

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Arlen Siegfroid at 1:30 P.M on March 20, 2008, in Room 313-S of the Capitol.

All members were present:

Committee staff present:

Kathie Sparks, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Mike Heim, Revisor of Statutes Office
Jason Long, Revisor of Statutes Office
Jeannie Dillon, Committee Assistant

Conferees: Representative Oletha Faust-Goudeau
Kim Strunk, private citizen
Irv Hoffmann, Silver Haired Legislature
Marva Williams, private citizen
Candy Shively, Social and Rehabilitation Services

Others attending:
See attached list.

Chairman Siegfroid opened the meeting for bill introductions. Hearing none, the Chair opened the public hearing on **HB 2839 - Grandparents as caregivers act; requiring the child to reside with the grandparent not requiring legal custody.**

Chairman Siegfroid invited Representative Faust-Goudeau to speak in support of **HB 2839**. Ms. Faust-Goudeau explained that the intent of the previous bill was to provide financial assistance to grandparents who are raising their grandchildren. However, very few grandparents have been able to utilize the services because they do not have the legal guardianship of the grandchildren, which is currently an eligibility requirement to receive benefits. (Attachment 1)

Ms. Faust-Goudeau asked the Committee to refer to the second attachment. (Attachment 2) She stated that the Committee will notice in the Child Status line of the Temporary Assistance to Families program allows a similar benefit requiring no legal guardianship. The grandparents applying for these benefits are usually low income and they do not have the financial means to retain an attorney to acquire legal guardianship. She urged the Committee's support in removing this custody requirement which is the major obstacle in preventing the grandparents from receiving the help they truly need to raise their grandchildren.

Kim Strunk, a grandmother who has been raising her two youngest granddaughters for the last 4 years, addressed the Committee as a proponent to **HB 2839**. She told of her experiences as a grandmother and the expenses involved. (Attachment 3)

Irv Hoffmann President of Kansas Silver Haired Legislature, stood before the Committee in support of **HB 2839**. He stated that one of the problems lies in the expense of attaining legal guardianship. He stated that it appears to him after a little figuring, that no additional funding would be necessary. (Attachment 4)

Marva Williams, stood in support of the **HB 2839**. She related her experiences and stated that she has adopted her granddaughter, so is not eligible for benefits under the Grandparents as Caregivers Program. As a grandparent raising a grandchild, she would strongly encourage the support of this bill. She stated that this would help these children, who have already been through so much, remain with someone who loves them and who wants to take care of them but needs some help and support to do so. (Attachment 5)

Chairman Siegfroid welcomed Cheryl Collier as a proponent to **HB 2839**. Ms. Collier told the Committee that she cannot afford to take guardianship of her grandson. She stated that there is a fee for the

CONTINUATION SHEET

MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on in Room 313-S of the Capitol.

grandmother, a fee for her grandson and also fees to the social worker to do in home visits not to mention the court costs.

(Attachment 6)

Robin Clements testified as a proponent to the bill and said one child in foster childcare costs about \$24,000 dollars (no written testimony submitted)

Candy Shively, representing Social and Rehabilitation Services, answered questions regarding SRS. She stated that she tries to refer grandparents to agencies that can help them. She answered questions regarding the training curriculum of their case workers. She discussed questions on the dollar amount suggested in the bill.

(Attachment 7)

Candy Shively answered questions on the dollar amount being suggested in the bill. She said the department needs to refresh these numbers.

Written testimony only was submitted by the following:

Craig Kaberline, Director, Kansas Area Agencies on Aging Association (Attachment 8)

Ernest Kutzley, Advocacy Director for AARP of Kansas (Attachment 9)

Gina McDonald, Kansas Children's Service League (Attachment 10)

Chairman Siegfried closed the public meeting on **HB 2839**.

HB 2818 - Expungement; persons applying for a concealed carry permit; disclosure of

The Chairman asked Mike Heim, Revisor of Statutes, to refresh the Committee on **HB 2818**. He said that an amendment to **HB 2818** was brought to the Committee by Representative Pauls regarding expunged records. The suggested amendment was that a person with an expunged record could qualify for registration to carry a concealed weapon after 5 years of the expunged record

Representative Peterson moved the amendment of **HB 2818**. Seconded by Chairman Siegfried, motion passed.

Representative Carlson moved to pass **HB 2818** as amended favorable for passage. Seconded by Representative Swenson. The motion passed.

HB 2801 - Kansas state high school activities association; state championship football games.

Mike Heim, Revisor of Statutes, briefed the Committee on **HB 2801**. The Chairman asked for discussion of **HB 2801**.

Representative Hawk explained to the Committee that he would be voting no on this bill. He stated that from the testimony the Committee heard, there is a government structure in place. He stated that he thought that this was a decision that should be left to the Kansas High School Athletic Association.

Representative Kinzer stated that he believes that these programs do not exist for the benefit for school administrations or the convenience or ease of the State High School Activities Association but to provide the best possible experience to the high school athletes and coaches.

Moved by Representative Kinzer moved to recommend **HB 2801** favorable for passage. The motion was seconded by Representative Brunk. The motion carried, 12-11.

SB 46 - Defacing identification marks of a firearm, increase from class B nonperson misdemeanor to a severity level 10, nonperson felony.

The Chairman asked Mike Heim, Revisor or Statutes, to explain **SB 46**. Representative Carlson moved

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MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on in Room 313-S of the Capitol.

to place the provisions of **HB 2819** into **SB 46**.

Mr. Heim, explained **HB 2819** to the Committee. He stated that this would amend the crime of criminal use of weapons to exclude any person who is in compliance with the National Firearms Act.

Representative Mah made a substitute motion to strike language in **SB 46** and replace with the provisions in **HB 2742** including the Klumpp amendment and the Klumpp balloon amendment for movie makers. Representative Hawk seconded the motion.

Mike Heim gave a brief explanation of the difference between **HB 2742** and **HB 2819**. He stated that **HB 2742** was not as broad and it would restrict the exceptions of the bill to federal firearms dealers who can sell to law enforcement and people qualified to own these weapons who reside in other states. The Klumpp amendment expands the exception to foreign manufacturers and dealers.

The Chairman called for a vote on the substitute motion by Representative Mah. The motion failed.

Representative Mah moved to strike all language from **SB 46** and insert the language of **HB 2924** into **House Substitute for SB 46**, seconded by Representative Ruiz. Motion failed.

The Chairman called for a vote on the Carlson amendment for **SB 46**. The motion passed.

Representative Carlson moved to recommend **SB 46** as amended favorable for passage. Seconded by Representative Morrison, the motion passed.

Representative Mah asked to be recorded as voting no on **SB 46** as amended.

After further discussion, the Chair called for a vote on **SB 46** as amended. Motion passed.

The meeting was adjourned. The next meeting will be March 26, 2008, at 1:30 pm.

House Federal and State Affairs
Guest list

Date 3/20/08

Name

Organization

Jim Snyder

SHL

CW Klebe

A.G.

Jarda Austin

NRA

CHARLES SEXSON

A.G.

Lindsey Douglas

Hein Law Firm

Robin Lemert

Child Welfare Companies

STATE OF KANSAS

OLETHA FAUST-GOUDEAU

REPRESENTATIVE, 84TH DISTRICT

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LEGISLATIVE ADDRESS

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(SESSION ONLY)



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

MEMBER: ENERGY AND UTILITIES
FEDERAL AND STATE AFFAIRS
INSURANCE AND FINANCIAL INSTITUTIONS
JOINT COMMITTEE ON ARTS AND
CULTURAL RESOURCES

March 20, 2008

Proponent of House Bill 2839: Testimony before the House Fed and State Committee by Rep. Faust-Goudeau

Mr. Chairman Siegfried and Members of the Committee: Thank you for the opportunity to speak before you today in support of HB 2839.

Mr. Chairman we passed legislation in 2006 to establish the Grandparents as Caregivers Act within SRS which became law on July 1, 2006.

The intent of the bill was to provide financial assistance to Grandparents who are raising their grandchildren. However, very few grandparents have been able to utilize the services because they do not have the legal guardianship of the grandchildren, which is currently an eligibility requirement to receive benefits.

At the beginning of this fiscal year only 137 grandparents were receiving benefits from the program statewide. A total of 214 applied, 73 of those were denied for a variety of reasons. (Please refer to the #1 attachment of my testimony.) You will see the main reason for denial of benefits were due to "No Legal Custody" and for this reason Mr. Chairman and Committee Members, I am asking for your consideration of the removal of the language requiring legal guardianship.

Please refer to the #2 attachment of my testimony; supporting my request you will notice in the Child Status line of the Temporary Assistance to Families (TAF) program allows a similar benefit requiring no legal guardianship. The grandparents applying for these benefits are usually low income and they do not have the financial means to retain an attorney to acquire legal guardianship. So I urge your support in removing this custody requirement which is the major obstacle in preventing the grandparents from receiving the help they truly need to raise their grandchildren.

Thank you for your support of HB 2839, Mr. Chairman I will stand for questions.

Rep. Oletha Faust-Goudeau
84th District

House Fed and State Committee
March 20, 2008

Attachment /

Attachment #1

**GP as GC Application Data
July 31, 2007**

APPLICATIONS AND APPROVALS

REGION	APPLICATIONS	APPROVED GP as CG CASES	OPEN TAF RELATIVE CASES*
KC Metro	31	22	627
North East	65	38	516
South Central	20	10	315
South East	32	21	314
West	20	12	187
Wichita	46	34	537
TOTAL	214	137	2,496

NOTE :

4 cases are pending
51 applications are families not previously known to SRS
254 children have accessed this program.
\$383 average benefit for program

* Open TAF cases are based on 3 month average (March-May 2007)

APPLICATION DENIAL REASONS

NUMBER	REASON
24	No legal Custody
18	Excess Income
11	Chose TAF because of Child Care benefits
7	Failure to Provide information
4	Not within the degree of relationship
4	Age (one was 45, one was 46 and two were 48) *
2	Parent in the home
2	Did not show up for interview
1	Not Eligible, Child was adopted
73	TOTAL

NOTE:


Age isn't reflected as a high denial reason. Most who don't qualify because of age, don't fill out an application because they know they don't meet the criteria. However, workers claim that the second most frequent reason that grandparents fail to apply is because of age.

House Fed and State Committee
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Attachment # 2

August 1, 2007

PROGRAM POLICY COMPARING
TEMPORARY ASSISTANCE TO FAMILIES (TAF) AND GRANDPARENTS AS CAREGIVERS (GP as CG) PROGRAMS

Eligibility Criteria	Grandparents as Caregivers	Temporary Assistance to Families
 Child's status	Must live with grandparent or relative who has legal custody	Must live with a relative or legal guardian or custodian. Relative is not required to have legal custody
Minimum age limit for grandparent	Yes (50 and older)	No
Maximum age limit for child	Under 18 years of age or under age 21 if in secondary or post secondary school	Under 18 years of age or under age 19 if pursuing high school degree or GED
Income Limit*	Grandparent's and child's income must be less than 130% of federal poverty level. Income is counted for whomever is listed as the custodian/guardian on the court order.	Child's monthly unearned income must typically be less than \$175. Guardian's income is not counted.
Resource/Asset Limit*	None	Child's assets (savings, checking account) must be less than \$2000
Must cooperate with CSE	No	Yes
Must pass home inspection	No	No
Typical monthly cash payment	\$200 one child; \$400 two children; \$600 three children. Maximum monthly benefit for family is \$600	\$175 one child; \$271 two children; \$359 three children with \$61 increase for each additional child. (Varies slightly depending on area within the state)
Child receives Medical Assistance	Can apply for medical assistance.	Yes, if identity and citizenship verified.
Child Care Assistance provided (If caregiver is employed)*	If income is under 185% poverty level. Both adult's and child's income counted. Must cooperate with CSE for child care.	Only child's income is considered. Must cooperate with CSE.

*If caregivers also request TAF cash assistance for themselves, the adult's finances must also be considered in determining eligibility for the family.

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HB2839

Thank you Chairman Siegfried and committee for hearing from me this afternoon. My name is Kim Strunk and my husband and I are raising our two youngest granddaughters Juliana (5) and Mayli (4). We have had them for four years. Their placement in our home did not come with any placement through the state, their placement came because we stood up to their mother, who is a drug addict, and told her that she was not going to take her children into situations that she was using to get money and drugs for her habits. That was in early 2004. To this day we still do not have "legal guardianship" or do we have the funds to hire an attorney to help us receive guardianship.

I have made some phone calls to see what it would cost us to do this and it was \$526 have Kansas Legal Services to do it, and they would only do it if it was uncontested, and the attorney recommended to me by my friends who work at SRS, was starting at \$1200.00. We are a paycheck-to-paycheck family. I'm sure you all remember me from the past years testimonies and Secretary Daniels discussing our issues. Last year when I left this room I was approached by an older gentleman who told me it is cheaper to get a divorce than to get guardianship for children and I agree. Whether we have "legal custody" or not, we still have the girls and we are still responsible for their care and wellbeing. Did you know that I could not get Early Childhood services for the girls, because I did not have "Legal Custody or Power of Attorney"? I could not enroll them in school without some proof of "legal custody or Power of Attorney"; they still have to go to school. I could not file for their Social Security cards or receive their \$45/month SSDI, which they receive from their father, who is also a drug addict, with out "Legal Documentation of some sort be it Legal Custody or Power of Attorney". So what are we to do? I got a little creative, after hearing from my attorney friend in Oklahoma.

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that there's a place on the Internet where I might able to find a "Kansas Legal Forms for Power of Attorney. I paid \$29.95 for it. I filled it out, mailed it to my daughters Probation Officer, she took it to her in jail and had her sign it, they notarized it and mailed it back to me. Then I was able to get them their \$45/mo SSDI, sign up for TANF, which helped me with childcare, a medical card and \$174/month cash assistance, enroll them in kindergarten and preschool, have Mayli tested for Autism/Aspergers Syndrome at KU Medical Center, which by the way she tested as not having. Legal Custody" does not change the quality or quantity of love that our grandchildren are receiving, I would hate to see grandparents who like us have taken on the responsibility of raising our grandchildren without going through the state's system to have them living in their homes, not to be able to get the Grandparents as Caregivers assistance because they can't afford the legal costs either. I am asking you to change the wording to "Reside" with the Grandparents.



Juliana and Mayli's Grandma

Kim Strunk

6928 Crestwood Dr

Topeka, KS 66619

785-608-8770

partnersinpolicy@windstream.net

May 20, 2008

HB 2839

Testimony by Irv Hoffmann, President Kansas Silver Haired Legislature

We support this amendment to the Grandparents bill.

Admittedly, there have been some problems with the program. Since the bill's passage by the legislature, I have attended over a dozen meetings with grandparents and have received numerous phone calls outlining specific problems with the program. Tuesday evening I met with a group of concerned grandparents at the St. Francis Hospital here in Topeka.

Foremost among the problems are the custody issue and the financial requirements (130% of the poverty level).

Imagine that you are at the 130% level and find that you must pay upwards of \$5000 to obtain legal custody. That is almost an impossibility for many would-be applicants.

Many people pointed out the disparity between the Grandparents as Caregivers Program and the Temporary Aid to Needy Families Program (TANF).

Grandparents have also expressed other concerns, including administration of the program.

The original Grandparents as Care Givers bill was originated by the Kansas Silver Haired Legislature. We follow up on every piece of legislation that we introduce. We feel that it is our responsibility.

In conversations with many of you, I have promised that we would continue to gather facts and have some recommendations for improvement of the program. We have partnered with a KU graduate assistant to conduct a survey of grandparents who have applied for the program and those who are eligible but did not apply. The survey form is under development and we expect the surveys to begin in May.

I'd like to take this opportunity to share some thoughts with you on the fiscal note attached to this bill.

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The initial appropriation for the Grandparents bill was \$2.1 million.

At one of the aforementioned meetings a SRS employee stated that there were less than 400 applications for the benefits and less than 300 participants. Using the figures in the fiscal note the cost would have been \$720,000.

The fiscal note forecasts a 40% (545) and 50% (692) participation rate in 2009 and 2010 respectively.

I'm a novice at this but it appears that if you take the 300 currently in the program and add the forecasted numbers; the total funds for 845 participants required for 2009 is \$2.028 million. The original appropriation was for \$2.1 million. It appears to a novice that the change to the custody provision would not require any additional monies.

By the opening of the 2009 legislative session we will have completed additional research to support proposed changes to improve the effectiveness of this program.

Thank you.

Irv Hoffmann

TO: Members of the House Federal and State Affairs Committee
FROM: Marva Williams, Grandparent Raising a Grandchild
DATE: March 20, 2008
RE: Testimony in Support of HB 2839 - The Grandparents as Caregivers Program

Representative Siegfried and members of the House Federal and State Affairs Committee, my name is Marva Williams, and I am pleased to have the opportunity to speak to you all today in support of House Bill 2839 - The Grandparents as Caregivers Act administered by the Kansas Department of Social and Rehabilitation Services, which would amend the current policy that a grandparent shall be eligible to participate in the program if, among other criteria, the grandparent has "legal custody" of the grandchild; to the grandchild "reside" with the grandparent.

This amendment would make the policy of having the child reside with the grandparent rather than having custody consistent with the policy of the Temporary Assistance for Families Program also administered by SRS, which does not require a grandparent to have custody of the grandchild to receive assistance; but requires, as this amendment would, that the grandchild reside with the grandparent.

I am a grandmother who has been raising a 9-year-old granddaughter since she was a one month old baby. I have much experience in working with grandparents raising grandchildren since I first began raising my granddaughter nine years ago. I hear from grandparents on a daily basis who report to me that they are not applying for the Grandparents as Caregivers Program because they do not have custody of the child and know that they will be found not eligible. Many of these grandparents report to me that they cannot afford to pay the attorney fees, which are \$175 an hour and up, to gain legal custody of their grandchild. In other cases, the biological parents are not willing to give up legal custody of the child. However, the grandparent, wanting to do the right thing and keep the child in the family and out of the formal foster care system, finds themselves without a resource that could make their family's life somewhat easier.

I have talked to staff who work with grandparents raising grandchildren from the Kansas Department on Aging, the Family Friends Program of Children's Mercy Hospital, and the Kansas Children's Service League; have they have all stated that many of the grandparents that they are in contact with report that one of their primary reasons for not applying for the Grandparents as Caregivers Program is because they do not have legal custody of their grandchild or grandchildren and cannot afford to pay an attorney to get custody.

If we do not provide supports to these families, these children could be placed in non-relative foster care because of the grandparent's inability to financially meet their needs. Kansas taxpayers would then end up paying much more – both in dollars and in the loss of that family connection which we as a society so value.

HB 2839 - The Grandparents as Caregivers Act
Marva Williams Testimony
March 20, 2008

House Fed and State Committee
March 20, 2008

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Based on 2000 U.S. Bureau of the Census, in Kansas, 17,873 grandparents reported that they are raising their grandchildren; and over 30,000 children are living in households in Kansas headed by grandparents or other relatives.

Translating this to dollars, every child kept out of the foster care system saves an average of \$40,000 a year that we all pay (ABC News: 'Primetime' – June 9, 2006); and the real value that these caregivers are providing goes well beyond dollars and cents. Keeping families together gives children the opportunity to learn their personal history and to preserve their family heritage. It also shows them the importance of pulling together and facing family responsibilities.

I would also like to request an amendment to Section (3) of this bill which states that a grandparent shall be eligible to participate in the Grandparents As Caregivers Program if they "have an annual household income of less than 130% of the federal poverty level". As I stated previously, I have contact with many grandparents raising grandchildren on a daily basis, and the two major barriers to applying for the Grandparents As Caregivers Program that I hear is that they do not have and cannot afford to get legal custody of their grandchildren and that the poverty level percentage needs to be raised because many of them are close to the current level (many making approximately \$1,200 a month, which is approximately 150% of the poverty level for a single grandparent), but just a little over the 130% (which is \$1,106 income a month for a single grandparent). This has also been reported to me from my colleagues at the Kansas Department on Aging, the Family Friends Program of Children's Mercy Hospital, and the Kansas Children's Service League. Raising the poverty level from the current 130% to 150% would enable more grandparents raising grandchildren to apply for and be eligible for the Grandparents as Caregivers Program.

I have adopted my granddaughter, so I am not eligible for benefits under the Grandparents as Caregivers Program. However, on behalf of the 17,873 grandparents raising grandchildren in Kansas and as a grandparent raising a grandchild, I strongly encourage your support of this amendment. This would help these children, who have already been through so much, remain with someone who loves them and who wants to take care of them but needs some help and support to do so.

Thank you for the opportunity to appear before you today, and I would be happy to answer any questions that you might have.

TO: COMMITTEE ON FEDERAL AND STATE AFFAIRS

FROM: CHERYL COLLIER
7510 ORIENT AVENUE
KANSAS CITY, KS 66112

RE: HB 2839 - GRANDPARENT AS CAREGIVERS PROGRAM

I HAVE FIVE GRANDCHILDREN, BUT I AM CARING FOR ONE GRANDCHILD AT THIS TIME. HE IS 12 YEARS OLD AND I HAVE HAD HIM FOR SIX YEARS.

GRANDMOTHERS CAN'T AFFORD **GUARDIANSHIP** – THERE ARE ATTORNEY FEES FOR ME, ATTORNEY FEES FOR MY GRANDSON, A FEE FOR SOCIAL WORKER TO DO IN-HOME VISIT AND COURT COSTS. THESE EXPENSES ARE TOO GREAT. GRANDMOTHER'S INCOME ARE LIMITED; THE EXPENSES OF RAISING A CHILD ARE INCREASING, i.e., FOOD, CLOTHING, SCHOOL FEES, MEDICAL, ETC. I WOULD LOVE FOR MY GRANDSON TO PLAY SPORTS AND A MUSICAL INSTRUMENT, BUT I CAN'T AFFORD THESE EXPENSES.

I APPLIED FOR ASSISTANCE THROUGH SB 62 AND I WAS NOT ONLY DENIED BUT THEY CUT OFF MY FOOD STAMPS AS A RESULT OF THIS. THE GRANDPARENTS **INCOME** SHOULD NOT BE CONSIDERED WHEN APPLYING FOR ASSISTANCE FOR THE GRANDCHILD/GRANDCHILDREN.

ANOTHER PROBLEM I SEE WITH THIS BILL IS THE **AGE LIMIT**. YOU CAN'T PUT AN AGE LIMIT ON A GRANDMOTHER. WE DON'T HAVE THE LUXURY TO SAY WHAT AGE WE WILL BECOME A GRANDPARENT. I DON'T THINK THERE SHOULD BE A STIPULATION ON AGE IN THIS BILL.

OUR CHILDREN ARE GOING TO BE OUR FUTURE, SO WE NEED HELP PROVIDING THE BEST WE CAN FOR OUR CHILDREN SO THEY CAN BE PRODUCTIVE CITIZENS IN SOCIETY.

House Fed and State Committee
March 20, 2008

Attachment

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Kansas Department of
Social and Rehabilitation Services
Don Jordan, Secretary

House Committee on Federal and State Affairs
March 20, 2008

Grandparents As Caregivers

Integrated Services Delivery

Candy Shively, Deputy Secretary



For Additional Information Contact:
Dustin Hardison, Director of Public Policy
Docking State Office Building, 6th Floor North
(785) 296-3271

House Fed and State Committee
March 20, 2008

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Grandparents as Caregivers

House Committee on Federal and State Affairs March 20, 2008

Chairman Siegfried and members of the committee, thank you for the opportunity to provide information on House Bill 2839. House Bill 2839 would remove the requirement that a grandparent possess legal custody of a grandchild in order to participate in the Grandparents as Caregivers Program. The bill would replace the legal custody condition with the requirement that a grandchild only reside with the grandparent. Legal custody includes legal guardianships, legal custody, and temporary legal custody awarded by a court. Other eligibility criteria for the current program includes:

- The grandparent must be 50 years of age or older
- The child must live with the grandparent or relative and the child's parent must not live with the grandparent or child
- The child must not be in state custody
- The child must be less than 18 years of age, or less than 21 years of age if attending school
- Household income must be less than 130% of the federal poverty level.

As of February 2008, 149 families (259 children) have been approved for benefits. The monthly benefit is \$200 for one child, \$400 for two children and \$600 for three or more children. The main reasons families did not qualify for the program were the household's income is over the 130% federal poverty level, the caregiver does not have legal custody and the caregiver's age does not meet the minimum age requirement.

Relatives not qualifying for the Grandparents and Caregivers program have the option to apply for Temporary Assistance to Families (TAF). In this program relatives are not required to have legal custody, only the child's income is counted and there is no age limit for the caregiver. The typical monthly benefit is \$175 for one child, \$271 for two children and \$359 for three children, with a \$61 increase for each additional child.

Other differences between the two programs are that with TAF the child must have less than \$2000 in assets, such as savings or checking accounts, and the relative caregiver must cooperate with child support enforcement. In both programs the child can also qualify for medical assistance.

SRS estimates that passage of HB 2839 would increase expenditures in the Grandparents as Caregivers Program by \$1.3 million from the State General Fund in FY 2009. Without the requirement that the grandparent have legal custody, an additional 1,364 children would be eligible for the program. SRS estimates a participation rate of 40.0 percent in FY 2009, which would add 546 children. The monthly cost per child is \$200.

**KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES
PROGRAM POLICY COMPARING
TEMPORARY ASSISTANCE TO FAMILIES (TAF) AND GRANDPARENTS AS CAREGIVERS (GP as CG) PROGRAMS**

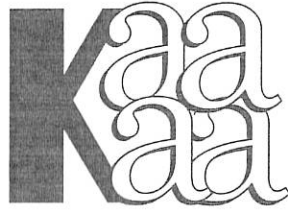
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LNL

Eligibility Criteria	Grandparents as Caregivers	Temporary Assistance to Families
Child's status	Must live with grandparent or relative who has legal custody	Must live with a relative or legal guardian or custodian. Relative is not required to have legal custody
Minimum age limit for grandparent	Yes (50 and older)	No
Maximum age limit for child	Under 18 years of age or under age 21 if pursuing high school degree or GED	Under 18 years of age or under age 19 if pursuing high school degree or GED
Income Limit*	Grandparent's and child's income must be less than 130% of federal poverty level. Income is counted for whomever is listed as the custodian/guardian on the court order.	Child's monthly unearned income must typically be less than \$175. Guardian's income is not counted.
Resource/Asset Limit*	None	Child's assets (savings, checking account) must be less than \$2000
Must cooperate with CSE	No	Yes
Must pass home inspection	No	No
Typical monthly cash payment	\$200 one child; \$400 two children; \$600 three children. Maximum monthly benefit for family is \$600	\$175 one child; \$271 two children; \$359 three children with \$61 increase for each additional child. (Varies slightly depending on area within the state)
Child receives Medical Assistance	Can apply for medical assistance.	Yes, if identity and citizenship verified.
Child Care Assistance provided (If caregiver is employed)*	If income is under 185% poverty level. Both adult's and child's income counted. Must cooperate with CSE for child care.	Only child's income is considered. Must cooperate with CSE.

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*If caregivers also request TAF cash assistance for themselves, the adult's finances must also be considered in determining eligibility for the family.

KANSAS
AREA AGENCIES
ON AGING
ASSOCIATION



Meeting the Needs of Older Kansans

2910 SW TOPEKA BOULEVARD • TOPEKA, KS 66611 • 785-267-1336 • FAX - 785-267-1337

To: House Federal and State Affairs Committee
From: Craig Kaberline, Executive Director - Kansas Area Agencies on Aging Association
Date: March 20, 2008

Testimony in Support of House Bill 2839

Chairman Siegfried and members of the committee, I appreciate the opportunity to provide written testimony regarding House Bill 2839. The Kansas Area Agencies on Aging Association's mission is to work to improve services and supports for all older Kansans and their caregivers. K4A represents all eleven Area Agencies on Aging (AAA) who provide information and coordinate services for seniors in all 105 counties of Kansas.

I write this testimony on behalf of the Kansas Area Agencies on Aging Association to support House Bill 2839, amending the Grandparents as Caregivers Act.

K4A believes this is a good and important piece of legislation for Kansas grandparents, especially as more and more grandparents are raising their grandchildren across Kansas. There are many grandparents in Kansas who are struggling to make it financially themselves, many who are on fixed incomes. They want to make sure that their grandchildren remain within the family which most often is also best for the child. For some low-income grandparents this assistance may mean the difference in being able to properly care for their grandchild and the grandchild going into the state foster care system. Placing the requirement to take their own children to court in order to receive this benefit establishes a barrier which many are unwilling to cross.

Imagine not only the heartache but the strife it can cause in a family for a parent to have to take their own child to court. Now imagine being a 70 year old parent and having to take your child to court and taking away custody of their child through the court system. Many Kansas low-income grandparents may be willing to take on the responsibility of taking care of their grandchild but not willing to jump through this hoop in order to get the assistance they desperately need. Please eliminate this barrier and help Kansas grandparents keep these children where they belong; within their natural family.

We ask your support for HB 2938 because we believe this bill creates a win-win-win situation. It is a win for the state because with some assistance grandparents, that are currently not eligible for the program, may keep the child from entering the state foster care system. It is a win for the grandparents because it allows them the assistance necessary to take care of the grandchild and keep them in the family. And most importantly it is a win for the child, who has the opportunity to stay within their family, have stability in their life and not enter into the state system.

We thank you for your commitment to children and older Kansans. We ask for your support of SB 2839.

AREA AGENCIES ON AGING:

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House Fed and State Committee
March 20, 2008



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March 20, 2008

The Honorable Arlen Siegfried, Chairman
House Committee on Federal and State Affairs

Reference - HB 2839

Good afternoon Chairman Siegfried and Members of the House Committee on Federal and State Affairs. My name is Ernest Kutzley and I am the Advocacy Director for AARP Kansas. AARP represents the views of our over 371,000 members in the state of Kansas. Thank you for allowing us to present our written comments in support of expanded benefits to grandparents as caregivers. AARP Kansas supports HB 2839.

Grandparents and other caregiver relatives play an increasingly important role in family well-being, especially in low-income families. According to the 2000 census, approximately 2.4 million grandparents are responsible for raising their grandchildren. Although the majority of grandparent caregivers (68 percent) are white, a disproportionate share are African-American (29 percent of caregivers, as compared with less than 13 percent of the population). Two in five midlife and older caregivers live in or near poverty: 27 percent are poor, and another 14 percent live between 100 percent and 150 percent of poverty. Grandparent caregiver households are likely to need help in meeting the significant costs of child care, health coverage, housing, food, clothing and other expenses for their grandchildren, but very few of them now receive any such financial assistance.

Public benefit programs should maximize the support given to families headed by grandparents. Federal and state governments should create policies and regulations that encourage grandparents and other caregiver relatives to keep families intact whenever possible.

AARP believes that to allow grandparents and other caregiver relatives to meet their obligations to the children in their care, states should pass legislation that makes it as simple as possible for the children to be enrolled in school and treated by medical professionals. States should:

- Subsidize guardianship programs to increase the cash assistance to families acting as children's guardians, enabling the caregivers to become the legal guardians and replacing the state in that role; and
- Create navigator programs, which make it easier for grandparents and other caregiver relatives to access the available resources that can help them provide for the children in their care.

Over

House Fed and State Committee
March 20, 2008

Therefore, AARP Kansas supports legislation such as HB 2839 that will reduce the disparity between benefits paid to grandparents and other caregiver relatives and benefits paid to foster parents

We respectfully request your support for expansion of the Grandparents as Caregivers program for those Kansans who are the caregivers for their grand- and great grandchildren. We appreciate the opportunity to provide this testimony.

Thank you.
Ernest Kutzley



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Locations

Abilene	Lakin
Andover	Leoti
Cimarron	Liberal
Clay Center	Manhattan
Concordia	Marysville
Council Grove	Olathe
Deerfield	Pittsburg
Garden City	Pratt
Hays	Salina
Hugoton	Satanta
Hutchinson	Scott City
Johnson	Stafford
Junction City	Topeka
Kansas City	Ulysses
Kingman	Wichita

Kansas Children's Service League is the Kansas Chapter of Prevent Child Abuse America, a member of the Child Welfare League of America and the United Way. Accredited by the Council on Accreditation of Services for Families and Children.

**Testimony for HB 2839
Representative Arlen Siegfried, Chairperson
House Federal and State Affairs Committee
March 20th, 2008**

Thank you for the opportunity to testify today. My name is Gina McDonald and I am the Vice President for Education and Awareness with the Kansas Children's Service League (KCSL).

Kansas Children's Service League is a not for profit agency serving children and families across the state. In our 114 years, KCSL has provided a range of services driven by community need, spanning the areas of prevention, early intervention, treatment and placement. KCSL also has a long a rich tradition of advocating for the needs of Kansas children and their families as reflected in our mission. Our collective efforts are aimed at keeping children safe, families strong and communities involved.

In my role at KCSL, my staff has the opportunity to work with many grandparents who face the challenges of raising their grandchildren for a variety of reasons. Though our work with them we learn of the unexpected difficulties faced with raising their children's children.

We want to thank Representative Faust-Goudeau for proposing the amendment to this bill. She has also been very attentive to the needs of grandparents raising grandchildren in the Wichita area.

The change to this bill would begin to resolve one of the issues that we have heard from grandparents. They experience great difficulties in procuring legal assistance to get guardianship of their grandchildren in order to be eligible to receive these benefits. It can be a costly and confusing process.

There are also many people who have hopes that their grandchildren can be reunited with their natural parents after a period of time. So the idea of removing guardianship rights and responsibilities is unacceptable to them. It also doesn't lend itself to the option for reinstatement of the children with their natural parents.



However, we also understand that the state and SRS must have some assurances that grandparents are actually caring for their grandchildren in their homes in order to receive subsidies.

We are also aware that if grandparents are caring for their grandchildren, it is in their best interest to have at least power of attorney for medical care, in the event the child is in need of emergency care.

So we ask for your support of the bill with the following conditions:

1. Based upon the needs of the family, they would have the option of deciding to have at the least a power of attorney to protect both the grandparents and the children. They would also have the options afforded others in the different levels of control including but not limited to conservatorship and guardianship. The grandparents would make the informed choice.
2. When grandparents sign up for these services at SRS offices, information should be given to them about all the options available for seeking legal services.
3. We recommend that there be some incentives for groups including but not limited to Kansas Legal Services, so they would have staff available to assist grandparents in seeking the least intrusive control available.

This would insure accountability for the state, provide grandparents the needed resources to assist them in making these difficult decisions and would assist in paying for the costs of these activities.

Thank you for allowing me to testify on this important bill. I would be happy to stand for questions.