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Uneven Implementation of Family Violence Option

In August 2005, the U.S. Government Accountability Office (GAO) released a research report, "TANF: State Approaches to Screening for Domestic Violence Could Benefit from HHS Guidance," which examines state approaches to screening clients of Temporary Assistance for Needy Families (TANF) for domestic violence. According to this report, the GAO learned that the U.S. Department of Health and Human Services (HHS) has not specifically advised state TANF programs through official guidance or memoranda on best practices regarding domestic violence screening. Nor has the HHS specified minimal acceptable standards for domestic violence screening. Therefore, the GAO recommends that the HHS Secretary Mike Leavitt examine current domestic violence screening practices of all states, in order to determine whether certain practices such as employing domestic violence specialists are particularly promising, and inform and encourage states to adopt such practices.

About the GAO Report

The GAO conducted a survey of the TANF programs in each of the 50 states and the District of Columbia. They supplemented survey findings with in-depth visits to five states – Colorado, Georgia, New York, Oklahoma and Washington. Through their survey, the GAO sought to learn about states' policies regarding screening TANF clients for domestic violence, how states addressed domestic violence once clients informed them about their situations, and the extent to which states used TANF funds for marriage and responsible fatherhood programs and how these programs addressed domestic violence.

Family Violence Option

Through the TANF program, eligible low-income families with children may receive cash assistance. However, TANF recipients are only allowed to receive cash benefits for a total of 60 months during their lifetime. They must also participate in work activities for 30 hours per week and cooperate with child support enforcement agencies. There are exceptions to these requirements for clients who are unable to participate in work activities for at least 30 hours per week or need assistance for more than five years. One such exception is the Family Violence Option (FVO), which states may choose to adopt. States that adopt the FVO commit to screening their TANF clients for domestic violence, then referring clients who are domestic violence victims to domestic violence services. These states can also grant waivers to clients in domestic violence situations who are unable to meet TANF program requirements.

Screening for Domestic Violence

According to the GAO's findings, most states have adopted the FVO or a comparable policy -39 states and the District of Columbia have adopted the FVO and eight states have adopted similar policies. Yet, these states employ a broad range of domestic violence screening techniques that are both formal and informal and vary in depth and detail from state to state. For example, 26 states provide specific screening tools, such as questionnaires that must be used by local offices; eight states simply offer guidance on screening to local offices through memos, regulations, or staff manuals; and five states do not actively screen for domestic violence, requiring, instead, that all TANF clients receive notification about the availability of domestic violence waivers.

Screening tools, where they are used, also vary in breadth from state to state. One state uses a nine-question, electronic screening tool that requires TANF staff to ask clients about various aspects of

domestic violence, while another state uses a tool designed to be self-administered that asks a single question about sexual or physical violence, set among others related to general health issues.

The GAO also found that of the states that adopted the FVO or a comparable policy, most do not have policies in place regarding the physical setting where domestic violence screenings occur or who may be present during the screening. Thus, in some states, screenings take place at desks in open cubicles, near other desks or the office lobby. In most states, caseworkers or intake workers conduct domestic violence screenings although, according to the GAO, these workers can vary considerably in skill and ability to perform such screenings. In fact, the GAO found that nearly half of the states that adopted the FVO or a comparable policy either do not have a policy regarding domestic violence training for these workers or provide them domestic violence training only once during their career.

Addressing the Needs of Domestic Violence Victims

Of the states that adopted the FVO or a comparable policy, the GAO found that most waive TANF work, time limit, and child support requirements for qualifying clients, although the conditions for granting waivers varied from state to state. Some states, for example, require clients to provide evidence of domestic violence before granting waivers while other states require only a statement from the client. More than half of the states also require clients to participate in domestic violence services in order to receive waivers while a few states encourage clients to obtain services but do not require them to do so.

In terms of domestic violence services, all states reported that they refer clients who are victims of domestic violence to local agencies for services, including counseling, crisis intervention, safety planning, emergency shelter, support groups, and legal and court advocacy. However, the degree of monitoring client participation and progress varied by state, as did the availability of services. Most states reported that they monitored the progress of a client receiving domestic violence services so that they could determine, for example, when the client was ready to move into a work activity. Several states had no such policy, however, and at least one state even discouraged communication between TANF offices and domestic violence service agencies in order to maintain client confidentiality.

Marriage & Responsible Fatherhood Programs

Finally, the GAO found that 31 states had used some federal TANF funds, generally a small portion of their total federal TANF budget, for marriage programs, responsible fatherhood programs, or both in the last three years. Researchers and practitioners in the field of marriage and responsible fatherhood agree that these programs typically do not include a component on domestic violence. However, some of these programs implicitly address domestic violence by emphasizing healthy relationships and constructive conflict resolution.

Family Violence Option in Illinois

In Illinois, the FVO, which is called the Domestic Violence Exclusion, has been in effect since July 1, 2002. Through the Domestic Violence Exclusion, which excuses qualifying TANF clients from participating in work or training activities for 30 hours per week, stops their 60-month TANF counter, and extends their grant beyond the 60-month limit, families may get much needed relief to deal with the violence in their lives. The next issue of WomanView will examine the Domestic Violence Exclusion more closely.

To download a copy of "TANF: State Approaches to Screening for Domestic Violence Could Benefit from HHS Guidance," go to www.gao.gov/new.items/d05701.pdf, or contact Wendy Pollack at wendypollack@povertylaw.org or 312-263-3830 ext. 238.

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