

Questions and Answers: the TANF Five-Year Time Limit

-
- ❖ Read this only if you live in the state of Washington.
 - ❖ You can find all the fact sheets we link to here at WashingtonLawHelp.org.
-

Why should I read this?

There is a sixty-month (five-year) time limit for getting TANF (Temporary Assistance for Needy Families) and SFA (State Family Assistance) cash assistance. But you might not have to stop getting assistance at the end of 60 months.

Can I get an “exception” to the time limit?

Yes. The time limit will not apply if you are one of these:

- An adult caretaker, other than a parent. You get cash assistance for the child but not yourself.
- A dependent pregnant or parenting teen. DSHS has okayed your living situation.
- An American Indian or Native Alaskan adult, living in Indian country. The unemployment rate in your community is 50% or more.

Can I get an “extension” to the time limit?

Maybe. You can get TANF or SFA for longer **if** you can show that you cannot work full-time. This might mean you are one of these:

- An older needy caretaker relative (55 and older)
- Caring for an adult relative with disabilities
- Caring for a child with special needs
- An adult with severe and chronic disabilities

You should have proof (**examples:** of your age, your disability, or the disability of the relative you are caring for). Ask your caseworker to refer you to a social worker for help getting proof.

❖ DSHS checks at least every twelve months to see if you can work.

None of the above is true for me. Can I get an extension anyhow?

Maybe. You might be able get a **“hardship” extension** if least one of these is true:

- You are working at least 32 hours a week.
- You are a survivor of family violence. Read [WorkFirst and Family Violence Amendment](#).
- You are working with the Children’s Administration on child welfare issues involving any of your children in a dependency case for the first time.
- You are homeless. This includes living outside, in a building not meant to be lived in or which you have no legal right to be in, in a shelter, or in a temporary housing program.

❖ DSHS checks at least every six to twelve months if you need a hardship extension.

When does DSHS check if I can get an extension?

DSHS should look at your case between your 52nd month of getting cash assistance and your 60-month time limit.

Before you reach the time limit, DSHS will send you a notice saying if they are giving you an extension.

How do they decide if I should get an extension?

DSHS is supposed to ask you about any barriers, such as hidden disabilities, that may make it hard for you to work or look for work. If they do not ask, **raise these issues yourself**. Ask them for time to get proof of your condition and of how it affects your daily activities. If you have a medical provider, ask DSHS for a form the provider can fill out supporting your claim that a physical or mental health problem makes it hard for you to do WorkFirst.

DSHS says I cannot get an exception or extension. What can I do?

Ask for an Administrative Hearing and continuing benefits **right away**. Get legal help. See below. Read [Representing Yourself at an Administrative Hearing](#).

How long will DSHS extend the time limit?

For as long as you qualify for an extension. DSHS will check from time to time to see if you still qualify.

I started getting TANF in another state. Then I moved to Washington. Does the time limit apply to me?

Yes. It does not matter where you got TANF.

This **only** applies to assistance you got on or after August 17, 1997.

Does the time limit apply to months I got only medical or food assistance?

No. It only applies to TANF or SFA.

Does the time limit apply to months I got cash assistance for only part of the month?

Yes.

Does the time limit apply to months I got only a little cash assistance?

Yes.

DSHS says I have gotten sixty months of TANF. I disagree.

Ask for a hearing and continuing benefits **right away**, before your benefits stop. If the judge decides DSHS was right about you getting 60 months, you may have to repay up to 60 days of assistance. Read [Representing Yourself at an Administrative Hearing](#) and [How to Fight an Overpayment of Cash or Medical Assistance](#).

You can also get legal help:

-
- ❖ If you have a low income and live outside King County, call CLEAR at 1-888-201-1014 weekdays, 9:15 a.m. - 12:15 p.m.

If you live in King County, call King County 2-1-1.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

© 2019 Northwest Justice Project — 1-888-201-1014.

(Permission for copying and distribution granted to the Alliance for Equal Justice and to individuals for non-commercial purposes only.)