



Changes to Maine's Safety Net Programs

October 5, 2013

Maine Equal Justice Partners

www.mejp.org



About Maine Equal Justice Partners (MEJP)

- **We work to find solutions to poverty and improve the lives of people with low income in Maine.**
- **We accomplish our mission through:**
 - Public policy advocacy in the legislature and with governmental agencies
 - Legal representation and impact litigation on systemic issues
 - Statewide outreach and training on issues affecting people with low income and the supports that can help them prevent or move out of poverty
- **MEJP focuses its work on the issues that affect people’s daily lives - access to adequate health care, food and income security, supports for working families, and higher education and training opportunities.**
- **Our website contains much information about public benefit programs—www.mejp.org**



What we plan to cover today

1. **MaineCare**

- Legislative Changes to the Program
- Opportunity to Expand Coverage

2. **Temporary Assistance for Needy Families (TANF)**

- Housing Special Needs Allowance
- Time Limits
- ASPIRE Assessments

3. **Public Assistance Programs for Immigrants**

- TANF and Food Supplement Benefits for asylum seekers
- State SSI for Immigrants and Refugees

4. **General Assistance (GA) Program – legislative changes**

5. **Property Tax Fairness Credit replaces “Circuit Breaker” Program**

6. **Food Supplement Program – benefit reduction**

7. **Administrative Changes at DHHS**

Over the last several years, MaineCare has been the target of numerous legislative cuts.



The Legislature cut Medicare Savings Program (MSP) eligibility

The eligibility limit for MSP was 185% of the federal poverty level (FPL) until recently. In 2012, the Legislature voted to eliminate coverage for seniors and people with disabilities with incomes between 175-185% of the FPL. As a result, the eligibility limit is now 175% FPL (\$20,108 for a single person).

The federal government agreed to permit the State to implement this cut to the MSP. This cut went into effect on March 1, 2013, however a law suit has been filed challenging the federal approval of this cut.



Further cuts to the MSP were proposed in the 2013-2014 State Budget

In January 2013, the Governor's supplemental budget proposed to limit this program to people with income at or below 135% of the federal poverty level (\$15,512 for a single person; \$20,939 for a couple).

The Legislature rejected this proposal and eligibility for the MSP program will be maintained at 175% FPL (\$20,108 annually for an individual and \$27,143 for a couple).

In order to achieve some savings, however, some cuts were made:

- The Legislature increased drug co-payments to the federal subsidy level of \$2.65 for generics and \$6.60 for brand names. (Co-payments were previously \$0 for Generics and \$3.30 for brand name drugs).
- An asset test was also added that mirrors the asset test for State In-Home and Community Support Services for Elderly and Other Adults, which is \$50,000 in *liquid* assets for individuals and \$75,000 for couples. Your home and certain other assets do not count as assets under this asset test.

The State Drugs for the Elderly Program (DEL) was also the target of Legislative cuts

- Last year, eligibility was rolled back from 185% FPL to 175% FPL (\$20,108 for a single person).
- The most recent state budget contained a proposal to completely eliminate the DEL Program. The Legislature rejected this proposal. Eligibility for the DEL program will be maintained at 175% FPL. No further cuts were made to this program.

MaineCare with an ineligible spouse

For seniors who are living with a spouse, the income limit can be higher if only one spouse signs up for MaineCare. As a general rule, if the couple is \$356 or less over income, check with an Eligibility Specialist regarding MaineCare with an ineligible spouse.

This eligibility option disregards \$356 from the ineligible spouse's income (this is in addition to the other deductions). It also may be possible for spouses to alternate eligibility, switching their eligibility status with one another as often as once per month.

Governor LePage proposed to eliminate this income disregard in the 2013-2014 budget but the proposal failed to get the support of the Legislature so this option remains for low-income seniors living with a spouse who would otherwise be over income.



Other Cuts to MaineCare Eligibility

Childless Adult Waiver (“Non-Categoricals”):

In February of 2012, enrollment in the Childless Adult waiver program was frozen. For State Fiscal Year ‘13, spending in the program was cut from an annual cap of \$80.3 million to \$40 million.

Individuals receiving benefits at the time of this cut remained eligible, but no new individuals could enroll. There are currently close to 10,000 members receiving benefits in this group; Approximately 25,000 are on the waiting list and cannot be served. **This program will end on December 31, 2013.**

The Legislature rolled back MaineCare coverage for parents from 200% FPL to 100% FPL – only some of this cut has taken effect to date , the rest will take effect on January 1, 2014.

Parents 100-133% FPL: The Federal government rejected Maine’s request to eliminate MaineCare coverage for 14,500 parents until December 31, 2013. These parents will lose coverage on January 1, 2014, but many may be eligible for “Transitional MaineCare” (see below).

Parents 133-150% FPL: MaineCare benefits for these parents was terminated on March 1, 2013. However, many of these parents with income between 133% FPL (*\$2,164 per month for family of 3*) and 150% FPL (*\$2,441 per month for a family of 3*) were found eligible for “**Transitional**” MaineCare if they were working or receiving child support when they lost their regular MaineCare benefits. Transitional MaineCare lasts for 3, 6, or 12 months depending upon a family’s circumstances.

Transitional coverage should have happened automatically. Any family that thinks they should have received Transitional MaineCare, but did not, should check with their case worker.

Parents 151-200% FPL: MaineCare benefits for these parents was terminated on March 1, 2013. These parents were not eligible for “Transitional” MaineCare.

Important Note: Any parent who lost coverage as a result of this cut who is pregnant should reapply for MaineCare. Pregnant women remain eligible for MaineCare if their income is 200% FPL or below. Children remain eligible up to 200% of the federal poverty level.

Last year, the Legislature voted to eliminate MaineCare coverage for young adults—19 and 20 years old with incomes below 150% FPL.

The federal government rejected the State's request to eliminate MaineCare coverage for **6,500 young adults** (19 and 20 years old) who are under 150% of the poverty level (*\$16,755/year for a single individual*).

Coverage for this group of young adults is protected until 2019.



An Opportunity Maine Cannot Afford to Pass Up

- The Affordable Care Act (ACA) allows states to provide Medicaid coverage to all adults with incomes up to 138% of the federal poverty level (*\$15,856/year for an individual; \$26,951/year for a family of three*) beginning January 1, 2014.
- For states that expand coverage, the federal government pays 100% of the cost for covering all “newly eligible” individuals for the first 3 years. After that, the State’s share would still be considerably smaller than under the current MaineCare program.
- Unfortunately Governor LePage vetoed a bill –LD 1066—that would have required the State to take advantage of this unprecedented opportunity. The Legislature was just a few votes short of overriding that veto.
- Because Maine did not pass this legislation, 10,000 childless adults and 14,500 low income working parents currently receiving coverage will lose it on January 1, 2014.

Cover Maine Now!



IT IS NOT TOO LATE– the Legislature could still vote to expand Medicaid during the next legislative session. Legislation has been filed to accept federal funds to provide this coverage. A broad-based coalition of nearly 90 organizations are working together to help make this happen.

Please contact your legislator to urge him/her to support this legislation or write a letter to the editor in your local paper urging Maine to accept federal funds to expand access to health care for thousands of uninsured Maine people.

Accepting these funds will:

- Provide 69,500 people with health insurance who will otherwise go uninsured;
- Create more than 3,100 new jobs;
- Bring \$250 M new federal dollars to Maine and generate \$16-18 M dollars in new state revenue;
- Avert a significant portion of hospital charity care expense which is ultimately passed on to all other payers in the health care system.

Changes to the TANF Program

- On October 1st, 2013, more than 3,000 families with children who get TANF saw a \$100 increase in their TANF benefit.
- The state budget included an increase to the **Housing Special Needs (HSN) payment** in the TANF program. The HSN payment did give \$100 extra each month for families who use 75% or more of their income to pay for housing. The state budget doubled this amount from \$100 to \$200.
- This is critically needed as TANF benefits are low. TANF benefits have not increased since 2001. The maximum monthly TANF benefit for a family of three is only \$485 without the HSN payment. This is rarely enough to pay the mortgage or rent, let alone pay for all the other basic necessities children need. The increase to the HSN payment will help families stretch their TANF grant further to help meet their basic needs.



The TANF Time Limit

- There is now a 60-month time limit in the Temporary Assistance for Needy Families (TANF) program. After receiving TANF for 60 months participants needs to qualify for an extension to keep getting TANF.
- You can get an extension in certain circumstances, like if you have a disability that keeps you from working, if you have to stay home to care for a disabled family member, or if you are in a qualifying education or training program.
- For a full list of the circumstances under which you can get an extension or circumstances under which parents are exempted from the time limits, visit <http://www.mejp.org/content/tanf-time-limit-rules-intro>.

TANF Time Limits and Maine Families: Consequences of Withdrawing the Safety Net

by Sandra Butler, Professor of Social Work, University of Maine

- The study found that families losing assistance face multiple barriers to work and experience severe hardships as a result of losing TANF assistance due to the time limits.
- Further, the findings indicate a failure by the Department of Health and Human Services (DHHS) to properly implement key statutory protections, including the extensions, in a fair and uniform manner.
- The study also raises important questions about the adequacy of services provided to families, particularly those with disabilities, through the ASPIRE program while they are receiving TANF.



TANF extensions

- Some people have had a hard time getting an extension when it seems like they should qualify. DHHS plans to make some changes to address this problem, but in the meantime, if you or someone you know runs into a problem please contact Crystal Bond at Maine Equal Justice Partners – Toll Free: (866)626-7059, ext. 205.
- **TIP:** If someone times off TANF and cannot get an extension but then their circumstances change, they may be able to get TANF again. For example, if someone times off TANF and later becomes disabled she can apply for an extension based on her disability.

New ASPIRE Assessment Process

DHHS will start a new assessment process in the ASPIRE program for all new participants coming onto the program beginning in December 2013. Within the next couple years DHHS will also start assessing the current TANF caseload.

The Department of Vocational Services at Maine Medical Center will conduct the assessments over the course of 2 sessions to identify peoples' strengths and barriers so that TANF/ASPIRE can do a better job working with them to provide the appropriate supports and services to meet their employment goals.

Based on the assessment results Maine Medical will provide a report to the ASPIRE caseworker who should work with the TANF participant to create a family contract that will help them meet their goals and provide appropriate accommodations based on any mental or physical disabilities. TANF parents will get a copy of this assessment.

Legislature Temporarily Extends Benefit Eligibility for Asylum Seekers with Work Authorization

- Until now, asylum applicants who were waiting for an asylum decision have been eligible for the **Food Supplement Program** and **TANF** only while they were waiting for work authorization. Once they received their work authorization they would lose their benefits.
- The Maine Legislature just changed the law so that asylum seekers can continue to receive Food Supplement benefits and TANF after receiving work authorization until they actually find work and become employed. Once they have a job they will lose their benefits.

Benefit Eligibility for Asylum Seekers with Work Authorization

- This new policy went into effect on **August 1, 2013**.
- The hardship extension is **temporary** because there is a funding cap on this extension. Once DHHS spends \$261,384 this extension will expire and the old policy will go back into effect.
- We hope that lawmakers will continue this hardship extension in the future without a funding cap. Losing help with food and basic needs the day work authorization comes in the mail makes little sense. It takes some time to find work after receiving work authorization. People need some time to actually find and get a job.
- If you have any questions about this new policy you can contact Robyn Merrill at Maine Equal Justice Partners at **1-866-626-7059**, ext. **207**.

The State Supplemental Security Income (SSI) program for immigrants and refugees

- For the second time over the last two biennial budgets, the Governor proposed the elimination of the state SSI program for immigrants and refugees. This cut was rejected by the Legislature.
- The program provides income support for aged, blind and disabled immigrants who are ineligible for the federal SSI program. In 1996 Congress cut the federal benefit for certain legal immigrants and left it up to states to decide how best to help. With broad, bipartisan support the Maine Legislature created its own state SSI program for immigrants.
- Community leaders and immigrants who receive State SSI attended the budget hearing and testified that the program is a critical lifeline. SSI income is often their only source of income because they are unable to work. The benefit pays for rent, food, medicine and other basic necessities.
- In the end, compassion prevailed, their voices were heard and the Legislature voted to protect this important program.



Changes to the General Assistance Program

The Governor's budget proposed significant cuts to the General Assistance (GA) Program.

Thankfully, most those proposals were rejected by the Legislature and were substituted with recommendations by the GA Working Group, which was convened by the Legislature in 2012 to improve the GA program and identify savings in the program.

The Legislature rejected most of the Governor's proposals to cut the GA Program



REJECTED: The Governor proposed to eliminate GA eligibility for families with children who have reached the TANF 60-month time limit. These families face multiple barriers to work and experience severe hardships as a result of losing their TANF assistance. This proposal would have left many children and their families without a safety net.

REJECTED: The Governor proposed to cap the State's share of GA costs at 50%. The larger service centers, like Portland, Lewiston and Bangor provide the largest amount of GA. These cities currently receive 90% reimbursement from the State once the cities have spent a certain amount on GA. If this proposal were enacted, these cities would only receive 50% reimbursement from the State likely resulting in longer waits or reduced access to GA in those cities.

REJECTED: The Governor's budget proposed to limit GA for housing costs to 9 months in a year. This proposal would have made the temporary 9 month limit, which was enacted as part of the last budget, permanent. The Legislature rejected the Governor's proposal to make the limit permanent. **That means the temporary housing limit expired at the end of June 2013 and is no longer in effect.**



One of the Governor's GA proposals was adopted but it was modified:

- The Governor proposed to make a temporary 10% reduction in the overall maximum benefit amount that an individual can receive permanent.
- The 10% reduction in the overall maximum benefit went into effect in the summer of 2012 but it was intended to expire on June 20, 2013.
- Because this proposal was adopted the 10% reduction stayed in effect. Fortunately, because the Legislature modified the proposal the benefit will increase modestly each year in the same amount as the HUD fair market rent amounts or the poverty levels increase each year with the cost of living.

Many GA Work Group Recommendations were adopted in the budget

Unemployment benefits considered as available income in fraud cases: Unemployment insurance (UI) income will now be considered as available income when calculating GA benefits in situations where the person has lost unemployment benefits due to fraud as defined by the UI program.

Circuit Breaker benefit counted as income in GA: Under existing law, municipal GA administrators are prohibited from counting the Circuit Breaker benefit as available income in the determination of eligibility and benefits. The circuit breaker benefit (now the Property Tax Fairness Credit) will count as income in the GA program. However, it will not count as income in GA if it is used to pay for basic necessities.

More GA Work Group Recommendations adopted in the budget

Pro-rata Calculation for Disqualifications: The pro-rata share of assistance when some, but not all members of a household are sanctioned for a GA program violation will now be calculated by dividing the GA maximum level of assistance available to the entire household by the total number of household members (including the sanctioned member).

Change Lump Sum Calculations: The pro-rata calculation for lump sum payments (e.g., inheritances, SSI retroactive payments, court settlements) has been calculated by using the greater of the entire household's verified actual monthly expenses **or** 150% of the applicable Federal Poverty Level guidelines. Under this new law the pro-rata calculation for lump sum payments can only be based on actual monthly expenses.

Other GA Working Group Recommendations were also adopted in the budget. For a complete list of changes and more details please visit <http://www.mejp.org/sites/default/files/Changes-to-GA-2014-2015-Biennial-Budget.pdf>.

The Legislature repealed the "**Property Tax and Rent Refund Program**" (or "Circuit Breaker") and replaced it with the "**Property Tax Fairness Credit**".

Here are some of the main features of the new credit:

- Most people will claim and receive the credit when filing their state income tax return between January 1 and April 15, 2014. There is no longer a separate application. The 2013 Maine Income Tax Form 1040ME will include a Property Tax Fairness Worksheet to help people figure out the amount of the credit if they qualify and claim it.
- If someone does not normally file an income tax return, he or she can apply for the credit through DHHS. More information on this later (after DHHS has set up its rules and procedures).
- The refund (now "credit") still applies to both homeowners who pay property tax and renters. To qualify, your household income must be \$40,000 or less. Your property tax on your home in Maine must be more than 10% of your adjusted gross income. If you pay rent, your rent was more than 40% of your adjusted gross income.
- The maximum amount of the credit is much lower than under the prior program. For tax year 2013, the maximum credit is \$300 (\$400 for people 70 years of age or older).
- Due to stricter eligibility guidelines, many fewer people will qualify for the credit.
- The credit is "refundable." This means that the State will pay you the credit if you qualify, even if you owe nothing in taxes (or owe less than the amount of the credit).

Reduction in Food Supplement Benefit



On November 1st, all households receiving Food Supplement (FS) benefits will see a reduction in their benefit.

This is because a boost in the benefit with the 2009 Recovery Act (ARRA) is expiring.

Reduction in Benefit by Household

All SNAP Households Will See a Cut in November 2013

Monthly cut in SNAP benefits by household size



*Households of size 1 or 2 that qualify for less than \$16 have their benefits rounded up to the minimum benefit. That amount will drop to \$15 in FY2014.

Source: Official USDA Food Plans: Cost of Food at Home at Four Levels, U.S. Average, June 2013, with household size calculations by CBPP.

The reduction in Food Supplement benefits will likely cause hardship for many

- Some families and individuals may need help from a food pantry to make up this loss.
- You can find a list of food pantries that may be able to provide some help at:
<http://www.maine.gov/agriculture/co/tefap/bytown.shtml>
or at <http://gsfb.org/help/food-map/>.
- Those who do not have access to a computer can call 2-1-1. 2-1-1 is a statewide directory of over 8,000 health and human services available in Maine. The toll free 2-1-1 hotline connects callers to trained call specialists who can help 24 hours a day, 7 days a week.

Big Changes at DHHS



Some DHHS offices are strained and case workers' caseloads are way too big. DHHS is making some changes to address this issue. They are switching from a **case worker model** to a **statewide call center model**. Here are some of the ways it is going to work:

- Clients will no longer have a single case worker.* Instead, all DHHS caseworkers will be able to assist with each case.
- All mail sent to DHHS will be scanned into a statewide database that all workers will be able to access.
- When people call DHHS they may talk with a worker at their local office or they may talk with a worker in another part of the State.
- Clients will still be able to go to their local DHHS office but they will not necessarily meet with the same person every time.

* People in the TANF program will continue to have an ASPIRE caseworker assigned to their case.

Kiosks – another way to apply for benefits



- DHHS is setting up kiosks in all of their offices. People who go into a DHHS office will have the option of using a kiosk if they don't want to wait to meet with a caseworker.
- DHHS staff should be available to assist people if you have any questions using the kiosk.
- The kiosks are optional. People do not need to use them. They can still opt to meet with someone in person.

Apply for Benefits Online: My Maine Connection



- DHHS has a new online application and screening tool for public programs: www.maine.gov/mymaineconnection/
- People can fill out a screening tool anonymously to find out if they are eligible for TANF; Food Supplement; MaineCare; WIC; Child Care; and/or EITC
OR they can go directly to an online application to apply for TANF; Food Supplement; MaineCare; and/or Child Care.
- People are not required to apply online. Everyone will still have the **CHOICE** of applying in person or requesting an application over the phone.

My Maine Connection



- **AFTER YOU SUBMIT AN ONLINE APPLICATION** – the application will be followed up with a call from a DHHS caseworker to review and supplement the application and arrange for any needed verification (like copies of wage stubs, birth certificates, drivers license, etc. if required).
- People can also recertify for benefits using My Maine Connection. When they receive notice in the mail that their benefit renewal is due they are informed that they can go to My Maine Connection to recertify online.

Coming soon, people will be able to use My Maine Connection to:



1. update their personal information. If their address changes, for example, they will be able to update it online without having to contact a DHHS caseworker.
2. check their current benefits.
3. go “paperless” by choosing electronic notification. Instead of receiving notices in the mail they will receive them on My Maine Connection. If they miss an electronic notice, DHHS will send them a reminder in the mail to let them know that they have a notice that they have not viewed yet.

My Maine Connection



Advocacy Tips:

- When people apply they will get a distinct tracking number called a confirmation number—note it as proof of application. Best practice is to click on the application summary link and save the PDF to their desktop or print that page off (that page will have their tracking number and the date of application on it).
- **These programs have time limits in which applications must be processed according to federal law.** The new system should not unduly delay benefits in violation of law. If this is happening please let us know.

With all of these changes, there may be some 'speed bumps' along the way.



- If you run into any problems, you can contact the My Maine connection Helpdesk at 1-855-797-4357 or mmchelp.dhhs@maine.gov.
- If that does not resolve your issue you can contact Crystal Bond at Maine Equal Justice Partners – Toll Free: (866)626-7059, ext. 205.

THANK YOU for the work
you do and for taking the time to
come to this workshop today.

Any Questions or Comments?