



HOUSE BILL 1490

Family Investment Program - Temporary Cash Assistance - Good Cause and Adequate Reason Exceptions

In the Senate Finance Committee
Senate Hearing on March 24, 2026

Position: FAVORABLE

Maryland Legal Aid submits its written testimony on HB 1490 at the request of its sponsor, Delegate Emily Shetty.

Maryland Legal Aid asks that the Committee report **favorably** on HB 1490, which directs the Maryland Department of Human Services (DHS) to update and standardize its procedures for granting parents receiving Temporary Cash Assistance (TCA) a “good cause” exemption from complying with the child support cooperation requirement. Maryland Legal Aid is the state’s largest provider of free civil legal services to indigent Maryland residents. Many of the low-income individuals we serve (including survivors of domestic violence) have relied on TCA to keep their families afloat during financially challenging times. Because HB 1490 creates a clear and uniform process for exempting parents who feel that cooperating with the TCA program’s child support requirement will endanger or destabilize their families, Maryland Legal Aid believes this legislation will ensure that vulnerable families remain safe as they access crucial public benefits.

When a custodial parent applies for TCA, state and federal laws *require* them to relinquish their right to seek child support from the non-custodial parent and assign that right to the government.¹ The government then initiates a child support case against the noncustodial parent, regardless of the custodial parent’s wishes.² This condition of receiving TCA is known as the “child support cooperation requirement.”

Many custodial parents Maryland Legal Aid serves are reluctant to apply for TCA because they do not want the government to file a child support case against their child’s other parent. Most of these parents are survivors of domestic violence who fear that the child support cooperation requirement will lead to their abusers learning their location, blaming them for being ordered to pay child support, and retaliating against them violently.³ Others are parents who have functional,

¹ Md. Code, Human Services § 5-312; Md. Code Regs. 07.03.03.10; 42 U.S.C. § 608(a)(3).

² Currently, the money collected from these government-initiated child support cases is *kept* by the state and federal government a way to recoup the cost of providing TCA to the custodial parent. However, in 2025, Maryland enacted legislation ensuring that 100% of the funds collected through these TCA-related child support cases will be passed through to custodial parents and children beginning in 2031. *See* Md. Code Human Services, § 5-310(a)(4).

³ There is ample research documenting how the child support cooperation requirement is a major stressor for custodial parents who are victims of domestic violence. *See e.g.* Spencer, R. A., et. al. “Women’s Lived Experiences with Temporary Assistance for Needy Families (TANF): How TANF Can Better Support Women’s Wellbeing and Reduce Intimate Partner Violence.” *International Journal of Environmental Research and Public Health* (2022), available at <https://www.mdpi.com/1660-4601/19/3/1170>; Kaplan K, et. al. “Temporary Assistance

stable working relationships with their co-parents and fear that those partnerships will sour if the government forces them into opposite sides of an unwanted child support court case. Fortunately, federal law gives Maryland the discretion to exempt custodial parents from the child support cooperation requirement for “good cause,” a determination that must be driven by the best interests of the children and the custodial parent’s history of being a victim of domestic violence.⁴ However, Maryland’s current approach to publicizing, screening for, and granting good cause waivers falls short in many ways.

First, Maryland Legal Aid’s clients routinely report being unaware that these exemptions, are available, as they are almost never mentioned during the TCA application process – not on the application itself, not in follow up letters from DHS directing applicants to apply for child support, and not by their TCA case managers. Furthermore, even when parents *knowingly* seek out good cause waivers from child support cooperation, a 2024 report from the University of Maryland School of Social Work found that “processes for determining exemptions vary across jurisdictions,” with local TCA and child support programs giving parents conflicting information about eligibility, proof, and which agency is charged with adjudicating good cause.⁵ Finally, Maryland’s current definition of good cause for non-cooperation with TCA’s child support requirements is very narrow, excluding a number of situations where the familial relationships may be damaged by mandatory child support cases.⁶

HB 1490 tackles each of these current problems. It requires DHS to inform TCA applicants and recipients at various stages about the possibility of obtaining a good cause exemption from the child support cooperation requirement, including during the TCA application process, during initial phone calls with caseworkers, and within all written notices regarding the child support. HB 1490 also creates a statewide standard for proving the existence of good cause and clarifies that it is the responsibility of the TCA program (not the child support office) to assess and determine whether good cause exists, thus preventing parents from being shuffled between agencies in pursuit of an exemption. And, finally, HB 1490 takes a more expansive approach to defining good cause, encompassing situations where compliance with the child support cooperation requirement will undermine parent-child relationships or co-parenting relationships. In doing so, HB 1490 will lead to more TCA applicants availing of exemptions that will keep their families safe and stable, and to which they are rightfully entitled.

For Needy Families: Sanctioning And Child Support Compliance Among Black Families In Illinois.” *Health Affairs (Millwood)* (2022), available at <https://pubmed.ncbi.nlm.nih.gov/36469821/>; Landrum G, et. al. “‘I don’t try to seek him out’: Views of child support over time.” *Journal of Marriage & Family* (2025), available at <https://pubmed.ncbi.nlm.nih.gov/40995060/>.

⁴ 42 U.S.C. 654(29)(A)(i); 45 CFR § 260.52.

⁵ Schuyler, L.A. et. al., “Maryland’s TANF program: A comprehensive review.” University of Maryland School of Social Work. (2024), available at <https://www.ssw.umaryland.edu/media/ssw/fwrtg/welfare-research/comprehensive-tcareview/ComprehensiveTCAReview2024.pdf>.

⁶ Md. Code Regs. 07.03.03.10(F).

HB 1490 comes on the heels of the federal Administration of Children & Families' January 2025 guidance calling on states to "review cooperation and good cause policies for flexibilities within child support cooperation requirements for TANF applicants and recipients" and "to consider additional recurring circumstances that might warrant an exception to cooperation, as well as to incorporate a flexible "best interests of the child" standard to allow for consideration of individual circumstances meriting an exemption."⁷ HB 1490 answers this federal call to action by creating a thorough, thoughtful, and consistent process for Maryland's most vulnerable families to obtain a good cause exemption from the child support cooperation requirement that might otherwise prevent them from safely receiving TCA.

For these reasons, MLA urges a favorable report on HB 1490. If you have any questions about this testimony, please contact Ameer Vora, Advocacy Director for Family Law, at avora@mdl.org.

⁷ Administration for Children & Families, U.S. Department of Health and Human Services, "Joint Letter Regarding Cooperation and Good Cause Policies," January 16, 2025, available at <https://acf.gov/css/policy-guidance/ofa-ocss-joint-letter-child-support-cooperation-requirements>.