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2003 FOUSE HUMAN SERVICES

HB 1446

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1446

House Human Services Committee

☐ Conference Committee

Hearing Date January 27, 2003

Tape Number	Side A	Side B	Meter #		
1	X		38.4 - 61.5		
2	X		15.9 - 35.1		
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Committee Clerk Sign	nature AMILA	Kendaw			

Minutes: Rep. Sandvig appeared as prime sponsor stating this will allow a parent to stay at home with a child up to 12 months of age.

Questions and concerns of the committee regarding why should we treat people on public assistance any different than other people of North Dakota and this will allow both parents to stay at home or just one.

Linda Reinke of CCR&R, Lutheran Social Services appeared in support with written testimony.

Rep. Porter noted that this is exempting both parents and is that the intent? No

Most employees are under the family leave act (4 months) and why should we exceed what everyone else has to live under? Many times families who aren't on TANIF have 2 parents to help with decision making such as child care, they are not searching for work like these families are.

Barb Arnold-Tengesdal, Executive Director for voices for ND's Children, supports with written testimony.

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Page 2 House Human Services Committee Bill/Resolution Number HB 1446 Hearing Dato January 27, 2003

Rep. Price had concerns with some of the issues facing kids with the fact that their parents have problems such as domestic violence, alcohol or whatever, are we delaying some of those things and by not having them be self sufficient as early as possible, aren't we in some way harming the children?

Answer: Feels there is two issues: Pushing the family to go to work to be self sufficient so quickly, the parents and how that affects the children and feels that they aren't mutually exclusive but this bill is allowing the families the opportunity when there are new borns to make a little maybe better attachment and allow a person to move into the work force when they are more ready.

Rep. Sandvig noted that TANF parents do get 100% paid child care assistance.

Kathy Lampinan, RN Child Care Health Consultant, Child Care Resource and Referral appeared in support with written testimony.

<u>John Hougen</u>, Director of Public Assistance for Dept. of Human Services appeared to give info on TANF with written testimony.

Mr. Hougen states that a family with child under 6 years of age would have to work 20 hours a week and if youngest child is over 6 years of age, would have to work 30 hours a week in order to meet the participation requirements. We cannot penalize someone who can't find child care.

Rep. Price asked for some information what you give the eligibility workers as far as what you need to meet the requirements for TANF, as far as dollar amount and then also the amount per child.

Mr. Hougen also stated that SB 2155 won't happen unless Federal goes into affect and has no idea when that will happen. Closed hearing.

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Page 3 House Human Services Committee Bill/Resolution Number HB 1446 Hearing Date January 27, 2003

Rep Price asked for clarification and if she was understanding correcting from Rep. Sandvig that if we'd allow the 12 months for the 1st child and they had a 2nd child, there would be no allowance at a'!? Answer: That was her understanding also, just the 12 months per family.

Rep. Potter noted the same concerns as Rep. Porter with this bill exempting both parents.

Rep. Porter noted that Mr. Hougen talked about SB 2155 and if Rep. Sandvig knew of that and what this bill would do to that flexibility that SB 2155 is trying to give the Dept. in adjusting to

Rep. Sandvig: It would be better to try to get this one to go through in case nothing happened in the federal (they don't change anything). This one would be in effect in case nothing else happened with that bill.

new federal regulations and if your stance on this bill has changed.

Rep. Porter had further concerns with a single mother and has a 2nd child but has no benefits left, what happens to them? If you use this once and then have nothing, then everything is unqualified.

Rep. Sandvig: I realize that could happen, but the whole idea is that they will not have another child.

Rep. Uglem has a concern stating that an average child is better off staying at home with their mother than going out to daycare. But in the TANF families, many of which there are a lot of problems at home, I can't help but wonder if both the mother and the child are better off to get out of that home sooner.

Rep. Neimeier states that she doesn't want to see this committee endorsing the position that nursing mothers are bad mothers. Feels that a child being with their mother for 12 months, for the most part, is going to be very beneficial to that child.

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10/6/03 Date

Page 4
House Human Services Committee
Bill/Resolution Number HB 1446
Hearing Date January 27, 2003

Rep. Weisz gave scenario as the first child being 9 months old when a 2nd child is born, they only have 3 months to bring it to the full 12 month limit and is not sure that is the intent.

Rep. Porter moved a DO NOT PASS motion, second by Rep. Kreidt.

Discussion:

Rep. Sandvig stated she would like more time to work with Mr. Hougen and the pilot.

Rep. Price stated we will get SB 2155 and will be in our committee and that that bill will really try to bring more flexibility.

Vote: 9-4-0 Rep. Porter to carry the bill.

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Requested by Legislative Council 01/21/2003

Bill/Resolution No.:

HB 1446

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to

funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Blennlum		2005-2007 Blennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. County, city, and school district fiscal effect: Identify the fiscal effect on the appropriate political subdivision. 2003-2005 Blennium 2005-2007 Biennium 2001-2003 Biennium School School School **Districts** Countles Cities Cities Counties Cities **Districts** Counties Districts

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This bill would change the exemption from required work activities in the Temporary Assistance for Needy Families program (TANF). Current law exempts a parent from required work activities if they have a child under four months of age. This bill would expand the exemption to parents that have a child under nine months of age. Since there would be no change in eligibility rules, there shouldn't be any increase in the TANF caseload. Increasing the exemption to nine months could result in some families remaining on assistance longer, however, there could be some savings in child care expenditures and other support services tied to work or education. The fiscal impact of this bill is not able to be determined.

- 3. State Siscal effect detail: For information shown under state fiscal effect in 1A, please:
 - A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.
 - B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line Item, and fund affected and the number of FTE positions affected.
 - C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Debra A. McDermott	Agency:	Human Services
Phone Number:	328-3695	Date Prepared:	01/24/2003

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Date: January 27, 2003 Roll Call Vote #: /

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. HB 1446

House	HUMAN SERVICES				Com	_ Committee	
Check here for	Conference Com	ımittee					
Legislative Council	Amendment Nur	nber _					
Action Taken	DN	ρ			.,,		
Action Taken Motion Made By	Rep. Port	er	Se	econded By Rep. k	reidt		
Represei	ntatives	Yes	No	Representatives	Yes	No	
Rep. Clara Sue Pri	ice - Chair		<u></u>	Rep. Sally Sandvig		~	
Rep. Bill Devlin,	Vice-Chair	V		Rep. Bill Amerman		K	
Rep. Robin Weisz		V		Rep. Carol Niemeier		~	
Rep. Vonnie Pietsch		V		Rep. Louise Potter			
Rep. Gerald Ugler		V					
Rep. Chet Pollert		V					
Rep. Todd Porter							
Rep. Gary Kreidt		V					
Rep. Alon Wielan	d	V					
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Total (Yes)	<u> </u>		No				
Absent	0				and the second s		
Floor Assignment	Rep	Pc	orter				
If the vote is on an a	mendment, brief	ly indica	te inten	ıt:			

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REPORT OF STANDING COMMITTEE (410) January 27, 2003 11:54 a.m.

Module No: HR-15-1105 Carrier: Porter

Insert LC: Title:

REPORT OF STANDING COMMITTEE

HB 1446: Human Services Committee (Rep. Price, Chairman) recommends DO NOT PASS (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1446 was placed on the Eleventh order on the calendar.

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Page No. 1

HR-16-1106

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2003 TESTIMONY

HB 1446

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Comments of Linda Reinicke House Human Services Committee Regarding House Bill 1446 January 27, 2003

Chairman Price and Members of the Committee:

I am Linda Reinicke, Program Director of Child Care Resource & Referral (CCR&R) in western ND. I represent the statewide network of Child Care Resource & Referral located in non-profit agencies in Minot, Devils Lake, Grand Forks, Fargo, Jamestown and Bismarck. My employer is Lutheran Social Services.

CCR&R helps parents find child care. Through our referral services, parents receive a list of providers who meet their specific child care needs and have enrollment vacancies to accommodate their children. In addition, we send parents resources to help them interview programs and inform them how to check references on potential child care provides. Our database includes 1,597 licensed child care provider.

Our work with parents indicates a high demand for infant care, particularly for the ages of children addressed in this bill, 12 months and younger.

- Last year CCR&R helped 3,926 parents search for child care for 5,314 children
- 34% of the children (1,785) were infants 12 months and younger
- Recent calls to the Bismarck CCR&R office are the norm for the rest of the state.
 From January 1 15 of this year, our Bismarck office received 32 calls for infant care (6 weeks to 12 months) in the Bismarck/Mandan area. There are, however 28 openings, and the openings are only for full-time infants, Monday through Friday, and a normal workday.

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The supply of affordable child care for infants is limited throughout the state.

- Child care in rural ND, regardless of the child's age, is becoming difficult to find. There are approximately 1,600 licensed providers in the state. Last year, ND
 - o Lost 300 providers (19%)
 - Added 268 new providers (net loss of 32 providers)
 - Despite a loss of child care businesses, maintained child care capacity (approximately 30,000) because centers and group facilities in larger communities are increasing enrollment. Child care in rural areas is declining.
- Because child care services are based primarily on parent fees, programs struggle to provide infant care services. The business of infant child care is, at best, a break-even venture, certainly not profitable. Many providers turn to accepting older children to increase enrollment numbers and limit staffing costs.
- Families struggle to afford good child care. The average cost of infant care in North Dakota is \$4,574, more than one year of tuition at one of our state's universities. Parents with more than one child in care often have a child care bill that exceeds their rent or mortgage payment.

Exempting parents of infants and toddlers from work activities will lessen the increasing demand on a fragile child care system, and, most importantly, will eliminate the parent's stress of finding good care when the supply is limited and costly.

Thank you for your time and consideration of this important issue.

Linda Reinicke CCR&R Program Director Lutheran Social Services of North Dakota 701-530-2501

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VOICES FOR NORTH DAKOTA'S CHILDREN



CENTER FOR EARLY CHILDHOOD LEADERSHIP & ADVOCACY

To: Clara Sue Price, Chairperson, House Human Services Committee

From: Barb Arnold-Tengesdal, Executive Director, Voices for North Dakota's Children

Date: January 27, 2003

Re: Testimony in support of HB 1446

Voices for North Dakota's Children is a collaborative advocacy effort of early childhood education professional organizations. It is made up of the North Dakota Head Start Association, North Dakota Association for the Education of Young Children, NDCCPI (North Dakota Child Care Providers Incorporated), Child Care Resource & Referral Network, Children's Caucus, North Dakota Professional Development leadership team, Children's Services Coordinating Committee's and tribal early childhood partners.

We urge your support of HB 1446.

TANF families are living in poverty and have a high level of stress in trying to make ends meet. These families often have multiple barriers such as mental illness, domestic violence, substance abuse or the sudden loss of a job or home that make them part of an "at-risk" population. The added responsibility of seeking employment, enrolling in an educational program and finding child care for a newborn-all at the same time-lends itself to putting bables under high levels of stress. Stress is not good for anyone; especially infants who are in an optimal period of brain development. Dr. Bruce Perry, M.D., Ph.D. a born and bred North Dakotan, is an expert in infant brain development and has looked at stress responses in children and proven correlation's between stress and attachment.

There is a severe shortage of child care spaces available in the state for infants and toddlers. Parents often must make arrangements that are not conducive to creating a secure attachment to a caregiver and sometimes must stop nursing infants in and effort to meet imposed TANF rules.

Currently, under state TANF rules parents with newborn children must participate in work/educational activities 20 hours per week. They are given a four month exemption from this requirement after the birth of their child. This bill proposes that the North Dakota legislature allow TANF parents with newborn children the opportunity to take an exemption of up to one year from the work/education requirement. This time would continue to count towards their 60 month lifetime TANF participation rule and would not pay any additional money beyond their current TANF funding level.

On a federal level there is currently the possibility of at-home infant pilot projects dollars under discussion with TANF reauthorization. We believe this type of bill could line up the state of North Dakota to apply for federal dollars that might be made available under this program.

Voices for North Dakota's Children support HB 1446 because it is good for the optimal development of children. It is good for parents to have time to make early connections with children without the stress related to finding and retaining child care, seeking employment or dealing with the stress of becoming a new parent. It is good for child care providers who would rather work with parents who have spent the early months with their children, picking up the cues and knowing their child well enough to share information and create smooth transitions to group care in the future months.

410 E. Thayer Avenue, Suite 2 ♦ Bismarck, ND 58501 ♦ Phone: 701-224-1445 ♦ Toll Free: 1-866-204-3322 ♦ Fax: 701-255-0848 tianner det Consentent de la decention morant met

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To: Clara Sue Price, Chairperson, House Human Services Committee

From: Kathy Lampman, RN Child Care Health Consultant, Child Care Resource & Referral

Date: January 27, 2003

Testimony in support of HB 1446 Re:

lurge your support of HB 1446.

I work for Lutheran Social Services in a program called Child Care Resource and Referral, I am the child care health consultant and a registered nurse hired to help child care providers provide healthy, safe and stimulating environments.

At birth, 25% of the infant's brain is wired together so information can flow. This means that there remains 75% of the brain that can be influenced by environmental factors. Brain development and function affects personality, temperment, and child's ability to regulate emotions. Capacity for empathy and remorse stems from early childhood. A good relationship with very few important people who provide nurturance, support, security, and predictability is the most important thing a baby can receive. The mother is the ideal caregiver in the early years to meet these needs.

Stress can produce a chemical in a baby's body called cortisol which can destroy brain cells. Cortisol also can destroy the connections that already exist in a baby's brain. An environment that does not provide nurturance, support, security, and predictability can alter the baby's brain so that the child may be at risk for future behavioral problems such as not getting along with other children or being an unhappier person throughout life. Again, because the most critical time for establishing secure bonds of attachment is the first year of life, the mother is ideally suited to attend to the infant's immediate needs.

Between 6 and 12 months of life, the baby's immune system is at it's lowest in life. This is a critical period of time when the infant is susceptible to infections. Studies's have shown that infant's in child care experience a greater number of respiratory infections than infant's cared for at home. The severity of these infections is also greater. This is because of the close grouping of the young infants. Frequent ear infections can cause hearing impairment and language delay. Many children also need surgical intervention with ear tubes to decrease these infections. Breast feeding is critical in protecting the infant from illness. In fact, the American Academy of Pediatricians recommend breast feeding for the first 2 year of an infant's life. When mothers work, it is shown that they rarely continue breast feed beyond the yearly months of life.

Child Care Resource and Referral support HB 1446 because it provides the optimal setting for early brain and physical development.

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What Does The NICHD Study Tell Us About Mothers' Employment And Young Children's Cognitive Development?

By Stephanie Schaefer, Ph.D.
Policy and Advocacy Specialist, National Association of Child Advocates

A new research article using the NICHD Study of Early Child Care data was released in the July/August 2002 issue of *Child Development*, a scholarly research journal. The study has received national media coverage which has focused on the finding that children whose mothers were working full time by the time their children were nine months old had lower cognitive development scores at age three.

To assist child advocates in understanding this new study and its implications, NACA has prepared an analysis using NACA's *Understanding Research: Top Ten Tips for Advocates and Policymakers* fact sheet as a guide. This fact sheet, available on NACA's website at http://www.childadvocacy.org/understandingresearch.pdf, explains the following general points in greater detail.

1. Consider the source.

The authors of this study, Jeanne Brooks-Gunn, Wen-Jui Han, and Jane Waldfogel, are professors at Columbia University, a reputable institution. Brooks-Gunn and Waldfogel are nationally known and respected researchers with expertise in the topic being studied.

2. Media is also a source to be evaluated.

Media coverage has emphasized the finding that children had poorer cognitive development scores if their mothers were working at nine months, but there are additional noteworthy findings in this study that have received less attention.

• The study found that the quality of child care, the home environment, and maternal sensitivity were important factors influencing cognitive development during the first three years of life.

• The study also found that boys were more strongly affected than girls, with boys whose mothers worked full-time scoring significantly lower on cognitive development measures. This suggests that boys may be more susceptible to the effects of maternal employment on cognitive development.

• The study also found that children in married-couple families with mothers working full-time had significantly lower cognitive scores than those in single-mother families with mothers

The research article is titled "Maternal Employment and Child Cognitive Outcomes in the First Three Years of Life: The NICHD Study of Early Child Care", by Jeanne Brooks-Gunn, Wen-Jui Han, and Jane Waldfogel, and was published in the July/August 2002 issue of Child Development, volume 73, number 4, pages 1052-1072.

National Association of Child Advocates

October 2002

Page 1



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working full-time. The authors suggest that this may be because single mothers' income contribution is more valuable to the family than in married-couple families, offsetting the negative effect of full-time maternal employment on cognitive development.

Media coverage of this new study has generally suggested that mothers should choose not to work and implied that a mother's decision to work is an all or nothing choice, good or bad. The research findings about the effects of early maternal employment are actually more subtle: while the finding is real, it is not so extreme.

3. Has the research been published, and where?

This study was published in *Child Development*, a reputable, peer-reviewed scholarly journal. Peer reviewing means that several independent researchers read and critiqued the article prior to its publication; this makes the study more trustworthy, since it has undergone additional scrutiny.

4. Research results are really about the topic as measured, not as we may think of it.

The measures of children's cognitive ability are commonly used and accepted research tools. The study used three widely accepted measures (The Bayley Mental Development Index, the Revised Bayley MDI, and the Bracken School Readiness Scale). Cognitive development as measured in this study at age three included children's knowledge of color, letter identification, numbers, comparisons, and shape recognition.

Full-time maternal employment was defined as whether the mother worked 30 or more hours per week at any point before the child was nine months old.

The type of analysis conducted is also important to understanding the results. The researchers used a commonly used statistical technique (multiple regression) which allows them to separate out the effects of related variables (like family income or mothers' education level) so they can assess the effect of employment by itself. This is an appropriate research technique. It allows researchers to approximate a "pure" effect of early maternal employment on child cognitive development. But in reality, families don't have these other related characteristics separated out.

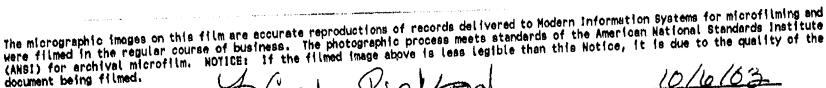
Since the findings were complicated and interrelated, with early maternal employment, child care quality, the home environment, and maternal sensitivity all having an effect on children's cognitive development, the researchers took additional steps to help explain the results. The researchers used the results from their regression analyses to simulate the cognitive development scores for children with different combinations of these characteristics. From these simulations, the following results were obtained:

- For children with average home environments and average child care quality, those with mothers not working by the ninth month scored at the 50th percentile on cognitive development, but those with full-time working mothers scored at the 44th percentile, a six point difference.
- However, for children with above-average (at the 75th percentile) home environments, maternal sensitivity, and above-average child care quality, those with mothers working full-

National Association of Child Advocates

October 2002

Page 2



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time scored at the 50th percentile on cognitive development. For children with mothers not working and with above-average home environments, maternal sensitivity, and above-average child care quality, cognitive scores were at the 56th percentile, a six point difference.

- For children with below-average (at the 25th percentile) home environments, maternal sensitivity, and below-average child care quality, those with full-time working mothers had cognitive development scores at the 37th percentile, and those with mothers not working had cognitive scores at the 43rd percentile.
- In each of these scenarios, children with mothers employed full time by the ninth month had lower cognitive scores than those with mothers not employed. However, these scenarios also demonstrate that the quality of the home environment, child care, and maternal sensitivity also made a meaningful difference in cognitive scores.

5. Different types of research have different strengths.

This is a quasi-experimental study. This article uses data from the NICHD Study of Early Child Care, arguably the most comprehensive study of child care to date. The NICHD Study is a longitudinal study which follows and gathers information on children since the time of their birth in 1991. Important strengths of the study include:

- It studies children from birth;
- It uses observational measures of care and home settings;
- It includes multiple measures of child development; and
- It includes measures of mother's characteristics.

Because of these features, the study is good at identifying the effects of early care settings and family life on child development. For more information on this important study, visit their website at http://156.40.88.3/publications/pubs/early_child_care.htm.

However, since the study is not experimental, it can not find or rule out—a causal relationship. It is not designed to do so. It would not be accurate to say that this study shows that full-time maternal employment by nine months causes poorer cognitive development; rather, the study found that full-time maternal employment was associated with lower cognitive development scores. Unfortunately, the media coverage has not taken this important distinction into account.

6. Sampling is more important than sample size.

The NICHD Study used appropriate sampling procedures and is large enough to give reliable results. The overall NICHD Study sample includes 1364 children from 10 sites around the nation since the time of their birth in 1991. The sample that the authors used for this research article included 900 white non-Hispanic children. The response rate for the overall study was 89%, a very good response rate.

National Association of Child Advocates

October 2002

Page 3

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7. Statistical significance explained.

In this study, the finding that full-time maternal employment at nine months was associated with poorer cognitive outcomes was statistically significant. A statistically significant result is one that is unlikely to be due to chance. It is a real finding, in that the result is very likely to be due to a real effect of maternal employment. It is also a meaningful finding, in that a difference in cognitive performance of this size can have a real effect for children. Nevertheless, it is not as sweeping as some media coverage might suggest.

The study found an effect of maternal employment on cognitive development scores only by nine months of age. The study also looked for this same effect in children whose mothers were employed by one, three, six, and 12 months of age but did not find a statistically significant effect for any of these other months. An additional analysis which looked only at full-time employed mothers found an effect on cognitive development at six months and at nine months, with the effect at nine months being larger. This suggests that infants may be particularly sensitive to maternal employment at this developmental stage.

8. Research findings are about groups.

The study found an association between full-time maternal employment and children's cognitive development. This finding is legitimate, and merits consideration. However, it is about groups, and cannot predict how an individual child would be affected if the mother went back to work full-time by nine months. It is entirely possible that some children might benefit from a mother's return to work while others would suffer. It is important to keep in mind that the study does not find that maternal employment by nine months of age is an entirely good or bad thing.

9. All research is not created equal.

Higher-quality research should be given more weight than poorer-quality studies. This is a high-quality study, and its findings merit attention.

10. Any one study is not the whole story.

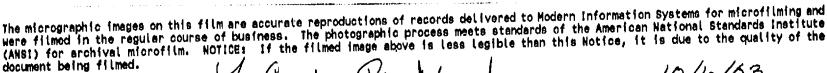
While this is a high-quality study which merits attention, any single study needs to be looked at in the context of the body of research studies on the topic. Research is most valuable when many specific studies are taken together to tell the whole story of what we know on a topic.

The authors of this particular study help us to do this in their review of the research literature in their article. As they state, a number of past studies have found negative effects of first-year maternal employment on children's later cognitive outcomes. However, none of these studies were able to assess the quality of the child care the children were in to determine whether it was a factor in how children fared. This new study advances research knowledge on this topic by assessing and accounting for the quality of care that the children received. Additionally, it measures and accounts for the quality of the home environment, and mothers' sensitivity to the

National Association of Child Advocates

October 2002

Page 4



Jacosta Kickord

child. This is important because other studies have found negative effects of maternal employment due to poor quality child care, or due to a poor quality home environment.

Therefore, this new study builds on past research and furthers our knowledge by measuring all these things in one study. However, we need a number of studies on the same specific topic before researchers would say that we have a solid basis of evidence on it. We need to see what future studies on this topic find, to see if they confirm or contradict this finding, before these results truly can be considered received wisdom in the field.

Conclusion and Policy Implications

Advocates should be careful to acknowledge both the strengths and the limitations of this study. It is an important piece of evidence that can be used, in the context of the full body of research, to support initiatives around paid family leave or efforts to exempt mothers on welfare from work requirements if their youngest child is under the age of one. It can also be used to make the point that the quality of child care has important consequences for children's cognitive development, and given the reality that a majority of mothers of infants are working, the quality of child care must be improved to protect these children.

However, advocates should also feel confident in pointing out that because the research is about groups, not individuals, and because this study, by its design, cannot determine causality, it cannot tell us whether any individual mother should or should not go back to work when her child is under age one. While maternal employment did have an effect, the home environment, child care quality, and maternal sensitivity also played an important role in children's cognitive development. Therefore, individual decisions and policy solutions should take into account the meaningful role that each of these factors play in young children's cognitive development.

National Association of Child Advocates

October 2002

Page 5

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Operator's Signature

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TESTIMONY BEFORE THE HOUSE HUMAN SERVICES COMMITTEE **REGARDING HOUSE BILL 1446 JANUARY 27, 2003**

Chairman Price and members of the House Human Services Committee, my name is John Hougen, Director of Public Assistance for the Department of Human Services. I am here to testify on House Bill 1446. This bill would allow a longer period of exemption from work requirements for TANF clients with children less than 12 months of age. Present federal law allows states to disregard families for 12 months from work participation rates, when they have a child less than 12 months of age. This is per family, not per child. State law presently allows parents to be exempt from work requirements for four months when they have a child less than 12 months of age. This bill seems to read that a nine-month exemption would be given to each child.

While it is legal for states to establish how long a TANF parent may stay home with young children, we are allowed to exclude each TANF parent from the calculation of work participation rates for only 12 months during their entire stay on assistance. Federal law also allows the exemption only for single parents. This bill allows families with two parents to be exempt as well. This could present a problem to North Dakota if Congress significantly increases the required work participation rate. Increasing this requirement has been a feature of the TANF reauthorization debate. If we are required to have a larger percentage of our caseload work more hours, we will need all the flexibility we can get to assure we meet the requirements. This bill will take away some flexibility by creating situations where families are allowed to stay home with children, even though we will have to include them in our work participation figures. Not meeting work

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requirement targets may result in a state having the TANF grant reduced by 5%, or \$1,319,990 in each fiscal year there is a penalty.

A potential unintended consequence is that federal law could change and result in state law being more restrictive than federal law. The language in this bill appears to be intended to allow parents to stay home for nine months, there has been some reauthorization talk that speaks of allowing twelve months per child.

I must also point out that in Senate Bill 2155, which has passed the full Senate, would remove the list of work activities defined in section 14-08.1-05.1. The reason for this change is that there has been considerable reauthorization talk about making some changes in the federal definition of work activities. Removing the definition of "work activities" would allow North Dakota to adjust to any federal changes in definitions. Senate Bill 2155 also removes the four-month reference found here to give the state flexibility in case the federal rules change to allow a 12-month exemption for each child.

We couldn't determine a fiscal note for this bill because we couldn't develop a defendable method to estimate the potential cost. As an example, an argument could be made that a longer exemption period could result in people being on TANF longer. This potential increase in TANF spending could be offset by a decrease in funds needed to pay for childcare. Infant care is the most expensive care and also the most difficult to find.

That concludes my formal testimony, I am available to answer any questions.

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