

Drug Testing for Welfare Recipients in Alabama

When government resources are strained due to a struggling economy, Alabama's government must ensure that public funds targeted at providing economic assistance are being used by those truly in need, and not by those who take advantage of the system or who use public aid to subsidize illegal behavior, such as drug and alcohol abuse.

Policy Consideration

Temporary Assistance to Needy Families (TANF) is administered through the Department of Health and Human Services with the goal of providing assistance to families facing economic hardship as well as "reducing the dependency of needy parents by promoting job preparation, work and marriage."ⁱ TANF is administered to the States through block grant funding.ⁱⁱ

In 2009, as a part of the American Recovery and Reinvestment Act, popularly known as "The Stimulus", an additional \$5 billion was authorized to help states handle the increased number of unemployed due to the economic downturn.ⁱⁱⁱ Some of Alabama's requirements for participation in TANF include^{iv}:

- U.S. citizenship and Alabama residency
- Income less than specified limits determined by family size
- Less than \$2000 in family assets or less than \$3000 if there is a member of the family over age 60.
- Cooperation in self-sufficiency requirements of TANF programs
- Families must have a child under 18 living in the home

ISSUE SNAPSHOT

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Alabama's government must ensure that public funds targeted at providing economic assistance are being used by those truly in need, and not by those who take advantage of the system or who use public aid to subsidize illegal behavior, such as drug and alcohol abuse.

Alabama should implement a program similar to Maine's that would require TANF applicants with prior drug-related felonies to submit to drug testing.

The maximum duration of TANF benefits is a total of 60 months over an individual's lifetime. If an individual's family received benefits when he or she was a child, he or she may receive an additional 60 months as an adult.

Families that are eligible for TANF are also automatically eligible for the Supplemental Nutrition Assistance Program (SNAP, also known as Food Stamps).

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GUIDE TO THE ISSUES

Recommendation

The use of illicit drugs is a significant contributing factor to the “cycle of poverty” in Alabama. Youth in low-income families, especially in homes with existing drug users, are more likely to engage in risky behavior, such as drug and alcohol use^{vi}. By incentivizing families to stay drug-free to continue receiving benefits, Alabama will not only be helping those most needy, it will also be helping its youth from low-income families break out of the patterns that lead to a continued life of poverty.

The responsible administration of government benefits is possible through a system of drug testing under certain circumstances. Several states have implemented or are considering implementing the policy of required drug testing. As a result, Alabama is able to see the impact of different approaches to the problem.

Maine recently passed several reforms to its TANF policies as a part of its biennial budget in 2011. These reforms require that applicants for assistance who have been convicted of a drug-related felony in the past 20 years submit to drug testing before being approved for benefits.

If the applicant tests positive, they are entitled to a “fair hearing”, before which the applicant may submit to a second drug test to rule out any false positives. If the second drug test confirms that the applicant is using an illegal drug, he or she may submit to a substance abuse treatment program to avoid the termination of TANF benefits for their family. However, if the applicant refuses to submit to the second test, benefits will be terminated.^{vii}

In July 2011, the Florida State Legislature enacted a law requiring adults applying for welfare assistance to undergo drug screening. The applicants are responsible for the cost of their test, but are reimbursed by the state if they test negative. Since its implementation, 98% of applicants have tested negative for illicit drugs. Each drug test costs the state about \$30.

The law is expected to save Florida approximately \$98,000 over the next year, or only 0.0006% of the TANF programs \$178 million budget.^{viii}

Maine’s plan has several significant advantages over Florida’s plan. Florida has already faced constitutional challenges to their law on the grounds that needing public assistance is not sufficient cause for drug testing. By only requiring applicants with prior drug-related felonies to submit to drug testing, states lessen the fiscal burden of the cost of drug testing while targeting a population with a higher probability of abusive behaviors.

Alabama should implement a program similar to Maine’s that would require TANF applicants with prior drug-related felonies to submit to drug testing.

ⁱ U.S. Department of Health and Human Services, Administration for Children & Families website <http://tinyurl.com/df5k48> (Last Accessed 11/01/11)

ⁱⁱ Department of Health and Human Services website <http://tinyurl.com/3gyxmi6> (Last Accessed 8/29/11)

ⁱⁱⁱ Ibid.

^{iv} Alabama TANF Program Website <http://tinyurl.com/3tcmqgd> (Last Accessed 8/29/11)

^v <http://tinyurl.com/425fgxy>

^{vi} US Department of Health and Human Services ASPE Youth from Low-Income Families Fact sheet <http://tinyurl.com/3snxdgg> (Last Accessed 8/29/11)

^{vii} Maine Legislature 2011-2012 Biennial budget, page 76. Available <http://tinyurl.com/3lqa9eo> (Last Accessed 9/7/11)

^{viii} Catherine Whittenburg, Tampa Tribune, August 24, 2011 Available <http://tinyurl.com/3v3ugnp> (Last Accessed 10/10/11)