

April 16, 2010

**Independent Regulatory Review Commission**

333 Market Street, 14<sup>th</sup> Floor

Harrisburg, PA 17101

Re: Regulation No. 14-513  
Codification of the Family Violence Option

Dear Independent Regulatory Review Commission:

The Community Justice Project, Community Legal Services, and Women's Law Project jointly submit the following comments in support of final form Regulation No. 14-513 which codifies the federal Family Violence Option requirements in Pennsylvania.

The Family Violence Option (FVO) was included by Congress in the Personal Responsibility and Work Opportunities Reconciliation Act of 1996 (PRWORA), as a means for states, at their election, to help assure and expedite access to Temporary Assistance for Needy Families (TANF) for needy victims of domestic violence. The FVO is grounded in research showing that a large percentage of women and children receiving welfare are or have been victims of domestic violence. TANF can provide financial support and services critically needed by these families as they flee abusive situations and attempt to address their safety needs.

In 1997, very shortly after the enactment of PWRORA, Pennsylvania under then Governor Ridge elected to adopt the FVO and created a Task Force to assist the state in implementing this provision for both TANF and General Assistance. The Task Force included lawyers from our three legal advocacy organizations, advocates from the Pennsylvania Coalition Against Domestic Violence (PCADV), survivors of domestic violence, and officials from various offices of the Department of Public Welfare.

The Task Force has worked cooperatively and productively for over a decade under Governors Ridge, Schweiker, and Rendell to support and assist the Department in its implementation of the FVO. We are very pleased to see the publication of this regulatory package in final form, the culmination of many years of work.

The final form regulations set forth policies and procedures that faithfully implement the intent of the FVO. They also adopt many of the technical recommendations made by our organizations in comments we submitted following the publication of this regulatory package as proposed rulemaking.

The final form regulations reflect the Department's recognition that TANF and GA cash assistance can play a vital role for individuals and families as a means to escape domestic violence, address safety issues, and become financially independent of abusive partners. As envisioned by the FVO, the proposed regulations take a three-pronged approach to addressing

the needs of domestic violence victims. These policies:

- Help to identify victims of domestic violence who may be in need of help;
- Provide for referral of victims to counseling, shelter, or other appropriate services; and
- Provide for waiver of certain TANF or General Assistance program requirements when compliance with a requirement would place a victim at greater risk of domestic violence; make it more difficult for a victim to escape an abusive situation; or unfairly penalize a victim because of domestic violence.

Importantly, the proposed regulations establish strict confidentiality requirements and protocols to ensure the privacy and protection of those who disclose domestic violence and ask for help.

Many of the policies codified in these regulations have actually been in operation under three administrations and have provided incalculable help to victim women, men, and children across the Commonwealth. Our three organizations have had many clients over the years whose lives were changed by these policies, women who, for example, were able to quickly access benefits needed in order to flee abusive situations and who were able then to pursue educational and employment opportunities available through DPW's welfare to work program and achieve financial independence, both from the welfare system as well as from their abusers.

We enthusiastically support approval of regulation No. 14-513 by the Independent Regulatory Review Commission.

Very truly yours,



Peter Zurflieh  
Community Justice Project



Terry L. Fromson  
Women's Law Project



Amy Hirsch  
Community Legal Services

cc: Edward J. Zogby, Director, Bureau of Policy, Department of Public Welfare