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HOUSE JOINT RESOLUTION NO. 87

Offered January 13, 2010

Prefiled January 12, 2010

Directing the Joint Legislative Audit and Review Commission to study the costs and benefits of drug testing recipients of Temporary Assistance for Needy Families cash assistance in the Commonwealth in order to reduce costs associated with substance abuse. Report.

Patron—Marshall, D.W.

Referred to Committee on Rules

WHEREAS, in 2007, a study by the Joint Legislative Audit and Review Commission reported that approximately 517,000 Virginians, or eight percent of the population of the Commonwealth, illegally used or abused substances, and that illegal use or abuse of substances cost the state and local governments of the Commonwealth approximately \$613 million, with approximately \$586 million spent on public safety costs related to substance abuse and \$27 million spent on health care costs associated with substance abuse; and

WHEREAS, many studies have found that effective substance abuse treatment can reduce costs associated with substance use and abuse, including the National Treatment Improvement Evaluation Study, a congressionally mandated study conducted by the Substance Abuse and Mental Health Services Administration, which found significant decreases in substance use (ranging from a 73 percent to 38 percent decrease) following treatment; a 64 percent reduction in arrests and even greater reductions in self-reported participation in illegal activities such as selling drugs; declines in health care costs; increases in employment; and a lower reliance on public benefits programs; and

WHEREAS, as of October 31, 2009, the Department of Social Services reported that 36,904 families received Temporary Assistance for Needy Families (TANF) cash assistance payments; and

WHEREAS, a child is eligible for TANF cash assistance payments if the child is under the age of 18, attends school regularly if he is between the ages of five and 18, is living with a parent or other relative, is a citizen of the United States or an eligible immigrant, and is a member of a household that meets household income requirements; and

WHEREAS, TANF cash payments are made by the Department of Social Services to a responsible adult in a household that includes a qualifying child or children; and

WHEREAS, it is necessary to ensure that funds paid to an adult for the benefit of a qualifying child or qualifying children are actually used for the benefit of the qualifying child or children, and to ensure that funds are not used to purchase illegal drugs or to support illegal use or abuse of substances; and

WHEREAS, drug testing of TANF benefit recipients may provide a method of determining whether adults receiving TANF cash assistance for the benefit of a qualifying child or children are illegally using or abusing drugs to the detriment of their children; and

WHEREAS, identifying such adults, ensuring that such adults receive substance abuse treatment and directing payments for the benefit of a qualifying child or qualifying children through a responsible third party payee to be used for the benefit of such children protect children, ensure that TANF cash assistance is used for the benefit of the child or children, and benefit the child or children, adult, and the Commonwealth by reducing rates of substance abuse, now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study the costs and benefits of drug testing recipients of Temporary Assistance for Needy Families cash assistance in the Commonwealth in order to reduce costs associated with substance abuse.

In conducting its study, the Joint Legislative Audit and Review Commission shall determine the fiscal costs of drug testing applicants for and recipients of TANF cash assistance, the costs of providing treatment to applicants and recipients identified as engaged in the illegal use or abuse of drugs, any fiscal benefits that may result from requiring drug testing of applicants for and recipients of TANF cash assistance and the provision of substance abuse treatment services for applicants and recipients identified as illegally using or abusing drugs, and recommendations for implementation of such a system.

All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings for the first year by November 30, 2010, and for the second year by November 30, 2011, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for

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59 each year. Each executive summary shall state whether the Joint Legislative Audit and Review
60 Commission intends to submit to the General Assembly and the Governor a report of its findings and
61 recommendations for publication as a House or Senate document. The executive summaries and reports
62 shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for
63 the processing of legislative documents and reports and shall be posted on the General Assembly's
64 website.