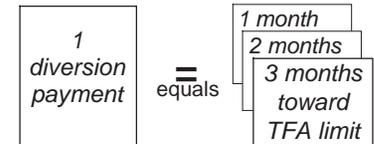
Your family may be able to get more than 60 months of benefits if your family:

- experiences domestic violence that prevents work; **OR**
- is exempt from time limits (*see "Exempt Families," page 1*).

Note: When counting the number of months a family has received TFA, the months on cash assistance from *other* states received after September 1996 must be included. Do **not** include any months a family was "exempt."

What is the Diversion Program?

The Diversion Assistance Program run by DSS is a one-time cash payment that counts as three months toward your TFA time limit. The payment is supposed to help families with little or no income to avoid going on long-term TFA cash assistance (welfare). This lump-sum payment is for up to three times the amount of cash assistance the family would get each month if they received TFA.



For example, a typical family of 3 gets \$576 a month on TFA, so the diversion payment would be no more than \$1728 (3 X \$576) and it could be less than this amount.

Families must be eligible for TFA and must have a job or job skills that will lead to employment. Diversion assistance is available once every 12 months with a maximum of three times in the adult recipient's lifetime.

If you get diversion assistance benefits, you should be eligible for Medicaid, food stamps, child care benefits and other emergency benefits that are available to TFA recipients.

 Before you agree to accept diversion assistance, call Statewide Legal Services to find out if it is the best program for your family.

How do I get assistance at the end of my 21 months or at the end of an extension?

Your DSS worker will schedule a meeting (called an **Exit Interview**) with you. It is **very important you attend**. During this meeting, your DSS worker will decide if there are benefits your family may receive. You will also be given information about other resources to help your family.

The benefits could include:

- an extension of cash benefits,
- medical coverage, and
- food stamps (now called "SNAP").

Exit Interviews are scheduled at specific times when your family reaches:

1. the 20th month of cash assistance during your 21-month time limit;
2. the 5th month of each extension; and
3. the 58th month of cash assistance.



If you do not attend your Exit Interview, your family will lose medical coverage and food stamps.

What should I do if my family loses assistance, is sanctioned, or denied an exemption or extension?

Call Statewide Legal Services right away at 1-800-453-3320 to see if there are ways your family can keep getting TFA, avoid a sanction or penalty, or get an exemption from time limits or work requirements.

If DSS has made an error, Statewide Legal Services may be able to help you get a lawyer to represent you at a fair hearing. At a fair hearing, an independent hearing officer listens to both sides and decides who is right. To protect your rights and benefits, ask for a fair hearing right away.

How do I ask for a fair hearing?

- You must either use the simple appeal form attached to the notices DSS sends you or write a letter. If you write a letter, explain why you want a hearing, such as:



Dear Sir or Madam: I am writing to ask for a fair hearing. The reason I want a fair hearing is ____ (your reason). For example, "my worker thinks I did not have good cause to leave my job, and I disagree."

The letter should include the date, your DSS client number, and your address. You must sign your name. Make a copy for yourself.

- You must mail or fax your request to:
DSS, Office of Administrative Hearings
25 Sigourney Street, 12th Floor
Hartford, CT 06106
Phone: 1-800-462-0134 or 860-424-5760
Fax: 860-424-5729

How quickly do I need to ask for a Fair Hearing?

- ❑ You **must** send your fair hearing request to DSS **within 60 days** of the date of the notice DSS sent you about your benefits. (*Keep the envelope from DSS so you can show the date you received the notice.*)
- ❑ In most situations, **if you ask for a hearing within 10 days** of the date on the DSS notice, your benefits will not be lowered or stopped until the hearing officer makes a decision.

However, if you are at the *end of the 21-month* period of benefits or at the *end of a 6-month extension*, your benefits will not continue while you are waiting for a hearing.

*If the hearing officer **agrees** with you*, you will receive your benefits and be paid any back benefits you should have received. if your benefits were lowered or stopped.

*If the hearing officer **does not agree** you should have gotten benefits*, DSS can get back any payments that you should not have received by lowering your monthly benefits in the future, or by taking other action to collect the “overpayment.”

Are there any programs to help my family when we lose welfare benefits?



Below are some resources which may be available for families and may be especially important if you lose TFA cash assistance. To find out where to apply for these programs and to see if other help may be available, call

Infoline at 211 or 1-800-203-1234.

■ Safety-Net Benefits

Some families that lose TFA cash benefits because they reached a time limit or because they do not qualify for extensions because they did not follow DSS employment requirements may be eligible for “safety-net” benefits. If you are eligible, an Infoline caseworker should contact you, assess your situation and refer you to community service agencies. You may also call Infoline (211) if you think you are eligible but have not been called.

Safety-net benefits vary depending upon the funds available and what services DSS decides to provide. In the past, safety net benefits included food, clothing, employment services, intensive case management, and eviction prevention, including rental assistance.

■ Housing & Rental Assistance

❑ **T-RAP.** If your family has too much income to qualify for a TFA extension, or if you leave TFA at any time that a household member is working at least 12 hours per week, you can apply within 6 months of losing TFA benefits for the Transitional Rental Assistance Program (T-RAP) to help you pay your rent for one year. T-RAP is for families that pay more



than 40% of family income for rent and do not receive a housing subsidy. The amount of rental assistance available depends on family income and the amount of rent. Your DSS worker should tell you about T-RAP at your Exit Interview and you can start the

application process at that time. T-RAP is **not** available to families while they are receiving TFA assistance. Funding for the T-RAP program is limited. If there are not enough funds in any month to help all new applicants, a lottery is held to determine who will be approved.

RAP and Section 8. Families with low income may be able to get assistance with rent payments through the Rental Assistance Program (RAP) or Section 8.

Rent reduction. If you are in public housing or on Section 8 or the Rental Assistance Program (RAP), immediately ask for your rent to be reduced if you have lost TFA benefits.

Rent Bank. This DSS program provides assistance in paying rent to low-income households at risk of becoming homeless or in immediate danger of eviction or foreclosure.

Security Deposit assistance. This DSS program is available to many low-income families.

Emergency shelters can help homeless families. Call Infoline at 211 to find a shelter. *Note:* If your family becomes homeless, your children can either continue to attend the school they were attending when you became homeless (the school should help you with transportation) - OR- attend school in the town where you temporarily live. *You should decide this based on what is best for your children.*

■ **Food Assistance**



Food stamps (now called "SNAP" benefits):

If your family income is low, you may qualify for SNAP benefits even if you do not receive TFA.

When you lose TFA income (or any other income), your SNAP benefits should go up. Be sure to go to your *Exit Interview* at DSS so you do not lose SNAP benefits. If you do lose SNAP benefits, reapply for them at DSS.

WIC: If someone in your family is pregnant or there is a child under age 5, you may qualify for food supplements from the Women, Infant & Children (WIC) program.

School breakfast & lunch programs: If your children are in school, apply at the school for free or low-cost breakfasts and lunches.

Soup kitchens & pantries: Some communities have soup kitchens where you can eat for free and pantries that provide food.

Summer food sites for children: Many communities have free lunch programs for children during the summer.

■ **State Medical Benefits (Medicaid and HUSKY A)**



Almost all families (adults and children) losing cash benefits should continue to get medical coverage from the State. The length of time you can get this medical coverage depends on your income.

Note: Be sure to go to your Exit Interview so your family does not lose medical coverage. If you do lose coverage, you can reapply for medical benefits at DSS.

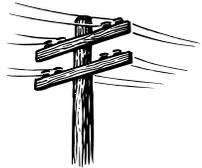
■ **Child Support Help**

Call the Child Support Enforcement hotline at 1-800-228-5437 if you need help getting or enforcing child support orders.

■ **Child Care Assistance**

Programs are available to help pay for child care to allow a parent to work (children must be under 13 years old or have special needs). Sometimes DSS limits who can get child care assistance benefits. Call Infoline at 211 for information on who can get this assistance, how to apply, and for help in finding child care providers.

■ **Energy Assistance and Utility Shut-off Protection**



☐ Energy assistance is available to help pay winter heating bills beginning November 1. Call infoline at 211 or 1-800-203-1234 to find out where you can apply.

☐ Weatherization assistance may be available to help you reduce your utility bills. *CL&P customers:* call the WRAP program at 1-800-388-9727. *UI customers:* call the UI-HELPS program at 1-877-947-3873. *Gas companies* are coordinated through CL&P and UI programs. *Municipal utilities* also have programs--call them directly.

☐ “Hardship” status protects gas and electric company customers from shut-offs between November 1 and May 1. Apply every winter with your utility companies.

Note: If a utility shut off is life-threatening, service cannot be shut off at any time during the year.

☐ Arrearage forgiveness programs are available to customers who receive energy assistance for their heating bill from UI, CL&P, CNG, SCG or Yankee Gas. An arrearage forgiveness programs means that some of the back debt (bills) will be forgiven in exchange for making regular payments on your bill. CL&P and UI have special payment programs to make bills more affordable for customers who cannot participate in their heating customer arrearage forgiveness programs.

■ **Help Finding a Job**

Job Centers (may be called CT Works or One-Stop Centers) can help you find a job. Look in the blue pages of the phone book under Connecticut, Department of Labor, Job Centers for your nearest center.



■ **Earned Income Tax Credit (EITC)**

The Earned Income Tax Credit (EITC) is a federal tax benefit for people who work. If you qualify for EITC, you will owe less in taxes and may get cash back. You can get an EITC even if you receive TFA, Medicaid, SSI, SNAP or low-income housing. Call Infoline at 211 or the IRS at 1-800-829-1040.

■ **Help for Veterans**

Limited emergency assistance is available to some veterans and their families through the Soldiers, Sailors and Marines Fund. The veteran must have been honorably discharged and served during certain time periods. Every town has an application site. Call Infoline at 211.