

REPORT TO THE LEGISLATURE

**Examining Temporary Assistance for Needy Families
Time Limit and Sanction Data
*Disaggregated by Race and Ethnicity***

RCW 74.08A.265

December 31, 2021

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Executive Summary

[Chapter 320, Laws of 2020](#) directs the Department of Social and Health Services (DSHS) to produce a report, by December 31 of each year, of the race of individuals whose Temporary Assistance for Needy Families (TANF) benefits were reduced or terminated due to sanction or due to reaching the 60-month time limit. DSHS is also required to include in the report steps it is taking to address any racial disproportionality found in the data.

Statutory Requirement

RCW [74.08A.265](#) requires a report on disaggregated data identifying the race of individuals whose TANF benefits were reduced or terminated during the preceding year due to:

- (a) Sanction as described in [RCW 74.08A.260](#); or
- (b) Reaching the 60-month time limit under [RCW 74.08A.010](#).

If the disaggregated data for terminated or sanctioned individuals shows a disproportionate representation of any racial group that has experienced historic disparities or discrimination, the department must describe steps it is taking to address and remedy the racial disproportionality.

Race Matters in Public Assistance

In a September 2019 House Human Services and Early Learning committee work session, the Community Services Division (CSD) of the department's Economic Services Administration presented data showing the presence of racial disproportionality in public assistance and discussed the department's findings and continuous improvement efforts to understand and eliminate disparities and racial disproportionality. The previous year, while reviewing disaggregated data, CSD found a disproportionate impact of the TANF time limit policy on Black and Native American families. Compared to all TANF clients, Black and Native American clients were disproportionately likely to experience a time limit termination of benefits or, if reapplying for benefits, have their application denied based on not meeting time limit extension criteria.

In response, CSD cast a wide net to examine why this disproportionality exists and what could be done about it. This examination included reviewing the 60-month TANF Time Limit Extension (TLE) process and reviewing cases to determine where shortfalls were arising. CSD convened a workgroup that utilized a data-based approach to develop processes to further the work of eliminating disparities and racial disproportionality. CSD continues to consider bias in the construction of the policy, the narrow criteria for granting a time limit extension, unconscious bias in the application of the policy, and wider systemic racism. Each of these factors likely contributes to the resulting application of the policy.

CSD has begun practice changes to address implicit bias and the legislature has adopted and funded policy change aimed at addressing the disproportional impact of TANF policy. Specifically, changes have been made to sanction and TLE policies (see below). At the same time, beginning in April 2020, response to the COVID-19 pandemic temporarily suspended some TANF policies. This provides the opportunity to assess the impact by race of removing these limits.

Sanction

Case managers connect parents and caregivers to education, job training and employment opportunities through WorkFirst- a partnership between DSHS, Employment Security Department, State Board of Community and Technical Colleges and Department of Commerce as well as many community-based organizations. The non-compliance sanction policy reduces and then terminates TANF benefits when an adult required to participate in WorkFirst:

- Does not prepare for and seek employment, or otherwise participate, without good cause.
- Fails to attend a non-compliance meeting or make contact with the department.

Sanction is a penalty that reduces and then terminates a family's TANF cash benefit. Sanctions are a tool, required by federal TANF rules¹, to promote accountability and provide incentive for participants to reengage in appropriate WorkFirst activities.

Under legislation that went into effect July 2021², grants are reduced by 40% or the non-complying adult's pro rata share, whichever is greater, after two consecutive months of non-compliance and, if the parent does not resume participation, terminated after an additional 10 months. However, this new sanction policy did not have immediate impact on families because WorkFirst participation and associated sanctions were temporarily suspended in response to the COVID-19 pandemic (see below).

Time Limit Extensions

Federal law places a 60-month time limit on TANF benefits for an adult in their lifetime. Adults may qualify for a TANF/SFA time limit family violence or other hardship extension in which benefits may extend past 60 months³. Additionally, state law applies the 60-month time limit to ineligible parents (parents who are undocumented immigrants, receiving SSI benefits, or, less commonly, disqualified due to conviction of welfare fraud) who receive TANF/SFA benefits for their children. The department contacts an adult recipient or ineligible parent as they approach the 60-month limit to determine if they are eligible for a hardship extension. To qualify for a hardship extension, the parent must provide required documentation that they meet one of the following conditions:

- 55 or older and a caretaker relative.
- A disabled adult with a severe and chronic condition.
- Caring for a disabled adult or child.
- Following a plan to address family violence, developed by a person trained in family violence.
- Applying for federal disability benefits (SSI/SSDI).
- Employed 32 hours in unsubsidized work.
- Experiencing homelessness or caring for a homeless child(ren).

¹ [Federal TANF rules \(Sec 407 \(e\) \(1\) 42 USC 607\)](#) require sanction but allow states to determine whether the grant will be reduced by a pro rata share, based on the share of the adult who is not complying, a larger than pro rata share, or ended.

² [Substitute House Bill 2441 \(Chapter 338, Laws of 2020\)](#)

³ Federal law allows states to establish these exemption criteria, but states may not without penalty have more than 20% of their average monthly caseload receiving federal TANF benefits for more than 60 months.

2SSB 5214 (Chapter 239, Laws of 2021) created a new hardship category for time limit extension to include a month of extension for each month a family is receiving TANF and the Washington unemployment rate is greater than or equal to 7% since March 2020. This policy will be implemented in July 2022 once the current COVID-19 expanded time limit policy described below ends.

COVID-19 Pandemic Response

CSD made the following temporary changes in policy in response to the public health crisis and economic hardship brought on by the COVID-19 pandemic:

- Effective March 16, 2020, all WorkFirst participants were temporarily exempt from participation, but could participate voluntarily. Participation requirements resumed in September 2021.
- Effective March 16, 2020, CSD temporarily suspended WorkFirst non-compliance sanction and termination penalties. This suspension ended in September 2021. From September through November 2021, CSD is attempting to reach each family, work with them to assess their current situation and establish an appropriate participation requirement. No family will face sanction until the department attempts to contact them.
- Effective April 1, 2020, CSD expanded the 60-month Time Limit Extension to support families experiencing hardships due to the COVID-19 emergency. Based on funding and direction provided in the SFY 22 Operating Budget, this policy continues through June 2022.

Findings of Potential Disproportionality

Findings in 2018 and 2019

ESA's Management Accountability and Performance Statistics (EMAPS) and DSHS Research and Data Analysis staff examined data to discover the contours of the disproportionality in application of the time limit extension policy. A comparison of clients terminated or denied an extension in SFY 2017 due to time limits showed that Black/African American clients were only 19% of all TANF clients, but 31% of the clients terminated or denied for time limit, while American Indians were 9% of all TANF clients and 13% of clients terminated or denied for time limit⁴.

A deeper examination of the data was done to see if the disproportionality was consistent across recent years. A comparison of adult TANF recipients from SFY 2014-2018⁵ who were terminated due to the time limit at 60 months and those who were approved for extension, showed that Black/African American clients were 15.8% of the terminations and 12.7% of the extensions. This indicates that some, but not all, of the disproportionality is associated with higher likelihood of adults in this demographic reaching the 60-month time limit⁶.

⁴ Source: DSHS TANF Time Limit Analysis Comparing Cases Closed Due to Time Limits with Other Case Closures, October 2018 (Revised February 2019), Christina McHugh, M.A., M.P.P., J. Taylor Danielson, Ph.D.

⁵ Source: ESA-EMAPS assignment #4692 using ACES Data Warehouse, March 2019

⁶ The [Governor's Poverty Reduction Workgroup in their 10 year strategic plan for reducing poverty and inequality](#) notes the following "A large body of research draws a direct, causal relationship between structural racism, historical trauma, and the creation of policies, programs, and practices that result in inequitable outcomes. (pg. 18)"

CSD also reviewed a small sample of cases of time limit extension denials. A review of twenty cases found no cases where it was clear the TLE should have been approved. CSD did find that some cases were missing some procedural steps or that it appeared staff could and should have offered more support to help families document meeting criteria for an extension.

EMAPS did not find racial disproportionality in application of the WorkFirst participation non-compliance sanction penalties.

Findings in SFY 2020⁷

EMAPS developed an analysis of clients by race and ethnicity for SFY 2019 and 2020⁸. The analysis considered all sanctioned cases and all time limit extension terminations and denials. The analysis in these years included reporting potential disproportionality as a risk ratio for various racial and ethnic subgroups compared to the population of all TANF/SFA clients. Risk ratios are a way of expressing the degree to which something is occurring in a subgroup of a population in comparison to the whole population. There is no absolute ratio above which there is the presence of bias, but the department has chosen to consider all ratios over 1.2 as indicators of potential disproportionality.

In SFY 2020, the following instances of potential disproportionality were found using EMAPS analysis:

- In sanctioned TANF/SFA cases with adult recipients (removing child-only cases) American Indian/Alaska Native and Two or More Races subgroups had risk ratios of 1.33 and 1.24 respectively.
- In examining all TANF/SFA cases, two subgroups, Hispanic or Latinx (1.41) and Black/African American (1.46) had a risk ratio above 1.2 when considering all cases with benefits terminated or denied due to time limit.
- Black/African American participants in TANF/SFA cases have a larger share of cases approved for extension than their prevalence in the TANF caseload would otherwise have predicted, likely from disproportionately experiencing chronic poverty, staying on the TANF/SFA caseload longer, and reaching the time limit where a decision of extension is required.
- In examining only TANF/SFA cases with adult recipients (removing child-only cases), Hispanic or Latinx families do not have a high risk ratio (1.15). But, when examining TANF/SFA Child-only cases, the Hispanic or Latinx clients had a higher risk ratio (1.44). This is because Hispanic or Latinx clients are disproportionately likely to be in mixed-status households with an ineligible parent⁹ in which only the children are receiving benefits.

⁷ [2020 Revising Economic Assistance Programs](#)

⁸ Source: ESA-EMAPS Report #5136 using the ACES Data Warehouse, October 2020. Note: SFY 2020 cases cover July 2019 – March 2020 because, as noted above, CSD temporarily waived mandatory participation requirements and associated sanction due to the COVID pandemic. Likewise, all families reaching 60 months duration on TANF were temporarily granted a time limit extension on the basis of the pandemic if they did not meet other criteria.

⁹ Ineligible parent includes cases where the parent is disabled, an undocumented immigrant, or, much less commonly, disqualified from receiving benefits due to welfare fraud.

Policy and Practice Response

In response to the findings listed above, changes were put in motion in both practices and policy. Beginning in June 2019, CSD required all TLE denials to have a supervisory review. This second layer of review makes certain that correct procedures are followed and works to prevent unconscious bias in determinations. An enhancement to use automation to generate letters to improve communication with clients as they near their time limit is also in process. In addition, [Second Substitute House Bill 1603](#) (Chapter 343, Laws of 2019) made two changes to the TANF and WorkFirst programs. Families are no longer permanently disqualified after three sanction terminations, and homelessness is added to the criteria for a TLE hardship. In 2020, [Second Substitute Senate Bill 6478](#) (Chapter 320, Laws of 2020) broadened the definition of homelessness for the purpose of this extension to align with the federal McKinney-Vento definition and includes those who are doubled-up, sharing housing for financial reasons, or caring for a child relative who is homeless, even if the caregiver is not in this situation.

Although the homelessness category of TLEs is relatively small, initial findings show that this policy change has, as anticipated, been particularly beneficial for Black/African American and American Indian/Alaska Native clients. These subgroups are nearly twice as likely to receive homelessness TLEs as all clients are with risk ratios of 1.75 and 1.99 respectively.

Table 1. Demographic Profile of All TANF/SFA Clients by Time Limit Extension Status, July 2019 - February 2020¹⁰

		All Clients on Cases With a Time-Limit Extension						All Clients on Cases Not in a Time Limit Extension	
		Clients on Cases With a Homeless Extension				Clients on Cases With an Extension Other than Homeless			
		# of Clients	% of Total	Risk	Risk Ratio	# of Clients	% of Total	# of Clients	% of Total
Number of Clients		742	100.0%	0.8%	1.00	9,640	100.0%	78,554	100.0%
Gender	Female	486	65.5%	0.9%	1.11	5,692	59.0%	46,233	58.9%
	Male	256	34.5%	0.7%	0.84	3,948	41.0%	32,320	41.1%
	Unknown	0	0.0%	0.0%	0.00	0	0.0%	1	0.0%
Ethnicity and Race	Hispanic or Latino	143	19.3%	0.7%	0.81	1,964	20.4%	19,025	24.2%
	Not Hispanic or Ethnicity Not Reported	599	80.7%	0.9%	1.06	7,676	79.6%	59,529	75.8%
	White	292	39.4%	0.7%	0.88	4,388	45.5%	35,318	45.0%
	Black/African American	174	23.5%	1.5%	1.75	1,880	19.5%	9,845	12.5%
	Asian/Pacific Islander	13	1.8%	0.3%	0.32	241	2.5%	4,658	5.9%
	American Indian/Alaska Native	55	7.4%	1.7%	1.99	307	3.2%	2,952	3.8%
	Two or More Races	31	4.2%	1.2%	1.39	359	3.7%	2,274	2.9%
Race Not Reported	34	4.6%	0.7%	0.81	501	5.2%	4,482	5.7%	

Up until July 2019, a household terminated from TANF three times due to noncompliance was permanently disqualified from receiving TANF. Initial findings on the ending of permanent

¹⁰ ESA-EMAPS Assignment #5412 using the ACES Data Warehouse as of the September 2021 load

disqualification shows positive results. While all clients benefitted, Black/African American and American Indian/Alaska Native clients particularly benefitted from this policy change. Additionally, adults age 25-34 and children under 1 (not shown) benefitted from this change, which may be because the birth of a new child for young parents precipitated their return to TANF.

Table 2. Demographic Profile of All TANF/SFA Clients by Whether an Adult on the Case Was Previously or Potentially Permanently Disqualified, July 2019 – June 2021¹¹

		Clients on Cases With an Adult Who Was Previously or Potentially Permanently Disqualified				Clients on Cases With No Adults Who Were Permanently Disqualified	
		# of Clients	% of Total	Risk	Risk Ratio	# of Clients	% of Total
Number of Clients		799	100.0%	1.0%	1.00	81,011	100.0%
Gender	Female	478	59.8%	1.0%	0.97	49,805	61.5%
	Male	321	40.2%	1.0%	1.04	31,205	38.5%
	Unknown	0	0.0%	0.0%	0.00	1	0.0%
Ethnicity and Race	Hispanic or Latino	172	21.5%	1.0%	1.06	16,411	20.3%
	Not Hispanic or Ethnicity Not Reported	627	78.5%	1.0%	0.98	64,600	79.7%
	White	358	44.8%	0.9%	0.95	38,069	47.0%
	Black/African American	160	20.0%	1.2%	1.28	12,644	15.6%
	Asian/Pacific Islander	34	4.3%	0.7%	0.77	4,509	5.6%
	American Indian/Alaska Native	33	4.1%	1.2%	1.22	2,733	3.4%
	Two or More Races	24	3.0%	0.9%	0.90	2,700	3.3%
	Race Not Reported	18	2.3%	0.5%	0.47	3,945	4.9%

At the time of the discoveries of disproportionality, ESA was in the process of piloting a tool for equity analysis called the Multidimensional Equity Analysis. A workgroup convened to pilot the tool by examining the TANF TLE process. This pilot documented where there was potential bias in the process of TLE determination. In response, CSD has facilitated trainings and discussions to mitigate potential unconscious bias and has established a respect, equity, diversity, and inclusion (REDI) ambassador campaign to help staff connect ESA poverty reduction goals to their daily work, and educate both front-line and headquarters staff on the importance of routinely monitoring for bias in their daily work.

In September 2019, CSD provided core REDI academy training for more than 112 staff who are now engaged as REDI Ambassadors in CSOs throughout all regions and the CSD Customer Service Contact Center. This approach is informed by social science research on workplace effectiveness, human development, group behavior, and social justice theories. The intention of this purposeful work is to develop and sustain an effective workplace culture that is responsive to change, knowledgeable about social forces that impact our business, and effectively applies concepts of equity, diversity, and inclusion to all aspects of business and daily operations.

¹¹ ESA-EMAPS Assignment #5424 using the ACES Data Warehouse as of the September 2021 load

Building on the success of the core REDI academy training, CSD initiated a quarterly REDI campaign with the intention of providing tools and ongoing training for REDI Ambassadors to deliver campaign materials to frontline staff. With each building on the last, the purpose of the REDI campaigns is to build staff awareness of and competencies related to applying CSDs culture of respect, diversity, equity, and inclusion in daily work practices and understanding how the goal of reducing poverty in a way that eliminates disparities applies to the work they do. Additionally, in 2020, CSD made facilitated listening sessions available for staff to learn about the goal of becoming an anti-racist agency and contribute their ideas about what actions should be part of this journey.

The department’s initiative to transform case management to be more consistent, client-centered, strengths based and informed by staff understanding of the interactions between racism and poverty is underway. Despite the service delivery and caseload impacts of the pandemic, in fall 2020, the department incorporated foundational training for all staff on the impacts of poverty and racism on those we serve, and ways we can adapt our practices to be more empathetic and effective. In September 2021, as part of this initiative, CSD staff began using an integrated interview intake process for TANF/WorkFirst. It includes new assessment tools that are participant-centered, trauma-informed, and strength-based to better serve families. WorkFirst staff received training on how to use these new tools and enhance their communication skills to conduct participant-centered interviews. Post-implementation learning to support skill building on the new approach is also planned.

Findings during FY 2021

As noted above, in response to the COVID-19 pandemic, TANF policies regarding participation, sanction, and time limit extensions were suspended in an effort to support families experiencing hardship. As a result, there is no parallel disproportionality data for SFY 2021 since all families at or above 60 months duration on TANF received extensions. However, this provides the opportunity to examine the impact of an expansive TLE policy. Since all clients who reached their TANF time limit were provided an extension, there was no current disproportionality and past instances of disproportionality were improved. The following table shows how historically marginalized groups benefitted from the expanded TLE policy during the pandemic. This temporary expansion of the time limit policy is set to end in June 2022.

Table 3. Demographic Profile of All TANF/SFA Clients by Time Limit Extension Status, June 2020¹²

		All Clients on Cases With a Time-Limit Extension				All Clients on Cases Not in a Time Limit Extension	
		Clients on Cases With a COVID-19 Extension		Clients on Cases With an Extension Other than COVID-19			
		# of Clients	% of Total	# of Clients	% of Total	# of Clients	% of Total
Number of Clients		3,631	100.0%	10,172	100.0%	59,178	100.0%
Ethnicity and Race	Hispanic or Latino	778	21.4%	2,720	26.7%	15,576	26.3%
	Not Hispanic or Ethnicity Not Reported	2,853	78.6%	7,452	73.3%	43,602	73.7%

¹² ESA-EMAPS Assignment #5085 using ACES Data Warehouse as of the August 2020 load

White	1,337	36.8%	4,188	41.2%	25,405	42.9%
Black/African American	881	24.3%	1,811	17.8%	7,263	12.3%
Asian/Pacific Islander	144	4.0%	225	2.2%	3,590	6.1%
American Indian/Alaska Native	150	4.1%	353	3.5%	2,218	3.7%
Two or More Races	214	5.9%	335	3.3%	1,973	3.3%
Race Not Reported	127	3.5%	540	5.3%	3,153	5.3%

Federal 20% Cap on Time Limits: Suspending Time Limits Does Not Create Significant Risk

One concern about broadening time limits exemption criteria or eliminating time limits entirely has been the risk of exceeding the federal cap. However, experience with the recent temporary suspension indicates this risk is low.

Federal TANF policy imposes a financial penalty on a state if more than 20% of their TANF caseload is receiving a time limit extension. Washington state did not enforce a time limit prior to February 2011 and, currently, during the COVID-19 Pandemic, expanded TLEs to cover all households at or above 60 months on TANF. In neither instance did the number of cases receiving a time limit approach 20% of the caseload. **From April 2020 through August 2021, the latest month for which data is available, cases with TLEs have not reached more than 12.9% of the overall caseload, despite the economic hard times associated with the suspension.**

Changes in Legislation and Practice

Since the discovery of potential disproportionality in time limit extensions within TANF/SFA cases, DSHS has responded with changes which endeavor to promote equity in public assistance. These changes have come in the form of policy and practice as well as future recommendations. DSHS is committed to making equity, diversity, and inclusion more than buzz words and incorporate them into the culture of how we do our work to provide equitable access to all those we serve and to meet our poverty reduction goals.

CSD believes that we are moving in the right direction to address the potential disproportionality present in the data on sanctions and time limit extensions for families receiving TANF/SFA. An honest and open assessment has been made and some related changes have been instituted in policy, practice, and culture. Efforts have been made to streamline the TLE process, as follows:

- Updated training materials for staff around medical time limit extension hardships.
- Implemented a process for supervisory review to ensure proper determination of time limit extension denials.
- Temporarily expanded TLE hardship category to include all applicants and recipients during the COVID-19 emergency and its recovery.

Legislative Changes

Some policy changes have already been made which may help improve equity. As mentioned above, [Second Substitute House Bill 1603](#) (Chapter 343, Laws of 2019) ended the policy of permanently disqualifying a family after three sanction terminations and added homelessness to the hardship criteria

for a TLE. As noted above, this policy is already helping Black/African American and American Indian/Native Alaskan subgroups access TANF.

[Substitute House Bill 2441](#) (Chapter 338, Laws of 2020) provides families more time to cure a sanction of their TANF/SFA grant due to non-compliance sanction (effective July 2021). This bill eliminates immediate terminations for non-compliance, allows participants two months of non-compliance prior to grant reduction, and allows an additional ten months of non-compliance while receiving a reduced grant to provide opportunities to overcome barriers and reengage before required termination. This change will result in fewer reductions and terminations of grants for non-compliance sanction overall and more opportunity for families to resume participating and for staff to find new strategies to assist them in doing so. The additional time before implementation provided by the suspension of sanctions in response to COVID-19 has allowed more time for strategic planning on how to strengthen connections with families and support them in reengagement.

[Second Substitute Senate Bill 6478](#) (Chapter 320, Laws of 2020) expands the definition of homelessness to match the federal [McKinney-Vento Act definition of homeless](#). This expanded definition provides more opportunity for households to meet the criteria for a time limit extension.

[Second Substitute Senate Bill 5214](#) (Chapter 239, Laws of 2021) creates a new hardship category for time limit extension to include a month of extension for each month a family is receiving TANF and the Washington unemployment rate is greater than or equal to 7% since March 2020. This policy will be implemented in July 2022 once the current COVID-19 expanded time limit policy ends.

[Continued Changes in Practice](#)

CSD has committed to incorporating REDI culture into how we do our work. CSD will continue to expand trainings and opportunities for staff to increase their awareness of unconscious bias, and focus on providing support to those we serve in a manner that is consistent with the values of REDI and the goal of becoming an anti-racist organization. REDI culture has already provided a foundation for this work to build on. In the coming year, CSD will provide additional training and skill building opportunities and performance monitoring and metrics to develop further capacity for high quality coaching case management. The division will also build into standard case management practices referrals to home visiting, parenting education and other family-strengthening supports.

[Recommendations](#)

1. Current criteria for TLE extensions may be too narrow and the policies themselves may contribute to potential disproportionality. For example, documented disability is one of the criteria for extension. Some racial and ethnic groups have less access to medical care and are less likely to seek the care they need, creating barriers to obtaining necessary documentation.
2. Long-staying clients on TANF/SFA could be offered additional voluntary contacts to enable staff to make more timely referrals, help address barriers to employment, and assess and document whether a family may meet extension criteria well ahead of reaching the 60-month TANF time

limit¹³. This change may require an initial increase of staff time as CSD would attempt to make additional contacts earlier with long-staying clients to assess barriers, provide additional supports and assess TLE eligibility for those who remain on the caseload. It is difficult, however, to predict whether this would have long term staffing or caseload impacts without instituting a change and measuring its impacts over time.

3. Families receiving child-only TANF receive no assessment, referrals, employment and training services, or ongoing case management. In light of the impact ineligible parents reaching time limits has on Hispanic and Latinx child-only households, support for this subgroup of participants should be considered. Staffing to support undocumented adults in moving toward financial stability or documenting how they may meet TLE criteria would continue to support children in poverty. Ending the policy of time limits for ineligible parents may also be appropriate.

What has been made clear by the analysis and experience of the last few years is:

- Time limits disproportionately disadvantage certain communities/subgroups and, conversely, suspending them materially offsets that disproportionality.
- Having hardship categories from time limits inherently introduces complication, workload, and human bias. The department has introduced practice changes and the legislature has made policy adjustments, but the disproportionality persists.
- Discontinuing time limits entirely does not create significant risk of exceeding the federal cap.

Ultimately, the pandemic response has shown that the simplest and most complete solution to disproportionality in TLEs is to remove time limits. This could be done through changes in rule to expand hardship categories to include all families that reach their TANF time limit. The legislature would need to provide funding for the resulting caseload increase. Recent experiences have shown that this will very likely not put the state in jeopardy of financial penalty for exceeding the federal 20% cap on TLEs. Should this become a risk, the state would have the opportunity to either tighten time limit rules to avoid hitting the cap or pay for a portion of the caseload exceeding the cap through state funds.

¹³ Clients are currently contacted and assessed at month 56-58 to assess for time limit extension.