

BACKGROUND ON CURRENT TANF RULES IN TEXAS

The TANF Personal Responsibility Agreement

All adult TANF recipients must sign a Personal Responsibility Agreement as a condition of receiving TANF for their family. The PRA includes the following work, parenting, and conduct rules:

- Participate in approved work activities, known as the “Choices” work requirement;
- Not quit a job voluntarily;
- Cooperate with child-support collection efforts;
- Keep children in school;
- Ensure children are current with their immunizations;
- Ensure children receive required health and dental check-ups;
- Attend parenting classes; and
- Not abuse alcohol or drugs.

The Choices Work Requirement

Each caretaker applicant age 16 through 59 who is not exempt must participate in employment services for 30 hours weekly (more if a two-parent family). Work activities include searching for work, training or preparing for work, or actual work.

Work Exemptions

Under current rules, the Health and Human Services Commission (HHSC) establishes exemptions from the TANF work requirement (“Choices”) when initially certifying families for TANF. The following recipients qualify for exemptions:

- Single parents or relatives caring for a child under age one;*
- Persons age 60 and over;
- Children under age 19;
- Persons needed at home to provide care for an ill or disabled household member;
- Persons who are temporarily or permanently disabled;
- Women who are pregnant and unable to work; and
- Single grandparents, age 50 or over, caring for a child under age three.

*** Note:** This is the only exemption in federal law. Federal law does not prohibit states from establishing other exemptions; however, it does require states to engage at least 50% of all TANF adults in federally approved work activities. With only a few exceptions, federal law considers most adult TANF recipients “work-eligible” and requires states to include them when calculating their work participation rate. As a result, many TANF recipients exempt from work requirements under state law are still included in Texas’ work participation rate.

In November 2006, 30% of adult TANF recipients had exemptions from the work requirement; 70% of these exemptions were given to adults with disabilities or those caring for family members with disabilities. These are not permanent exemptions. HHSC caseworkers review the exemptions every six months when families apply to renew their TANF benefits to make sure the reason for the exemption still exists. Exempt adults may still participate in the employment services offered to “mandatory” (non-exempt) TANF recipients, but they do not risk losing their assistance for failure to meet the work requirement.

“Good Cause” Reasons for Avoiding a Sanction

When a person is sanctioned for violating a program requirement, she may request to have the sanction removed if she can show a “good cause” for the violation. Good cause is granted on a case-by-case basis, is temporary, and does **not** exempt a person from complying with program requirements in the future. Good cause reasons are spelled out in HHSC rules and include:

- Temporary illness or incapacitation;
- Court appearance;
- Caring for a physically or mentally disabled household member who requires the recipient's presence in the home;
- No available transportation and the distance prohibits walking;
- No available job within reasonable commuting distance, as defined by the local workforce board;
- An inability to obtain needed child care;
- An absence of other support services necessary for participation;
- Receipt of a job referral that results in an offer below the federal minimum wage, except when a lower wage is permissible under federal minimum wage law;
- An individual or family crisis or a family circumstance that may preclude participation, including substance abuse or mental health crises;
- Disability-related issues provided the recipient engages in problem resolution through appropriate referrals for counseling and support services; or
- An individual is a victim of family violence.