

NEW YORK STATE ASSEMBLY

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Committee On
Social Services

Carl E. Heastie • Speaker
Linda B. Rosenthal • Chair



ANNUAL REPORT



LINDA B. ROSENTHAL
Assembly Member 67th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Committee on Social Services

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Agriculture
Codes
Health
Housing

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Taskforce on Women's Issues
Legislative Women's Caucus

December 15, 2022

Honorable Carl E. Heastie
Speaker of the Assembly
Legislative Office Building, Room 932
Albany, NY 12248

Dear Speaker Heastie:

On behalf of the Assembly Standing Committee on Social Services, I respectfully submit the Committee's 2022 Annual Report. Through various budget and policy initiatives over the course of the year, the Committee has worked diligently to address such issues as homelessness, aid domestic violence survivors and ensure those most in need of financial assistance receive adequate benefits.

In the enacted budget for State Fiscal Year 2022-23, the Committee successfully restored funding for programs that provide critical services for low-income residents. The Committee also made significant improvements to the State's public assistance eligibility requirements by connecting the percentage of income to be disregarded to the Consumer Price Index. Additionally, the enacted budget eliminated the ability of local social services districts to impose a lien on an individual's home to become eligible for public assistance. Together, these changes will expand eligibility for public assistance and help more low-income New Yorkers escape poverty.

This year, the Committee was also successful in securing the passage of various pieces of legislation to assist low-income individuals and families achieve greater economic stability. These legislative achievements included authorizing households receiving Supplemental Nutrition Assistance Program (SNAP) benefits to obtain two Electronic Benefit Transfer cards to help families access food more easily and ensuring that potential recipients of public assistance benefits are made aware of their rights when applying for benefits. To assist households applying for SNAP and other public assistance benefits, the Committee also reported legislation, which was later signed into law, requiring all local social service districts to allow applicants to submit necessary paperwork electronically.

The Committee remains committed to advancing legislation to improve the current social services system to assist the transition of impoverished New Yorkers from public assistance to economic independence. I thank you for your support and leadership throughout the past session. I look forward to working with you and all our colleagues in the Assembly in the upcoming legislative session to build upon this progress and continue to strengthen these vital services that provide a path to self-sufficiency for some of the most vulnerable in our State.

Sincerely,

A handwritten signature in cursive script that reads "Linda Rosenthal".

Linda B. Rosenthal
Chair
Assembly Committee on Social Services

**2022 ANNUAL REPORT
OF THE
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON SOCIAL SERVICES**

**Linda B. Rosenthal
Chair**

Committee Members

Majority

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Maritza Davila
Manny De Los Santos
Simcha Eichenstein
Nathalia Fernandez
Phara Souffrant Forrest
Jessica González-Rojas
Pamela J. Hunter
Nikki Lucas
Karines Reyes
Daniel Rosenthal
Michaëlle C. Solages

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Keith P. Brown
Robert Smullen
Mark Walczyk

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Nicholas Guile, Committee Clerk

Program and Counsel Staff

Jennifer Sacco, Assistant Secretary for Program and Policy
Janice Nieves, Assistant Secretary for Program and Policy
Jennifer Marrero, Principal Analyst
Lauren Ryan, Legislative Analyst
Gabriella Cavanagh, Associate Counsel
Sarah Conklin, Executive Secretary

TABLE OF CONTENTS

I. INTRODUCTION.....	1
II. SIGNIFICANT LEGISLATION 2022.....	3
A. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)	3
B. PUBLIC ASSISTANCE ACCESS	3
C. HUMAN TRAFFICKING	3
D. OTHER LEGISLATIVE INITIATIVES.....	3
III. SFY 2022-23 STATE BUDGET HIGHLIGHTS	5
A. Overview of the Temporary Assistance to Needy Families (TANF) Block Grant.....	5
B. TANF Programs and Allocations	5
C. Emergency Rental Assistance Program (ERAP).....	6
APPENDIX A	7
APPENDIX B.....	8
APPENDIX C.....	12

I. INTRODUCTION

The Assembly Social Services Committee has jurisdiction over legislation affecting programs providing financial and support services to indigent households in New York State. The work of the Committee also affects the aged, blind, and disabled residing in the community and in residential care facilities. The statutory basis for these programs is contained in the State Social Services Law.

The Committee works with the Committees on Health, Children and Families, Aging, Labor, and Housing. The Committee has legislative oversight responsibilities for programs administered by the Office of Temporary and Disability Assistance (OTDA).

OTDA is responsible for supervising programs that provide assistance and support to eligible families and individuals in the state. Some of OTDA's functions include providing temporary cash assistance; providing assistance in paying for food; providing heating assistance; overseeing New York State's child support enforcement program; determining certain aspects of eligibility for Social Security Disability benefits; supervising homeless housing and services programs; and providing assistance to certain immigrant populations.

The Legislature enacted the Social Services Law to authorize the administration of basic temporary assistance and emergency support programs statewide. The local Departments of Social Services (DSS), or Human Resource Administration (HRA) in New York City, implement the Social Service Law to provide temporary help to individuals and families with their economic and social services needs to assist them in reaching self-sufficiency. These programs include Family Assistance, Safety Net Assistance, Emergency Assistance to Needy Families with Children, Emergency Assistance for Adults, and certain parts of the Supplemental Security Income Program.

- Family Assistance (FA) - FA is a federally funded temporary assistance (TA) program for families. FA can only be provided to a family that includes a minor child living with a parent or caretaker relative, or to a pregnant woman. As a TANF-funded program, FA is subject to the state 60-month lifetime limit on assistance.
- Safety Net Assistance (SNA) - established by the Welfare Reform Act (WRA) of 1997 to provide assistance to individuals and families who are ineligible for Family Assistance (FA) or other federal temporary assistance programs. The SNA program is comprised of cash and non-cash components.
- Emergency Assistance to Needy Families with Children (EAF) - is a federally funded program which provides assistance to deal with crisis situations threatening a family with a child under the age of 18, or under 19 and attending full-time secondary school or the equivalent level of vocational or technical training. EAF is designed to meet needs resulting from a sudden occurrence or a set of circumstances that was unforeseen and beyond the applicant's control that demand immediate attention.
- Emergency Assistance for Adults (EAA) - are grants to assist aged, blind or disabled individuals and couples who have been determined eligible for or are receiving Federal Supplemental Security Income (SSI) benefits or additional state payments and applied for such assistance to meet emergency needs that cannot be met by the regular monthly benefits of SSI and additional state payments.

- Supplemental Security Income (SSI) Program- established by Congress in 1974 under Title XVI of the Social Security Act. The Social Security Administration (SSA) administers the program which provides a federal grant to individuals and couples who are aged, blind, or disabled.

Homeless Services

Local social services districts also have a responsibility to provide services and assistance to individuals in an effort to prevent homelessness, to meet the temporary housing and other immediate needs of eligible homeless persons, and to assist homeless persons in securing permanent housing. Individuals eligible for such assistance are those who are both homeless and eligible for TA.

Domestic Violence

The federal Wellstone-Murray Family Violence Option allows states to address the safety needs of domestic violence victims and their children within the state's TANF plan. The Family Violence Option includes procedures for screening for domestic violence, assessment, and service referrals.

Supplemental Nutrition Assistance Program (SNAP)

New York administers the federal Supplemental Nutrition Assistance Program (SNAP), which issues monthly benefits that can be used to purchase food at authorized retail food stores. Benefits are provided through an electronic benefit card, similar to a debit or credit card. Eligibility and benefit levels are based on household size, income, expenses, and other factors.

Any person has the right to file an application for a type of temporary assistance or care with the local social services district at any time. Each applicant for services is required to meet all eligibility requirements in order to receive benefits. OTDA has created a website, mybenefits.ny.gov, where individuals are able to learn about available benefits and the requirements to receive such benefits.

II. SIGNIFICANT LEGISLATION – 2022

A. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

Authorizing Two Electronic Benefit Transfer Cards for Certain Households

A.9749-B (Eichenstein)/ S.8972-A (Salazar)

Chapter 376 of 2022

This law requires that at least two electronic benefit transfer credit or debit cards for SNAP benefits are authorized for use by any recipient household having more than one parent or guardian residing in the household on a full-time basis.

Accepting Paperwork Electronically

A.9118-A (Rosenthal, L.)/ S.6348-A (May)

Chapter 697 of 2022

This law authorizes and directs local social services districts to accept the submission of SNAP and other public assistance paperwork electronically.

B. PUBLIC ASSISTANCE ACCESS

Notice of Basic Rights for Public Assistance Recipients

A.5817-A (Hunter)/ S.3178-A (Sanders)

Chapter 377 of 2022

This law requires local social services districts to display a poster with information regarding the basic rights of applicants and recipients under the public assistance program.

Eligibility for Public Assistance, Exemptions

A.6709-B (Rosenthal, L.)/S.5759-B (Brisport)

Chapter 749 of 2022

This bill would exempt financial assistance received by individuals participating in a research pilot program from eligibility determinations for Public Assistance.

C. HUMAN TRAFFICKING

Availability of Social and Legal Services for Human Trafficking Survivors

A.3331 (Hevesi)/S.924 (Ramos)

Chapter 658 of 2022

This law clarifies the obligation of law enforcement to refer human trafficking victims to social and legal services in certain instances.

D. OTHER LEGISLATIVE INITIATIVES

Providing Menstrual Products in Shelters

A.8783 (Rosenthal, L.)/S.7697 (Hinchey) – Chapter Amendment

Chapter 72 of 2022

This law clarifies that state funded homeless shelters are required to provide an adequate supply of feminine hygiene products at no cost to adults and children.

Child Poverty Reduction Advisory Council

A.8830 (Bronson)/S.7800 (Ramos) - Chapter Amendment

Chapter 114 of 2022

This law extends the deadline of various reports issued by the Child Poverty Reduction Advisory Council.

Providing Flexibility in the Funding of Certain Weatherization Programs

A.10156 (Conrad)/ S.8980 (Persaud)

Chapter 295 of 2022

This law allows the Division of Homes and Community Renewal (DHCR) to direct Low Income Home Energy Assistance funds to the housing trust fund corporation or the housing finance agency and expand the allowable uses of the funds to include weatherization or energy upgrades beyond what it explicitly offered by DHCR's Weatherization Assistance Program.

Updating the Social Services Law Terminology

A.7443-C (Abinanti)/ S.6195-B (Persaud)

Chapter 477 of 2022

This law eliminates outdated terminology and replaces it with updated terms throughout various sections of the social services law.

Home Visiting Services

A.2549 (Fahy)/ S.9106 (Persaud)

Chapter 819 of 2022

This bill would establish eligibility criteria for public assistance recipients to receive home visiting services; require local social services districts to inform eligible public assistance recipients about the program. In addition, it would allow other members of the family who are still required to participate in work activities to count some of their time spent participating in the home visiting program as part of their required work hours.

III. SFY 2022-23 STATE BUDGET HIGHLIGHTS

A. Overview of the TANF Block Grant

The nation's social services system was dramatically reformed with the enactment of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The federal law adopted a "work first" approach, eliminated entitlement to cash assistance and imposed time limits, work requirements and sanctions on recipients. The cornerstone of the law was the creation of the TANF block grant, which provides states funds for their cash assistance and welfare-to-work programs.

New York received \$2.442 billion for the Family Assistance program through the federal TANF block grant. The 2022-23 state budget included approximately \$1.5 billion to support benefit payments to low-income New Yorkers.

B. TANF Programs and Allocations

New York's TANF program has developed into the state's most critical system of support and assistance for children and families who struggle to make ends meet. In New York State, programs including wage supplements, tax credits, job training and skill development, case management and counseling, child care and transportation were developed to assist families in need during the transition from poverty to self-sufficiency through work. For several years, New York State has been authorized to utilize TANF funds not only for families eligible for federal assistance through the FA program, but also for families whose income does not exceed 200% of the federal poverty level.

The 2022-23 budget included a Flexible Fund for Family Services (FFFS) to provide local districts with a block grant. For a program to receive funding out of the TANF surplus, it must meet one of the four TANF purposes:

1. Provide assistance to needy families;
2. End the dependence of needy parents by promoting job preparation, work and marriage;
3. Prevent and reduce out-of-wedlock pregnancies; and
4. Encourage the formation and maintenance of two-parent families.

Below is a breakdown of state spending of the TANF dollars for the SFY 2022-23:

CHILD CARE INVESTMENTS

The child care subsidy program provided by local social services districts enables an income-eligible parent or caretaker to work or engage in other approved activities by helping parent(s)/caretaker(s) to pay some or all the cost of child care services. A total of \$832 million in combined state and federal funds was included in the budget to provide subsidies to parents.

EMPLOYMENT AND TRANSITIONAL INITIATIVES

Rochester-Genesee Regional Transportation Authority (RGRTA): This program provides a monthly bus pass to allow eligible individuals from seven member counties to travel to and from work, or to participate in work-related activities. In Wayne County, funds are used to support the transportation costs of individuals who use the WATS Demand Response Bus Services or TANF work

participation activities. Funds are also used to extend the WATS service hours to accommodate employees at Kraft. RGRTA was awarded \$82,000 in the budget.

Summer Youth Employment Program (SYEP): This program provides eligible youth with a quality employment and educational experience during the summer months. For many youths, this is their first introduction to the world of work. Valuable lessons which center on employment, including work ethic, appropriate workplace behavior, interaction with co-workers and supervisors, receiving a paycheck and money management are learned. SYEP received a \$46.1 million investment in this year's budget.

Non-Residential Domestic Violence Services: Non-residential domestic violence services are designed to support safety and self-sufficiency needs for domestic violence survivors and their children. An additional \$200,000 was allocated in the enacted budget to support these critical services.

Wage Subsidy Program: Employers are reimbursed for wages and related benefits that the employer paid to the participant during the subsidy period. Using wage subsidies as a hiring incentive, nonprofit agencies work with employers to develop positions for individuals who have been unable to find employment through conventional means. This program was allocated \$475,000 to provide such subsidies.

ACCESS – Welfare to Careers: Metropolitan College's Welfare-to-Careers Consortium Program is collaboration among three major higher educational institutions in New York City (Metropolitan College, Medgar Evers College and Pace University). The Consortium affords participants the opportunity to earn their two-year degree or a baccalaureate degree, thereby greatly increasing their chances of gaining permanent, full-time employment at a sustainable salary level. In the enacted budget, \$800,000 was allocated for the ACCESS program.

Disability Advocacy Program: This program provides for the legal representation of individuals whose federal disability benefits have been denied or may be discontinued and received \$5.3 million in the final enacted budget.

FLEXIBLE FUND FOR FAMILY SERVICES (FFFS)

The FFFS encompasses several Temporary Assistance for Needy Families (TANF) programs administered by local departments of social services that are funded with the Federal TANF Services Block Grant. The SFY 2022-23 allocations for FFFS is \$964 million.

C. Emergency Rental Assistance Program (ERAP)

The New York State Emergency Rental Assistance Program (ERAP) provided financial assistance to low-income households at risk of experiencing homelessness or housing instability by providing rental arrears, temporary rental assistance and utility arrears assistance.

Since the start of the COVID-19 pandemic, New York State has received \$2.43 billion in federal funding to assist households struggling to pay rent or utility costs due to financial instability from the COVID-19 pandemic. The State received additional reallocation amounts that totaled \$297 million. The Legislature provided an additional \$800 million for a grand total of \$3.5 billion.

2022 SUMMARY SHEET

SUMMARY OF ACTION ON ALL BILLS

REFERRED TO THE COMMITTEE ON Social Services

TOTAL NUMBER OF COMMITTEE MEETINGS HELD 5

ASSEMBLY SENATE TOTAL
BILLS BILLS BILLS

BILLS REPORTED FAVORABLE TO:

Codes	1	0	1
Judiciary	0	0	0
Ways and Means	16	0	16
Rules	2	0	2
Floor	7	0	7
TOTAL	26	0	26

COMMITTEE ACTION

Held For Consideration	5	0	5
Defeated	0	0	0
Enacting Clause Stricken	3	0	3
REMAINING IN COMMITTEE	72	5	77

BILLS REFERENCE CHANGED TO:

Children and Families (A8740)

TOTAL	1	0	1
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APPENDIX B

**FINAL ACTION ON BILLS REPORTED BY THE
SOCIAL SERVICES COMMITTEE 2022**

ASSEMBLY BILL # SPONSOR	SENATE BILL # SPONSOR	FINAL ACTION	DESCRIPTION
A.2549 Fahy	S.9106 Persaud	Signed, Chapter 819	Would establish eligibility criteria for public assistance recipients to receive home visiting services; require local social services districts to inform eligible public assistance recipients about the program. In addition, it would allow other members of the family who are still required to participate in work activities to count some of their time spent participating in the home visiting program as part of their required work hours.
A.7443-C Abinanti	S.6195-B Persaud	Signed, Chapter 477	Eliminates outdated terminology and replaces it with updated terms throughout various sections of the social services law.
A.8738 Hevesi	S.7712 Ramos	Signed, Chapter 80	Clarifies the obligation of law enforcement to refer human trafficking victims to social and legal services in certain instances.
A.8783 Rosenthal, L.	S.7697 Hinchev	Signed, Chapter 72	Clarifies that state funded homeless shelters are required to provide an adequate supply of feminine hygiene products at no cost to adults and children.
A.8830 Bronson	S.7800 Ramos	Signed, Chapter 114	Extends the deadline of various reports issued by the Child Poverty Reduction Advisory Council.
A.9118-A Rosenthal, L.	S.6348-A May	Signed, Chapter 697	Would allow local social service districts to accept the submission of public assistance paperwork electrically.
A.9749-B Eichenstein	S.8972-A Salazar	Signed, Chapter 376	Requires that at least two electronic benefit transfer credit or debit cards for SNAP benefits are authorized for use by any recipient household having more than one parent or guardian residing in the household on a full-time basis.
A.10156 Conrad	S.8980 Persaud	Signed, Chapter 295	Allows the Division of Homes and Community Renewal to direct Low Income Home Energy Assistance funds to the housing trust fund corporation or the housing finance agency and expands the allowable uses of the funds to include weatherization or energy upgrades beyond what it explicitly offered by DHCR's Weatherization Assistance Program.

ASSEMBLY BILL # SPONSOR	SENATE BILL # SPONSOR	FINAL ACTION	DESCRIPTION
A.1847 Hevesi	S.843 Gounardes	Reported, Referred to Ways and Means	Would provide that residential domestic violence providers be reimbursed by New York State for any payment differential for housing a single individual in a room intended for double occupancy in order to address the system-wide lack of shelter for single adults.
A.2109 Fernandez	No Same As	Reported, Referred to Rules	Would ensure individuals with limited English proficiency or those who require communication assistance, have access to information regarding the Supplemental Nutritional Assistance Program (SNAP). It would also require all necessary documents regarding SNAP to be translated into the six most common non-English languages spoken by beneficiaries and offer interpretation services and special assistance to those with certain disabilities.
A.2214 Niou	S.742 Biaggi	Reported, Referred to Ways and Means	Would exempt and disregard all assets held by a household when calculating the amount of benefits for such household under any public assistance program.
A.3451-B Solages	S.63-B Persaud	Reported, Referred to Ways and Means	Would allow local social services districts to provide an allowance for Public Assistance recipients to purchase diapers for children under the age of two. The allowance cannot exceed \$80 every three months per eligible child.
A.5741-A Joyner	S.1812-A Persaud	Reported, Referred to Ways and Means	Would require the department of labor to contract with a third party that has previous experience calculating standards of needs in other states to conduct a study that would measure the income adequacy in New York State by family size and geographic location to determine the amount of income necessary to meet the basic needs of families so they can live without assistance.
A.5817-A Hunter	S.3178-A Sanders	Passed Assembly	Would require local social services districts outside of New York City, prior to imposing a sanction on a PA recipient for failure to comply with work rules, to confirm that the recipient is not exempt from the work requirement, and that the recipient had appropriate child care, transportation, and disability accommodations. Additionally, the bill would require sanctions to be removed once the issue has been remedied.

ASSEMBLY BILL # SPONSOR	SENATE BILL # SPONSOR	FINAL ACTION	DESCRIPTION
A.6266-A Hevesi	S.2586-A Brisport	Vetoed	Would establish a good cause exception and prohibit local social services districts from establishing paternity or seeking child support when an applicant or recipient of public assistance has established good cause not to cooperate with the district as it relates to paternity and child support pursuant to state regulations and federal law.
A.7367 Hunter	S.6347 May	Reported, Referred to Codes	Would require local social services districts to withhold rent from a landlord if the apartment of a public assistance recipient does not meet habitability standards set forth in the real property law. Landlords would need to provide proof that any violation has been corrected prior to receiving the back rent.
A.7534-A Rosenthal, L.	S.6589-A Persaud	Reported, Referred to Ways and Means	Would exempt income for individuals participating in certain job training programs and income derived from employment for 6 months thereafter when determining eligibility for public assistance.
A.7760 Anderson	S.7449 Comrie	Reported, Referred to Ways and Means	Would extend the period given to certain public assistance applicants to request a fair hearing from 10 days to 60 days of receiving a medical professional's disability determination or within 60 days of receiving a work activity assignment. It would also ensure that work activity assignments are not enforced if an individual requests a fair hearing pending such hearing and determination.
A.7777-A Rosenthal, L.	No Same As	Reported, Referred to Ways and Means	Would provide an additional \$10 per month to individuals who receive public assistance to purchase menstrual products.
A.8061 Rosenthal, L.	No Same As	Reported, Referred to Ways and Means	Would provide an increase to the personal needs allowance for families in shelter that receive three meals a day.
A.8900-A Rosenthal, L.	S.8632-A Kavanagh	Reported, Referred to Ways and Means	Would set the shelter allowance equal to the recipients actual rent, up to 100% of the fair market rent (FMR) for that apartment size.
A.9099-A Cusick	S.8362-A Parker	Passed Assembly	Would require OTDA to establish a statewide program to provide automated identification of eligible individuals for participation in utility corporation's energy affordability programs.
A.9121 Cusick	S.8361 Parker	Passed Assembly	Would establish an emergency heating energy assistance program.
A.9130 Rosenthal, L.	S.9513 Persaud	Reported, Referred to Ways and Means	Would increase the monthly standard of need and the home energy grant amounts for persons in receipt of public assistance.

ASSEMBLY BILL # SPONSOR	SENATE BILL # SPONSOR	FINAL ACTION	DESCRIPTION
A.10165 Hunter	S.9061 May	Ordered to Third Reading	Would expand the conciliation process to the rest of the state, requiring local social services districts to confirm that the recipient is not exempt from the mandatory work requirement, and that the recipient had appropriate child care, transportation, and disability accommodations, prior to imposing a sanction on a recipient for failure to comply with work rules. In addition, the language would end durational sanctions once the recipient was willing to comply.
A.10180 Rosenthal, L.	S.6722-A Salazar	Reported, Referred to Ways and Means	Would require employees or volunteers at homeless shelters to be trained on recognizing the signs and symptoms of mental illness.

APPENDIX C

LEGISLATIVE HEARINGS/ROUNDTABLES

Public Assistance Benefits In New York State

October 26, 2022

New York City

As New York State works to rebuild its economy in the wake of the COVID-19 pandemic, families continue to struggle to make ends meet. The most recent United States Department of Labor data shows that inflation rose to a record 9.1% in June 2022, the largest gain in nearly four decades, reflecting increased food, shelter and fuel costs nationwide. In that same time period, the United States Census Bureau's Household Pulse Data Survey revealed that 66% of respondents had difficulty paying for their normal household expenses.

To further mitigate the financial burdens caused by the pandemic, the fiscal year 2022-23 enacted state budget included changes to the state's public assistance eligibility determination requirements to capture additional potential recipients. While these changes will expand eligibility, those who currently receive public assistance benefits continue to face growing financial challenges. A 2022 report by the Empire Justice Center highlights shows that even with public assistance, recipients are still more than 50% below the federal poverty level in every county of the State, making it difficult to afford basic necessities. Public assistance grants, intended to cover shelter, utilities and basic necessities, have failed to keep pace with inflation and no longer provide households with the support necessary to escape poverty.

In response to these financial challenges, the Committee held a public hearing to examine the current state of public assistance benefits in light of the economic instability caused by the COVID-19 pandemic. Witnesses highlighted the insufficient benefits offered to recipients who are then forced to make difficult financial decisions, such as whether to purchase groceries for their family or pay utility bills. Many who testified expressed that although this economic instability was amplified by the pandemic, public assistance benefits have been far too low for years. There have been no increases to the public assistance grant amounts in over a decade and some heating assistance grants have not been raised since the 1980s.

In addition to insufficient grant amounts, witnesses expressed the need for a streamlined application process for all public assistance benefits. Currently, recipients must apply for each program separately, creating a cumbersome and time-consuming process for those facing an immediate need. Further, many public assistance applicants are not aware of all the potential programs they may be eligible for, further highlighting the need for a streamlined application process.