

What Does the Kansas HOPE Act Do?

The Kansas HOPE Act codifies existing welfare policy reforms enacted by the Kansas Department for Children and Families. It also enacts welfare reforms introduced by legislators that passed and was signed into law. These employment-focused policies help DCF achieve its mission, which includes encouraging personal responsibility. The most effective path out of poverty is employment. DCF has seen first-hand how this is true for individuals who participate in our work programs. Please note these may affect your eligibility and assistance.

The following is a summary of the policies codified within the Kansas HOPE Act.

TANF Cash Assistance

- Progressive periods of ineligibility for not complying with TANF work requirements.
- Prohibits TANF cash assistance from being used in liquor stores, casinos, gaming establishments, and retail establishments providing adult entertainment.
- Authorizes diversion payments in lieu of monthly cash assistance.
- Include current eligibility requirements, such as completing a work assessment and cooperating with work programs.
- Establish an exemption from the TANF work participation requirements for parents with a child less than three months of age.
- Require a 90-day review for clients placed in a “work experience” activity.
- Require persons with disabilities to participate in work activities to an extent consistent with their disabilities.

TANF Cash Assistance and Child Care Assistance

- Progressive periods of ineligibility for TANF cash assistance and child care assistance for not complying with child support requirements.
- Established fraud penalties. Cash assistance to the children in the family may be continued under a third party, protective payee.
- Requires the counting of income of cohabitating partners when determining eligibility and benefits.

Child Care Assistance

- Established a minimum weekly work eligibility requirement for employed parents (not receiving TANF cash assistance).
- Reduced the minimum weekly work requirement to 15 hours for parents engaged in an approved post-secondary education plan.

Food Assistance

- Prohibits the state from adopting the U.S. Department of Agriculture option of “broad-based categorical eligibility” which expands eligibility and assistance.
- Prohibits the use of federal or state funds for advertising to promote food assistance participation.
- Prohibits DCF from requesting or implementing a U.S. Department of Agriculture waiver or program that would relax the 1996 Welfare Reform Act’s time limit on employable adults with no children.
- Requires the counting of income of non-citizens when determining SNAP benefits.

Statutes Repealed

- Certain programs which no longer exist were removed. These include General Assistance, Transitional General Assistance and the KanWorks programs.
- The mandate requiring DCF to apply to the federal government for approval to implement electronic benefits transfers was removed.
- The final repeal concerned outdated statutes under which DCF would establish and operate child care centers.

New Policies Enacted include:

- **Child Support Cooperation**—Food Assistance adult recipients are now required to cooperate with child support.
- **Drug Convictions**—An individual shall be permanently disqualified for food assistance if they have been convicted of a state or federal felony offense occurring on or after July 1, 2015, involving possession or use of a controlled substance or controlled substance analog. An individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the Secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan. An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the Secretary is successfully completed; the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan. A subsequent felony drug conviction would permanently disqualify the individual from food assistance.
- **Prohibited Purchases**—TANF recipients are now prohibited from using cash assistance for alcohol, cigarettes, tobacco products, lottery tickets, concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public or sexually-oriented adult materials. TANF recipients are also prohibited from using cash assistance in any retail liquor store, casino, gaming establishment, jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility pari-mutuel facility or sexually oriented entertainment business in which performers disrobe or perform in an unclothed state for entertainment, or in any business or retail establishment where minors under age 18 are not permitted.
- **36-month TANF Time Limit**—A new TANF time limit was enacted. A family group shall not be eligible for TANF if the family group contains at least one adult member who has received TANF, including the federal TANF assistance received in any other state, for 36 calendar months beginning on and after October 1, 1996, unless the Secretary determines a hardship exists and grants an extension allowing receipt of TANF until the 48-month limit is reached.
- **Family Resources**—When determining eligibility, one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, will be considered exempt personal property and any equity in any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or any additional motor vehicle owned by the applicant for assistance is a nonexempt resource of the applicant for assistance except that any additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property at the Secretary's discretion.
- **Cash Withdrawal Limits**—TANF cash assistance transactions for cash withdrawals from automated teller machines shall be limited to one transaction per day. No TANF cash assistance shall be used for purchases at points of sale outside of the state of Kansas.
- **Photo IDs**—Photographs of the recipient (or parent/guardian of a child) of public assistance may be placed on any Kansas benefits cards if the recipient opts to have the photo on their card.
- **Gross Income Standards**—The Secretary for the Department for Children and Families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. 2014(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.
- **Electronic Check** - Requires an electronic check for false information provided on an application for TANF and other benefits programs administered by DCF.

(language above serves as a summary, and is not exact)