

**2023 SENATE HUMAN SERVICES**

**SB 2291**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

SB 2291  
1/25/2023

Relating to the administration of the temporary assistance for needy families program.

9:07 AM **Madam Chair Lee** called the hearing to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** were present.

**Discussion Topics:**

- Eligibility level increase
- Low income family aid
- TANF monitoring

9:08 AM **Senator Judy Lee District 13**, comments on Senator Hogans SB 2291 verbal testimony in favor.

9:10 AM **Michele Gee Director of the Economic Assistance Section Director, ND Department of Health and Human Services**, testified verbally neutral. #16511, #16681

9:13 AM **Senator Judy Lee** provided Income Eligibility handout. #16683

9:25 AM **Christopher Dodson, Executive Director General Counsel, ND Catholic Charities Conference** testified verbally in favor.

**Written testimony:**

**Senator Kathy Hogan** in favor #16264, 16265, 16266

9:31 AM **Madam Chair Lee** closed the hearing.

*Patricia Lahr, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

SB 2291  
1/31/2023

Relating to the administration of the temporary assistance for needy families program.

9:03 AM **Madam Chair Lee** called the meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** are present.

**Discussion Topics:**

- Income increase
- Program length
- Welfare and work program
- Hand up
- TANF
- Formal study

**Senator Hogan** makes motion **DO PASS** and **RERFER** to **APPROPRIATIONS**.  
**Senator Lee** seconded.

**Senator Hogan** withdraws motion.

9:31 AM **Madam Chair Lee** closed the meeting.

*Patricia Lahr, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

SB 2291  
1/31/2023

Relating to the administration of the temporary assistance for needy families program.

3:10 PM **Madam Chair Lee** called the meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** were present.

### Discussion Topics:

- Economic income
- Income limit
- TANIF exception
- Grant limit

3:12 PM **Michelle Gees, Executive Director, North Dakota Department of Health and Human Services** provides additional information verbally.

**Senator Hogan** made a motion **DO PASS** and **REREFER** to **APPROPRIATIONS**.

**Senator K. Roers** seconded.

Roll call vote.

| <b>Senators</b>          | <b>Vote</b> |
|--------------------------|-------------|
| Senator Judy Lee         | Y           |
| Senator Sean Cleary      | Y           |
| Senator David A. Clemens | Y           |
| Senator Kathy Hogan      | Y           |
| Senator Kristin Roers    | Y           |
| Senator Kent Weston      | Y           |

Motion Passed 6-0-0.

**Senator Hogan** will carry SB 2291.

3:27 PM **Madam Chair Lee** closed the meeting.

*Patricia Lahr, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2291: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2291 was rereferred to the **Appropriations Committee**. This bill does not affect workforce development.

**2023 SENATE APPROPRIATIONS**

**SB 2291**

# 2023 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Human Resources Division Roughrider Room, State Capitol

SB 2291  
2/8/2023

|   |
|---|
| A bill relating to the administration of the Temporary Assistance for Needy Families program. |
|---|

10:34 AM Chairman Dever called the meeting to order.  
Senators Burckhard, Davison, Dever, Mathern, and Kreun are present.

### **Discussion Topics:**

- Bill overview
- ND Temporary Assistance for Needy Families spending
- TANF fund utilization
- General fund effect

10:36 AM Senator Kathy Hogan testified. Testimony #19673, #19674, #19672

10:47 AM Desiree Sorenson, Montrail McKenzie Human Service Zone Director, testified.  
Testimony #19712

10:49 AM Michele Gee, Director of Economic Assistance Section, testified. (No written testimony)

10:55 AM Chairman Dever closed the meeting.

*Susan Huntington, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2291  
2/15/2023

|   |
|---|
| AN ACT to provide for a legislative management study of the utilization of federal temporary assistance for needy families block grant funding received by the state. |
|---|

**10:55AM Chairman Bekkedahl** calls the meeting to order.

Members present: Senators Bekkedahl, Burckhard, Davison, Dever, Dwyer, Erbele, Krebsbach, Kreun, Meyer, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, and Mathern.

## **Discussion Topics:**

- Tanif adjustment for needy families
- In subcommittee
- Federal Program
- Dollars are general fund
- Fiscal Note
- Last adjusted 2008
- Eligibility from 25% to 50%
- Potential amendment

**10:58AM Senator Hogan** introduced the bill verbally.

**11:10AM Chairman Bekkedahl** closed the meeting.

*Carie Winings, Chief Clerk*



# 2023 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Human Resources Division Roughrider Room, State Capitol

SB 2291  
2/16/2023

|  |
|--|
| Relating to the task force on guardianship monitoring to promote the accountability of all guardians |
|--|

11:27 AM Chairman Dever opened committee work meeting.  
Senators Dever, Burckhardt, Davison, Kreun, Mathern were present.

### Discussion Topics:

- TANF eligibility
- Study addition
- Hoghouse bill
- Original intent
- Committee action

Senator Mathern moved to amendment the bill into a study and hoghouse the bill.  
Senator Burckhardt seconded the motion.

Roll call vote

| Senators                   | Vote |
|----------------------------|------|
| Senator Dick Dever         | Y    |
| Senator Randy A. Burckhard | Y    |
| Senator Kyle Davison       | Y    |
| Senator Curt Kreun         | Y    |
| Senator Tim Mathern        | Y    |

Motion passed 5-0-0.

Senator Davison moved DO PASS as AMENDED.  
Senator Kreun seconded the motion.

Roll call vote.

| Senators                   | Vote |
|----------------------------|------|
| Senator Dick Dever         | Y    |
| Senator Randy A. Burckhard | Y    |
| Senator Kyle Davison       | Y    |
| Senator Curt Kreun         | Y    |
| Senator Tim Mathern        | Y    |

Motion passed 5-0-0.

Senator Dever will carry the bill to the full committee.

11:35 AM Chairman Dever closed the meeting.

*Susan Huntington, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

## Appropriations Roughrider, State Capitol

SB 2291  
2/16/2023

A BILL for an Act to provide for a legislative management study of the utilization of federal temporary assistance for needy families block grant funding received by the state.

7:42 PM **Chairman Bekkedahl** called the hearing to order. **Senators** Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Dwyer, Erbele, Kreun, Meyer, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, Mathern are present.

### Discussion Topics:

- Consider a study
- Committee action

7:43 PM **Senator Dever** introduced SB 2291 and verbally testified in favor.

**Senator Dever** moves to adopt amendment LC 23.0181.01002.

**Senator Mathern** seconded.

Roll call vote.

| Senators                   | Vote |
|----------------------------|------|
| Senator Brad Bekkedahl     | Y    |
| Senator Karen K. Krebsbach | Y    |
| Senator Randy A. Burckhard | Y    |
| Senator Kyle Davison       | Y    |
| Senator Dick Dever         | Y    |
| Senator Michael Dwyer      | Y    |
| Senator Robert Erbele      | Y    |
| Senator Curt Kreun         | Y    |
| Senator Tim Mathern        | Y    |
| Senator Scott Meyer        | Y    |
| Senator Jim P. Roers       | Y    |
| Senator David S. Rust      | Y    |
| Senator Donald Schaible    | Y    |
| Senator Ronald Sorvaag     | Y    |
| Senator Shawn Vedaa        | Y    |
| Senator Terry M. Wanzek    | Y    |

Motion passed 16-0-0.

**Senator Dever** moves **DO PASS AS AMENDED**

**Senator Mathern** seconded.

Roll Call Vote.

| <b>Senators</b>            | <b>Vote</b> |
|----------------------------|-------------|
| Senator Brad Bekkedahl     | Y           |
| Senator Karen K. Krebsbach | Y           |
| Senator Randy A. Burckhard | Y           |
| Senator Kyle Davison       | Y           |
| Senator Dick Dever         | Y           |
| Senator Michael Dwyer      | Y           |
| Senator Robert Erbele      | Y           |
| Senator Curt Kreun         | Y           |
| Senator Tim Mathern        | Y           |
| Senator Scott Meyer        | Y           |
| Senator Jim P. Roers       | Y           |
| Senator David S. Rust      | Y           |
| Senator Donald Schaible    | Y           |
| Senator Ronald Sorvaag     | Y           |
| Senator Shawn Vedaa        | Y           |
| Senator Terry M. Wanzek    | Y           |

Motion passed 16-0-0.

**Senator Mathern** will carry SB 2291

9:43 PM **Chairman Bekkedahl** closed the hearing.

Patricia Lahr on behalf of Carol Thompson, Committee Clerk

BR

141

2-16-23

PROPOSED AMENDMENTS TO SENATE BILL NO. 2291

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the utilization of federal temporary assistance for needy families block grant funding received by the state."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT FUNDING.** During the 2023-24 interim, the legislative management shall consider studying the utilization of federal temporary assistance for needy families block grant funding received by the state. The study must include a review of the recent history of the use of the funds and an assessment and determination of the appropriate use of the funds for administrative costs, direct and indirect client financial and other support, and other purposes. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2291: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2291 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the utilization of federal temporary assistance for needy families block grant funding received by the state."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT FUNDING.** During the 2023-24 interim, the legislative management shall consider studying the utilization of federal temporary assistance for needy families block grant funding received by the state. The study must include a review of the recent history of the use of the funds and an assessment and determination of the appropriate use of the funds for administrative costs, direct and indirect client financial and other support, and other purposes. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

**2023 HOUSE HUMAN SERVICES**

**SB 2291**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2291  
3/22/2023

|  |
|--|
| A BILL for an Act to provide for a legislative management study of the utilization of federal temporary assistance for needy families block grant funding received by the state. |
|--|

Chairman Weisz called the meeting to order at 4:38 PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich present.

### **Discussion Topics:**

- Funding Percentage
- Family eligibility
- Monitoring fund usage
- Block grant funds

Senator Hogan, Introduced SB 2291. Testimony #26292, #26293, #26294, #26295

Kim Jacobson, Zone Director for Agassiz Valley Human Service Testimony # 25767

Chairman Weisz adjourned the meeting at 4:50 PM.

*Phillip Jacobs, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2291  
3/27/2023

A BILL for an Act to provide for a legislative management study of the utilization of federal temporary assistance for needy families block grant funding received by the state.

Chairman Weisz called the meeting to order at 3:08 PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. All present. Rep. Clayton Fegley not present.

### Discussion Topics:

- Committee work

Chairman Weisz called for a discussion on SB 2291.

Rep. Porter moved a do pass on SB 2291.

Seconded by Rep. McLeod.

Roll Call Vote:

| Representatives                   | Vote |
|-----------------------------------|------|
| Representative Robin Weisz        | Y    |
| Representative Matthew Ruby       | Y    |
| Representative Karen A. Anderson  | N    |
| Representative Mike Beltz         | Y    |
| Representative Jayme Davis        | Y    |
| Representative Gretchen Dobervich | Y    |
| Representative Clayton Fegley     | AB   |
| Representative Kathy Frelich      | Y    |
| Representative Dawson Holle       | Y    |
| Representative Dwight Kiefert     | Y    |
| Representative Carrie McLeod      | Y    |
| Representative Todd Porter        | Y    |
| Representative Brandon Prichard   | N    |
| Representative Karen M. Rohr      | N    |

Motion carries 10-3-1.

Carried by Rep. Holle.

Chairman Weisz adjourned the meeting at 3:10 PM.

*Phillip Jacobs, Committee Clerk*



**REPORT OF STANDING COMMITTEE**

**SB 2291, as engrossed: Human Services Committee (Rep. Weisz, Chairman)**  
recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING).  
Engrossed SB 2291 was placed on the Fourteenth order on the calendar.

**TESTIMONY**

**SB 2291**

**Senate Human Services Committee**  
**January 25, 2023**  
**SB 2291**  
**Senator Kathy Hogan**

Chair Lee and members of the Senate Human Services Committee, my name is Kathy Hogan, and I represent District 21.

SB 2291 is a simple bill that simply raises the monthly Temporary Assistance to Needy Family (TANF) benefit from 25% of the poverty level to 50% of the poverty level.

TANF is a federal program that was converted from the Aid to Families with Dependent Children program that was established in the 1930's with the Social Security Act, during the great depression, to a block grant program with the passage of Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).

The TANF program provides states (which includes DC and territories for this purpose) with flexibility in operating programs designed to help low-income families with children achieve economic self-sufficiency. The federal government does not provide TANF cash assistance directly to the public. Instead, states use their TANF grants to fund monthly cash assistance payments to low-income families with children, as well as a wide range of services that are designed to address one or more of the program's four broad purposes:

- Provide assistance to needy families so that children can be cared for in their own homes or in the homes of relatives.
- End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage.
- Prevent and reduce the incidence of out-of-wedlock pregnancies.
- Encourage the formation and maintenance of two-parent families.

These purposes were outlined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), the law that created TANF, replacing the Aid to Families with Dependent Children (AFDC) and related programs.

Since the major work that was done during the 1997 legislative session to outline the structure for the TANF program, few modifications have been made to that structure. Since that time, the numbers of families receiving assistance have consistently dropped and the % of funding to assistance low income has also dropped as TANF funding has been redirected to other programs. Two reference documents are linked

[https://www.cbpp.org/sites/default/files/atoms/files/tanf\\_spending\\_nd.pdf](https://www.cbpp.org/sites/default/files/atoms/files/tanf_spending_nd.pdf)

<https://www.cbpp.org/large-shares-of-tanf-funds-not-used-for-basic-assistance-or-supporting-work>

In July 1996 the maximum monthly benefit was \$431/month which was 40% of the 1996 poverty level. In July 2021 the maximum monthly benefit was \$486 which is 27% of the poverty level. This has been a 33% drop for our lowest income families with children compared to the poverty level.

How did this happen in ND? I think it is not any person or systems fault, it is simply that poor families do not have an advocate to monitor the trends. During the Interim Human Services Committee, as we were studying the challenges of getting working families off all assistance such as Child Care Assistance, SNAP or Medicaid, it became evident that we had not been monitoring these trends. This bill invites us to provide increased financial support to the lowest income families with children.

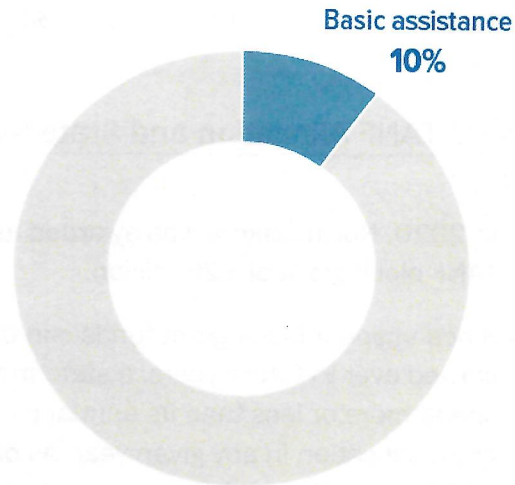
On a side note, after researching this national trend and looking at the ND data, this bill emerged. In addition to proposing an increase in the poverty level for payments, I hope that we as a legislature can better monitor the uses of all TANF funds. In some states, there have been excessive abuses of the TANF block grant funds, and we need to assure that we are more diligent in monitoring these funds.

Thank you for the opportunity to share these comments. I am willing to answer any questions.

## North Dakota TANF Spending



In 2020, North Dakota spent about **\$39 million in federal and state funds** under the Temporary Assistance for Needy Families (TANF) program. **It spent 10 percent of these funds on basic assistance**, generally as cash assistance to TANF families. In 2020, North Dakota ranked 37th among the states and Washington, D.C. for percent of TANF funds spent on basic assistance.



### Federal and State TANF Spending by Category, 2020

|  | North Dakota        |                   | National               |
|--|---------------------|-------------------|------------------------|
|  | Millions of dollars | Share of spending | Share of U.S. spending |
| <b>Basic Assistance</b>                      | \$4                 | 10%               | 22%                    |
| <b>Work Activities</b>                       | \$4                 | 10%               | 10%                    |
| <b>Work Supports and Supportive Services</b> | \$0.6               | 1%                | 2%                     |
| <b>Child Care</b>                            | \$1                 | 3%                | 17%                    |
| <b>Administration and Systems</b>            | \$5                 | 13%               | 10%                    |
| <b>Tax Credits</b>                           | \$0                 | 0%                | 9%                     |
| <b>Pre-K/Head Start</b>                      | \$0                 | 0%                | 9%                     |
| <b>Child Welfare</b>                         | \$24                | 62%               | 8%                     |
| <b>Other Services</b>                        | \$0.3               | 0.8%              | 13%                    |
| <b>Total</b>                                 | <b>\$39</b>         | <b>100%</b>       | <b>100%</b>            |

## Federal and State TANF Spending on Select Activities (millions of dollars)

|                         | 2001 | 2006 | 2011 | 2016 | 2020 |
|-------------------------|------|------|------|------|------|
| <b>Basic Assistance</b> | \$13 | \$10 | \$7  | \$4  | \$4  |
| <b>Work Activities</b>  | \$2  | \$2  | \$4  | \$4  | \$4  |
| <b>Child Care</b>       | \$4  | \$0  | \$1  | \$1  | \$1  |

## Federal TANF Allocation and State Maintenance-of-Effort (MOE) Amounts

- In 2020, North Dakota was awarded its TANF block grant of \$26 million.
- Since unspent block grant funds can be carried over to future years, a state may spend more or less than its annual block grant allocation in any given year. As of 2020, North Dakota has accumulated \$1 million in unspent TANF block grant funds, equal to 6 percent of its block grant.
- Every year each state must also spend, from its own funds, at least 80 percent of its historical spending on poor families with children. (A state may spend more than its minimum.) This “MOE” requirement can be reduced to 75 percent if a state meets specific work participation rate requirements. In 2020, North Dakota failed to meet these requirements and was subject to the 80 percent MOE obligation.

### 2020 TANF Allocation and MOE Obligation for North Dakota

|                              |              |
|------------------------------|--------------|
| <b>Federal Funds Awarded</b> | \$26 million |
| <b>80% MOE Obligation</b>    | \$10 million |

### 2020 Federal and MOE TANF Expenditures for North Dakota

|                         |              |
|-------------------------|--------------|
| <b>Federal Spending</b> | \$30 million |
| <b>MOE Spending</b>     | \$9 million  |

The annual federal TANF block grant has been frozen since its creation and lost about 40 percent of its value between 1997 and 2020 due to inflation.



Source: The spending data are based on CBPP analysis of U.S. Department of Health and Human Services TANF financial data. North Dakota's TANF block grant amount has been adjusted to exclude Tribal TANF and research expenditures.

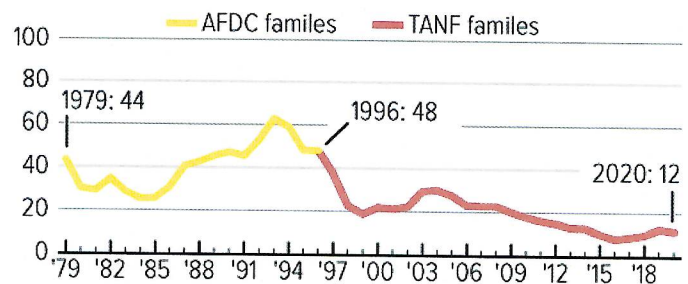
# TANF Cash Assistance Should Reach Many More Families in North Dakota to Lessen Hardship



In 2019-20, for every 100 families living in poverty in North Dakota, only 12 received TANF cash assistance. This “TANF-to-poverty ratio” has fallen 36 points since 1995-96. If TANF reached the same share of families in poverty that its predecessor AFDC did in 1996, 2,936 more families in North Dakota would be helped by TANF now.

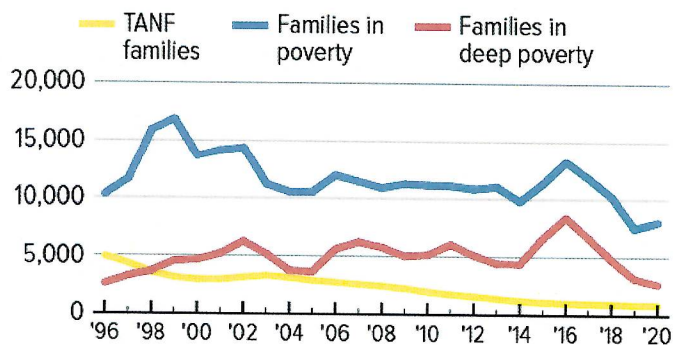
| TANF-to-poverty ratio | 1995/96 | 2019/20 |
|-----------------------|---------|---------|
| North Dakota          | 48      | 12      |
| National              | 68      | 21      |

**Number of Families in North Dakota Receiving AFDC/TANF Cash Assistance for Every 100 Families With Children in Poverty**



| Families with children | 1995/96 | 2019/20 |
|------------------------|---------|---------|
| Receiving AFDC/TANF    | 4,950   | 935     |
| In poverty             | 10,269  | 8,030   |
| In deep poverty        | 2,580   | 2,687   |

**Changes in AFDC/TANF Cases and the Number of Families With Children in Poverty and Deep Poverty in North Dakota**



Source note: TANF = Temporary Assistance for Needy Families; AFDC = Aid to Families with Dependent Children. CBPP analysis of poverty and deep poverty data from the Census' Current Population Survey. CBPP uses two-year averages of the poverty data and the TANF-to-Poverty ratios to improve the reliability of the data at the state level. Single year labels represent two-year averages for state data. For example, "2020" represents "2019-2020." AFDC/TANF caseload data from Department of Health and Human Services and (since September 2006) caseload data collected from state agencies. All ratios are rounded and point differences between ratios may appear inexact due to rounding.

**Testimony**  
**Senate Bill No. 2291**  
**Senate Human Services Committee**  
**Senator Judy Lee, Chairman**  
January 25, 2023

Chairman Lee and members of the Senate Human Services Committee, I am Michele Gee, Director of the Economic Assistance Section with the Department of Health and Human Services (Department). I appear before you to provide testimony on Senate Bill 2291.

The Temporary Assistance for Needy Families (TANF) Program was originally established as part of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), replacing the Aid to Families with Dependent Children (AFDC) Program.

Senate Bill 2291 proposes changes to North Dakota Century Code section 50-09-29, setting the maximum benefit level for the TANF Program to “at least fifty percent of the federal poverty level based on household size”. The House Human Services Committee is currently considering House Bill 1036 with the same intent to raise the maximum benefit level for the TANF Program.

The TANF benefit level is currently defined in section 75-02-01.2-35 of the North Dakota Administrative Code and represents the amount of household income, adjusted by household size and living arrangement, that is necessary to maintain a standard of living compatible with decency and health. The six basic items of need considered are shelter, food, clothing, personal need items, household supplies, fuel and utilities.



The current standard of need as outlined in North Dakota Administrative Code means that families whose household income is approximately 22-25% of the Federal Poverty Limit may be eligible to receive assistance from the TANF program. Translated into dollars and cents, this means that a single parent household with two children may be eligible to receive a financial benefit from TANF if their household income is equal to or less than \$5,069 a year, or approximately \$422 of earnings per month.

The change proposed in Senate Bill 2291 would allow families with household income that is equal to approximately 50% of the Federal Poverty Limit to become eligible for TANF financial assistance in North Dakota. This would mean that a single parent household with two children may be eligible for the TANF program if their income is equal to or less than \$11,520 a year, or approximately \$960 a month.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.



# Temporary Assistance for Needy Families Program

The Temporary Assistance for Needy Families (TANF) program is intended to move low-income families from public assistance to self-sufficiency by providing cash assistance along with work readiness, training and job placement services.

### Who does TANF serve?

The TANF program helps families with children under age 18 or who will graduate or receive their GED by age 19 and are deprived of parental support or care. A child is considered deprived of parental support when a parent is absent due to divorce, separation, death or one or both parents are aged or disabled. This includes a deprived child or children who are living with:

- One parent
- A two-parent family (in which one or both parents are aged or disabled)
- A family member
- A woman in her third trimester of pregnancy

### Asset Limits

Assets limits are \$3,000 for one individual, \$6,000 for a household of two individuals, and an additional \$25 per person for households of three and more.

### Program Requirements

Cooperation with Child Support

- Individuals are required to cooperate with child support while receiving TANF unless they have good cause.

Work requirement

- TANF has a work requirement which combines components of education, training and employment to enable participants to become self-sufficient. This is offered through the JOBS Program, Jobs Opportunity and Basic Skills.

### Program Limits:

Individuals may receive TANF up to 60 months within your lifetime. **Note:** There are some exceptions to this limit.

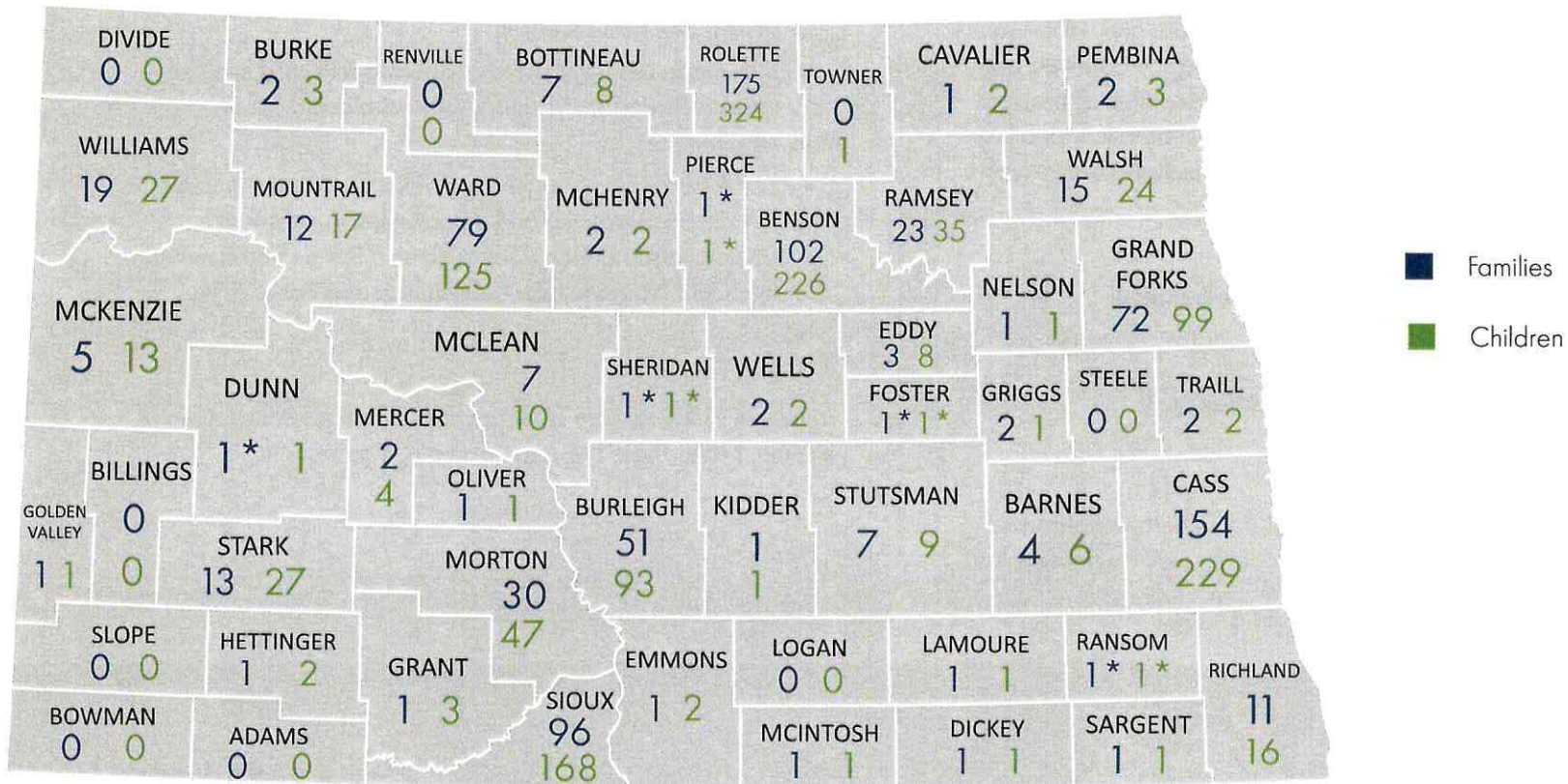
Learn more at [hhs.nd.gov/tanf](https://hhs.nd.gov/tanf)

# Average Number of TANF Families and Children Served by State Fiscal Year

Average Number of Families and Children Served Monthly by State Fiscal Year



Number of Families and Children Served by County in State Fiscal Year 2022



\*Averages less than one have been rounded up

North Dakota Department of Human Services

**ACA MEDICAID INCOME ELIGIBILITY LEVELS Effective April 1, 2023**

| Family Size | (MAGI Equivalent of Approximately 43% of PL) Parents and Caretakers |         | Adults age 19 and 20 and Medically Needy for Pregnant Women (90% of PL) |          | Medically Needy Individuals up to age 21 (92% PL) |           | Medically Needy Parents, Caretakers and their Spouses (93% PL) |           | Adult Expansion Group (Ages 19 to 65) & Children (Ages 6 to 19) 138% of the PL |           | Children (Ages 0 to 6) 152% of the PL |           | Pregnant Women 162% of the PL |           |
|-------------|---|---------|---|----------|---|-----------|--|-----------|--|-----------|---------------------------------------|-----------|-------------------------------|-----------|
|             | Monthly   | Yearly  | Monthly   | Yearly   | Monthly   | Yearly    | Monthly  | Yearly    | Monthly  | Yearly    | Monthly                               | Yearly    | Monthly                       | Yearly    |
| 1           | \$517   | \$6,204 | \$1,094   | \$13,122 | \$1,118   | \$ 13,414 | \$1,130  | \$ 13,560 | \$ 1,677   | \$ 20,121 | \$ 1,847                              | \$ 22,162 | \$ 1,969                      | \$ 23,620 |
| 2           | 694   | 8,328   | 1,479   | 17,748   | 1,512   | 18,143    | 1,529  | 18,340    | 2,268  | 27,214    | 2,498                                 | 29,975    | 2,663                         | 31,947    |
| 3           | 871   | 10,452  | 1,865   | 22,374   | 1,906   | 22,872    | 1,927  | 23,120    | 2,859  | 34,307    | 3,149                                 | 37,788    | 3,357                         | 40,274    |
| 4           | 1,048   | 12,576  | 2,250   | 27,000   | 2,300   | 27,600    | 2,325  | 27,900    | 3,450  | 41,400    | 3,800                                 | 45,600    | 4,050                         | 48,600    |
| 5           | 1,226   | 14,712  | 2,636   | 31,626   | 2,695   | 32,329    | 2,724  | 32,681    | 4,042  | 48,494    | 4,452                                 | 53,413    | 4,744                         | 56,927    |
| 6           | 1,403   | 16,836  | 3,021   | 36,252   | 3,089   | 37,058    | 3,122  | 37,461    | 4,633  | 55,587    | 5,103                                 | 61,226    | 5,438                         | 65,254    |
| 7           | 1,580   | 18,960  | 3,407   | 40,878   | 3,483   | 41,787    | 3,521  | 42,241    | 5,224  | 62,680    | 5,754                                 | 69,039    | 6,132                         | 73,581    |
| 8           | 1,757   | 21,084  | 3,792   | 45,504   | 3,877   | 46,516    | 3,919  | 47,021    | 5,815  | 69,773    | 6,405                                 | 76,852    | 6,826                         | 81,908    |
| 9           | 1,934   | 23,208  | 4,178   | 50,130   | 4,271   | 51,244    | 4,317  | 51,801    | 6,406  | 76,866    | 7,056                                 | 84,664    | 7,520                         | 90,234    |
| 10          | 2,111   | 25,332  | 4,563   | 54,756   | 4,665   | 55,973    | 4,716  | 56,582    | 6,997  | 83,960    | 7,707                                 | 92,477    | 8,214                         | 98,561    |
| +1          | \$178   | \$2,136 | \$ 386  | \$ 4,626 | \$ 395  | \$ 4,729  | \$ 399   | \$ 4,781  | \$ 592   | \$ 7,094  | \$ 652                                | \$ 7,813  | \$ 694                        | \$ 8,327  |

**Maintenance of Effort – Medicaid**

| Family Size | Optional Targeted Low-Income Children (CHIP) 175% of PL |          |
|-------------|---|----------|
|             | Monthly   | Yearly   |
| 1           | \$2,127   | \$25,515 |
| 2           | 2,876   | 34,510   |
| 3           | 3,626   | 43,505   |
| 4           | 4,375   | 52,500   |
| 5           | 5,125   | 61,495   |
| 6           | 5,875   | 70,490   |
| 7           | 6,624   | 79,485   |
| 8           | 7,374   | 88,480   |
| 9           | 8,123   | 97,475   |
| 10          | 8,873   | 106,470  |
| +1          | \$ 750  | \$ 8,995 |

| Family Size | 111% of Federal Poverty Level |          | 133% of Federal Poverty Level |          |
|-------------|-------------------------------|----------|-------------------------------|----------|
|             | Monthly                       | Yearly   | Monthly                       | Yearly   |
| 1           | \$1,349                       | \$16,184 | \$1,616                       | \$19,392 |
| 2           | 1,825                         | 21,890   | 2,186                         | 26,228   |
| 3           | 2,300                         | 27,595   | 2,756                         | 33,064   |
| 4           | 2,775                         | 33,300   | 3,325                         | 39,900   |
| 5           | 3,251                         | 39,006   | 3,895                         | 46,737   |
| 6           | 3,726                         | 44,711   | 4,465                         | 53,573   |
| 7           | 4,202                         | 50,417   | 5,035                         | 60,409   |
| 8           | 4,677                         | 56,122   | 5,604                         | 67,245   |
| 9           | 5,153                         | 61,827   | 6,174                         | 74,081   |
| 10          | 5,628                         | 67,533   | 6,744                         | 80,918   |
| +1          | \$ 476                        | \$ 5,706 | \$ 570                        | \$ 6,837 |

**North Dakota Department of Human Services**  
**NON-ACA MEDICAID INCOME ELIGIBILITY LEVELS Effective April 1, 2023**

| Family Size | SSI Effective 01-01-2023 | Medically Needy 83% of Poverty | QMB 100% of Poverty | SLMB 120% of Poverty | QI-1 135% of Poverty | Women's Way 200% of Poverty | Workers with Disabilities 225% of Poverty | Children With Disabilities 250% of Poverty |
|-------------|--------------------------|--------------------------------|---------------------|----------------------|----------------------|-----------------------------|---|--|
| 1           | \$ 914                   | \$ 1,009                       | \$ 1,215            | \$ 1,458             | \$ 1,641             | \$ 2,430                    | \$ 2,734                                  | \$ 3,038                                   |
| 2           | 1,371                    | 1,364                          | 1,644               | 1,972                | 2,219                | 3,287                       | 3,698                                     | 4,109                                      |
| 3           |                          | 1,720                          | 2,072               | 2,486                | 2,797                | 4,144                       | 4,662                                     | 5,180                                      |
| 4           |                          | 2,075                          | 2,500               | 3,000                | 3,375                | 5,000                       | 5,625                                     | 6,250                                      |
| 5           |                          | 2,431                          | 2,929               | 3,514                | 3,954                | 5,857                       | 6,589                                     | 7,321                                      |
| 6           |                          | 2,787                          | 3,357               | 4,028                | 4,532                | 6,714                       | 7,553                                     | 8,392                                      |
| 7           |                          | 3,142                          | 3,785               | 4,542                | 5,110                | 7,570                       | 8,517                                     | 9,463                                      |
| 8           |                          | 3,498                          | 4,214               | 5,056                | 5,688                | 8,427                       | 9,480                                     | 10,534                                     |
| 9           |                          | 3,853                          | 4,642               | 5,570                | 6,267                | 9,284                       | 10,444                                    | 11,605                                     |
| 10          |                          | 4,209                          | 5,070               | 6,084                | 6,845                | 10,140                      | 11,408                                    | 12,675                                     |
| +1          |                          | \$ 356                         | \$ 429              | \$ 514               | \$ 579               | \$ 857                      | \$ 964                                    | \$ 1,071                                   |

**Spousal Impoverishment Levels**

| Community Spouse Minimum Asset Allowance (Effective 01/01/2023) | Community Spouse Maximum Asset Allowance (Effective 01/01/2023) | Community Spouse Income Level (Effective 01/01/16) | Income Level for each Additional Individual (Effective 07/01/22) |
|---|---|--|--|
| \$29,724  | \$148,620   | \$2,550  | \$763  |

**Average Cost of Nursing Care**

| Average Monthly Cost of Care (Effective 01/01/2023) | Average Daily Cost of Care (Effective 01/01/2023) | Nursing Care Income Level (Effective 10/01/2013) | Medicare Premium (Effective 01/2023) | Medicare Savings Program Asset Limit (Effective 01/01/2023) |
|---|---|--|--------------------------------------|---|
| \$11,153.18   | \$366.68  | LTC \$65<br>ICF/IID \$100                        | \$164.90                             | 1 Person - \$9,090<br><br>Couple - \$13,630                 |

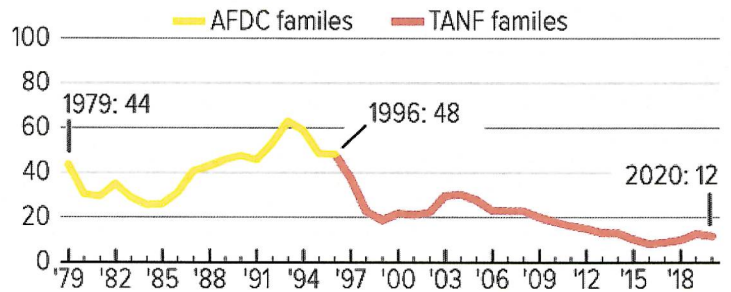
# TANF Cash Assistance Should Reach Many More Families in North Dakota to Lessen Hardship



In 2019-20, for every 100 families living in poverty in North Dakota, only 12 received TANF cash assistance. This “TANF-to-poverty ratio” has fallen 36 points since 1995-96. If TANF reached the same share of families in poverty that its predecessor AFDC did in 1996, 2,936 more families in North Dakota would be helped by TANF now.

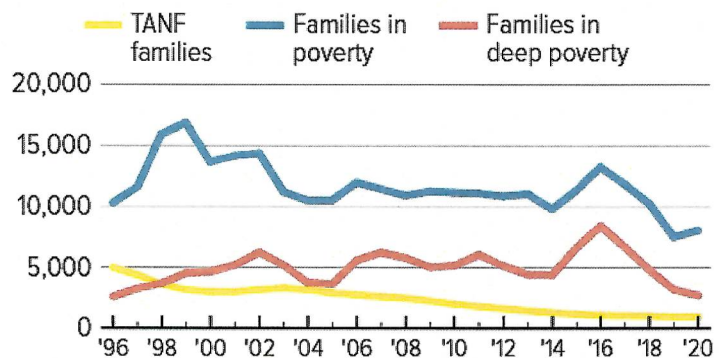
| TANF-to-poverty ratio | 1995/96 | 2019/20 |
|-----------------------|---------|---------|
| North Dakota          | 48      | 12      |
| National              | 68      | 21      |

**Number of Families in North Dakota Receiving AFDC/TANF Cash Assistance for Every 100 Families With Children in Poverty**



| Families with children | 1995/96 | 2019/20 |
|------------------------|---------|---------|
| Receiving AFDC/TANF    | 4,950   | 935     |
| In poverty             | 10,269  | 8,030   |
| In deep poverty        | 2,580   | 2,687   |

**Changes in AFDC/TANF Cases and the Number of Families With Children in Poverty and Deep Poverty in North Dakota**



Source note: TANF = Temporary Assistance for Needy Families; AFDC = Aid to Families with Dependent Children. CBPP analysis of poverty and deep poverty data from the Census' Current Population Survey. CBPP uses two-year averages of the poverty data and the TANF-to-Poverty ratios to improve the reliability of the data at the state level. Single year labels represent two-year averages for state data. For example, "2020" represents "2019-2020." AFDC/TANF caseload data from Department of Health and Human Services and (since September 2006) caseload data collected from state agencies. All ratios are rounded and point differences between ratios may appear inexact due to rounding.

**Senate Appropriations Committee**  
**February 8, 2023**  
**SB 2291**  
**Senator Kathy Hogan**

Chair Bekkedahl and members of the Senate Appropriations Committee, my name is Kathy Hogan, and I represent District 21.

SB 2291 is a simple bill that raises the monthly Temporary Assistance to Needy Family (TANF) benefit from 25% of the poverty level to 50% of the poverty level.

TANF is a federal program that was converted from the Aid to Families with Dependent Children program that was established in the 1930's with the Social Security Act, during the great depression, to a block grant program with the passage of Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).

Since the major work that was done during the 1997 legislative session to outline the structure for the TANF program, few modifications have been made to that structure. Since that time, the numbers of families receiving assistance have consistently dropped and the % of funding to assist low-income families has also dropped as TANF funding has been redirected to other programs.

The current standard of need, as outlined in North Dakota Administrative Code, means that families whose household income is approximately 22-25% of the Federal Poverty Limit may be eligible to receive assistance from the TANF program.

Translated into dollars and cents, this means that a single parent household with two children may be eligible to receive a financial benefit from TANF if their household income is equal to or less than \$5,069 a year, or approximately \$422 of earnings per month.

The change proposed in Senate Bill 2291 would allow families with household income that is equal to approximately 50% of the Federal Poverty Limit to become eligible for TANF financial assistance in North Dakota. This would mean that a single parent household with two children may be eligible for the TANF program if their income is equal to or less than \$11,520 a year, or approximately \$960 a month.

After researching this national trend and looking at the ND data, this bill emerged. In addition to proposing an increase in the poverty level for payments, I hope that we as a legislature can better monitor the uses of all TANF funds. In



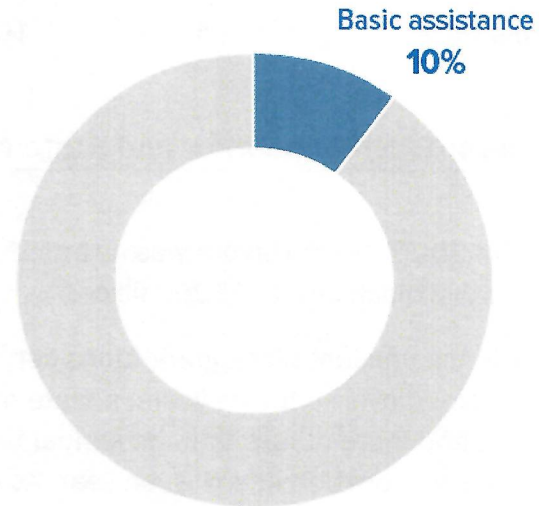
some states, there have been excessive abuses of the TANF block grant funds, and we need to assure that we are more diligent in monitoring these funds.

Thank you for the opportunity to share these comments. I am willing to answer any questions.

## North Dakota TANF Spending



In 2020, North Dakota spent about **\$39 million** in federal and state funds under the Temporary Assistance for Needy Families (TANF) program. **It spent 10 percent of these funds on basic assistance**, generally as cash assistance to TANF families. In 2020, North Dakota ranked 37th among the states and Washington, D.C. for percent of TANF funds spent on basic assistance.



### Federal and State TANF Spending by Category, 2020

|  | North Dakota        |                   | National               |
|--|---------------------|-------------------|------------------------|
|  | Millions of dollars | Share of spending | Share of U.S. spending |
| <b>Basic Assistance</b>                      | \$4                 | 10%               | 22%                    |
| <b>Work Activities</b>                       | \$4                 | 10%               | 10%                    |
| <b>Work Supports and Supportive Services</b> | \$0.6               | 1%                | 2%                     |
| <b>Child Care</b>                            | \$1                 | 3%                | 17%                    |
| <b>Administration and Systems</b>            | \$5                 | 13%               | 10%                    |
| <b>Tax Credits</b>                           | \$0                 | 0%                | 9%                     |
| <b>Pre-K/Head Start</b>                      | \$0                 | 0%                | 9%                     |
| <b>Child Welfare</b>                         | \$24                | 62%               | 8%                     |
| <b>Other Services</b>                        | \$0.3               | 0.8%              | 13%                    |
| <b>Total</b>                                 | \$39                | 100%              | 100%                   |

## Federal and State TANF Spending on Select Activities (millions of dollars)

|                         | 2001 | 2006 | 2011 | 2016 | 2020 |
|-------------------------|------|------|------|------|------|
| <b>Basic Assistance</b> | \$13 | \$10 | \$7  | \$4  | \$4  |
| <b>Work Activities</b>  | \$2  | \$2  | \$4  | \$4  | \$4  |
| <b>Child Care</b>       | \$4  | \$0  | \$1  | \$1  | \$1  |

## Federal TANF Allocation and State Maintenance-of-Effort (MOE) Amounts

- In 2020, North Dakota was awarded its TANF block grant of \$26 million.
- Since unspent block grant funds can be carried over to future years, a state may spend more or less than its annual block grant allocation in any given year. As of 2020, North Dakota has accumulated \$1 million in unspent TANF block grant funds, equal to 6 percent of its block grant.
- Every year each state must also spend, from its own funds, at least 80 percent of its historical spending on poor families with children. (A state may spend more than its minimum.) This “MOE” requirement can be reduced to 75 percent if a state meets specific work participation rate requirements. In 2020, North Dakota failed to meet these requirements and was subject to the 80 percent MOE obligation.

### 2020 TANF Allocation and MOE Obligation for North Dakota

|                              |              |
|------------------------------|--------------|
| <b>Federal Funds Awarded</b> | \$26 million |
|------------------------------|--------------|

|                           |              |
|---------------------------|--------------|
| <b>80% MOE Obligation</b> | \$10 million |
|---------------------------|--------------|

### 2020 Federal and MOE TANF Expenditures for North Dakota

|                         |              |
|-------------------------|--------------|
| <b>Federal Spending</b> | \$30 million |
|-------------------------|--------------|

|                     |             |
|---------------------|-------------|
| <b>MOE Spending</b> | \$9 million |
|---------------------|-------------|

**The annual federal TANF block grant has been frozen since its creation and lost about 40 percent of its value between 1997 and 2020 due to inflation.**



Testimony Prepared for the  
**Senate Appropriations Committee – Human Resources Division**

February 8, 2023

By: Desiree Sorenson, Mountrail McKenzie Human Service Zone Director

**RE: Senate Bill 2291 – Temporary Assistance to Needy Families  
(TANF)**

Chairman Dever and members of the Senate Appropriations Committee, my name is Desiree Sorenson. I am the Mountrail McKenzie Human Service Zone Director, which includes the service area of Mountrail and McKenzie Counties. In addition, I am a member of the North Dakota Human Service Zone Director Association. Please consider my testimony in support of SB 2291.

Temporary Assistance for Needy Families (TANF) is an economic assistance program administered by human service zones. This program assists the lowest income and most economically fragile families with young children. At the same time, TANF is highly regulated and technical program both to participate in and to administer. The Human Service Zones do the important work of determining eligibility for these economically fragile families with young children.

The TANF program is intended to move low-income families from public assistance to self-sufficiency by providing cash assistance along with work readiness, training, and job placement services.

As Michele Gee, Director of Economic Assistance, has previously testified to, Senate Bill 2291 and proposes changes to North Dakota Century Code section 50-09-29, setting the maximum benefit level for the TANF Program to “at least fifty percent of the federal poverty level based on household size”.

The House Human Services Committee is currently considering House Bill 1036 with the same intent to raise the maximum benefit level for the TANF Program.

Many of our current policies and laws surrounding TANF are over twenty-five years old and stem from 1997's Welfare Reform Reauthorization Act. Currently a single parent with two children could receive \$422 of earnings per month. With the proposed changes, a single parent household with two children could receive \$960 a month. This would allow for young families to provide the basic necessities to their children.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

Testimony Prepared for the  
**House Human Services Committee**

March 22, 2023

By: Kim Jacobson, Agassiz Valley Human Service Zone Director

**RE: Senate Bill 2291 – TANF Study**

Chair Weisz and members of the House Human Services Committee, my name is Kim Jacobson. I am the Agassiz Valley Human Service Zone Director, which includes the service area of Traill and Steele Counties. In addition, I serve as President of the North Dakota Human Service Zone Director Association. Please consider my testimony in support of SB 2291.

Temporary Assistance for Needy Families (TANF) is an economic assistance program administered by human service zones. This program assists the lowest income and most economically fragile families with young children. TANF was first introduced in North Dakota in 1997, which is over twenty-five years ago. Funding largely comes from federal block grant dollars and have been flexible in nature.

To my understanding, TANF block grant funds have been utilized in North Dakota to fund numerous of non-TANF related activities. This is concerning to me. My concern centers around the utilization of TANF-funds and if we are adequately investing TANF funds to our best ability and intent. It has been a long time since the North Dakota legislature has studied TANF. To do so, would bring information and insight to the legislative body that can be used for future decisions regarding this important program. Please consider passage of SB 2291.

Thank you for consideration of my testimony. I stand for questions from the committee.

**House Human Services Committee**  
**March 22, 2023**  
**SB 2291**  
**Senator Kathy Hogan**

Chair Weisz and members of the House Human Services Committee, my name is Kathy Hogan, and I represent District 21.

SB 2291 is a bill that simply raises the monthly Temporary Assistance to Needy Family (TANF) benefit from 25% of the poverty level to 50% of the poverty level. The Senate changed this bill into a study resolution.

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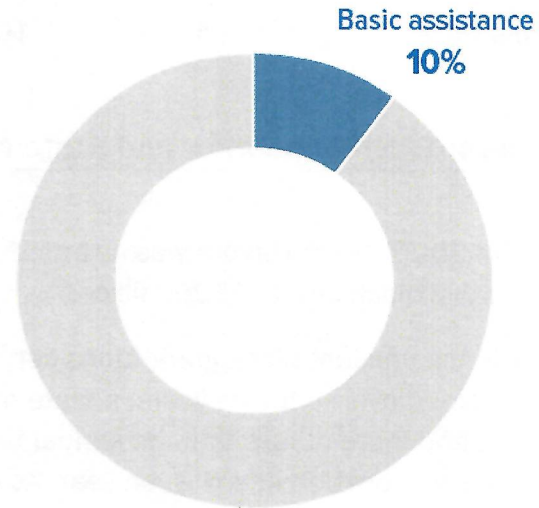
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### 2020 TANF Allocation and MOE Obligation for North Dakota

|                              |              |
|------------------------------|--------------|
| <b>Federal Funds Awarded</b> | \$26 million |
|------------------------------|--------------|

|                           |              |
|---------------------------|--------------|
| <b>80% MOE Obligation</b> | \$10 million |
|---------------------------|--------------|

### 2020 Federal and MOE TANF Expenditures for North Dakota

|                         |              |
|-------------------------|--------------|
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|-------------------------|--------------|

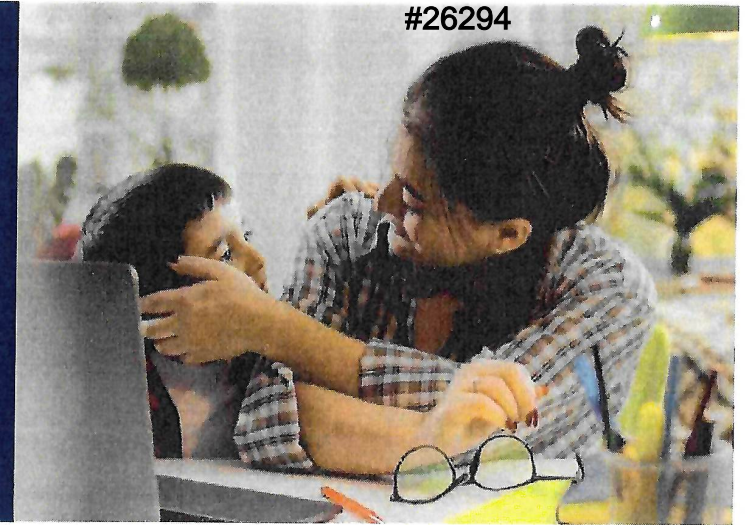
|                     |             |
|---------------------|-------------|
| <b>MOE Spending</b> | \$9 million |
|---------------------|-------------|

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# Temporary Assistance for Needy Families Program

The Temporary Assistance for Needy Families (TANF) program is intended to move low-income families from public assistance to self-sufficiency by providing cash assistance along with work readiness, training and job placement services.



## Who does TANF serve?

The TANF program helps families with children under age 18 or who will graduate or receive their GED by age 19 and are deprived of parental support or care. A child is considered deprived of parental support when a parent is absent due to divorce, separation, death or one or both parents are aged or disabled. This includes a deprived child or children who are living with:

- One parent
- A two-parent family (in which one or both parents are aged or disabled)
- A family member
- A woman in her third trimester of pregnancy

## Asset Limits

Assets limits are \$3,000 for one individual, \$6,000 for a household of two individuals, and an additional \$25 per person for households of three and more.

## Program Requirements

### Cooperation with Child Support

- Individuals are required to cooperate with child support while receiving TANF unless they have good cause.

### Work requirement

- TANF has a work requirement which combines components of education, training and employment to enable participants to become self-sufficient. This is offered through the JOBS Program, Jobs Opportunity and Basic Skills.

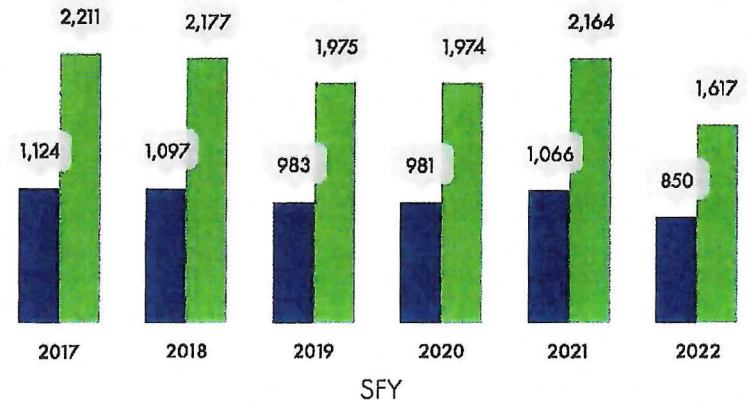
## Program Limits:

Individuals may receive TANF up to 60 months within your lifetime. **Note:** There are some exceptions to this limit.

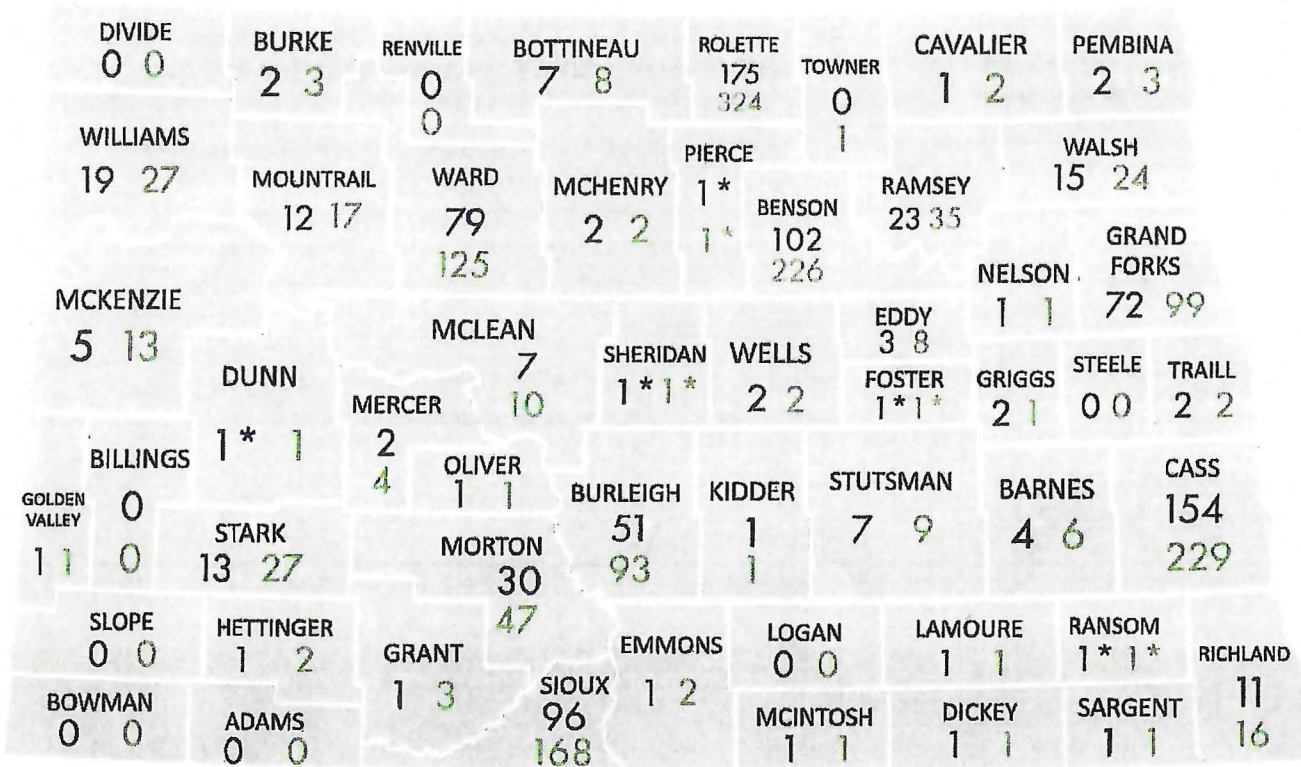
Learn more at [hhs.nd.gov/tanf](https://hhs.nd.gov/tanf)

# Average Number of TANF Families and Children Served by State Fiscal Year

Average Number of Families and Children Served Monthly by State Fiscal Year



Number of Families and Children Served by County in State Fiscal Year 2022



■ Families  
■ Children

\*Averages less than one have been rounded up

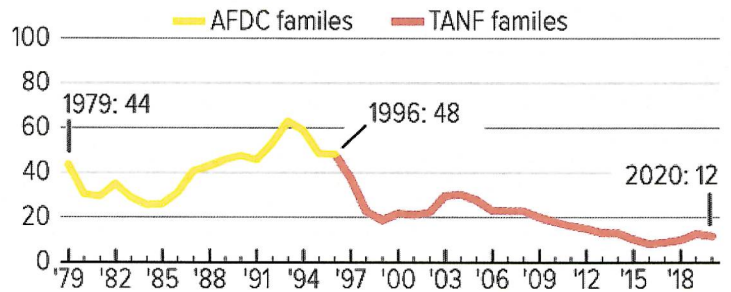
# TANF Cash Assistance Should Reach Many More Families in North Dakota to Lessen Hardship



In 2019-20, for every 100 families living in poverty in North Dakota, only 12 received TANF cash assistance. This “TANF-to-poverty ratio” has fallen 36 points since 1995-96. If TANF reached the same share of families in poverty that its predecessor AFDC did in 1996, 2,936 more families in North Dakota would be helped by TANF now.

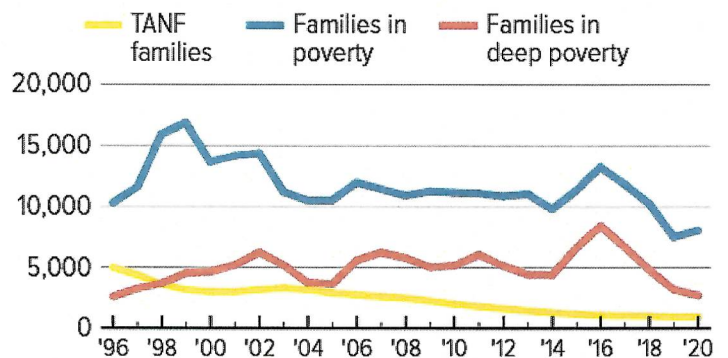
| TANF-to-poverty ratio | 1995/96 | 2019/20 |
|-----------------------|---------|---------|
| North Dakota          | 48      | 12      |
| National              | 68      | 21      |

**Number of Families in North Dakota Receiving AFDC/TANF Cash Assistance for Every 100 Families With Children in Poverty**



| Families with children | 1995/96 | 2019/20 |
|------------------------|---------|---------|
| Receiving AFDC/TANF    | 4,950   | 935     |
| In poverty             | 10,269  | 8,030   |
| In deep poverty        | 2,580   | 2,687   |

**Changes in AFDC/TANF Cases and the Number of Families With Children in Poverty and Deep Poverty in North Dakota**



Source note: TANF = Temporary Assistance for Needy Families; AFDC = Aid to Families with Dependent Children. CBPP analysis of poverty and deep poverty data from the Census' Current Population Survey. CBPP uses two-year averages of the poverty data and the TANF-to-Poverty ratios to improve the reliability of the data at the state level. Single year labels represent two-year averages for state data. For example, "2020" represents "2019-2020." AFDC/TANF caseload data from Department of Health and Human Services and (since September 2006) caseload data collected from state agencies. All ratios are rounded and point differences between ratios may appear inexact due to rounding.