



Virginia Poverty
Law Center

2020 LEGISLATIVE AGENDA



OUR MISSION

Virginia Poverty Law Center breaks down systemic barriers that keep low-income Virginians in the cycle of poverty through advocacy, education, and litigation.

Virginia Poverty Law Center
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Family & Child Welfare

Improve Legal Representation for Children and Families in the Child Welfare System

Create Independent Investigation and Oversight of Child-serving Agencies in the Commonwealth

Improve the Child Welfare System by:

- Stabilizing the workforce
- Increasing support for kinship families
- Increasing family and youth involvement in case planning
- Improving outcomes through evidence-based, trauma-informed practices



Domestic and Sexual Violence

Improve Family Abuse and General District Court Protective Orders by:

- Prohibiting firearms possession in two-year family abuse protective orders and extending the provision to two-year General District Court protective orders
- Giving judges the option to extend protective orders against especially dangerous respondents beyond two years
- Ensuring employment protections for protective order petitioners so they may attend court without risk of losing their jobs

Prohibit Strategic Lawsuits Against Public Participation (Anti-SLAPP)

Victims who seek protection from abusers should not have to defend themselves against frivolous lawsuits brought by abusers that effectively prevent victims from seeking protection. These abusers should be subject to sanctions, including attorney's fees, to deter them from using the civil court system as yet another tool to manipulate their victims.



CENTER FOR
HEALTHY COMMUNITIES

Health Insurance

Protect Medicaid Expansion and Withdraw the Federal Waiver Request for Medicaid Work Reporting Requirements and New Premiums

Over 26,800 people could lose coverage because of the state's pending request to impose new work reporting requirements and monthly premiums on certain enrollees. Instead of adding new complex rules with harsh penalties, Virginia should promote existing education, training, and work programs.

Eliminate the Medicaid 40-quarter Rule for Legal Immigrants

This rule impacts legal immigrants who have been in the U.S. for over five years but don't have a 40-quarter (10-year) work history in the U.S. Virginia is one of only six states that does not offer Medicaid to these individuals who otherwise meet Medicaid requirements. The rule is particularly harsh on legally residing immigrant children and pregnant women who get Medicaid for a period of time, but then lose it because of the 40-quarter rule. It also harms older legal immigrants who don't have a U.S. work history.

Prohibit Surprise Billing

Consumers with health insurance should be fully protected from surprise billing when they have emergencies or receive elective services at an in-network facility. Virginia should require in-network facilities to guarantee that all their providers are also in-network, establish a payment benchmark based on median rates paid to in-network providers in the same geographic area, and include patient protections from excessive ground and air ambulance fees.



Public Benefits

Repeal the Drug Felon Ban for SNAP and TANF

Drug felons are currently ineligible for SNAP and TANF. Congress permits each state to exercise the option of removing this ban. Many states have availed themselves of this option. Unfortunately, Virginia has only partially repealed the ban for SNAP and maintains a full ban for TANF. This rule hurts returning citizens who need these public benefits at a critical time in their life.

Increase the TANF Monthly Assistance by 10%

The Temporary Assistance for Needy Families (TANF) monthly benefits have seldom increased over the past few years and have not kept up with inflation. As a result, the TANF benefit has lost purchasing power. Virginia should steadily increase the monthly assistance by 10% every two years until it attaches to 50% of the federal poverty limit. About 5,000 new families could be eligible for TANF as a result of this change within the first year.



Housing

Ensure Safer, Healthier Housing for Tenants by:

- Allowing residential tenants to raise unhealthy and/or unsafe housing conditions as a defense to nonpayment of rent
- Allowing residential tenants to proactively file cases based on unsafe or unhealthy housing conditions against their landlords even if they're behind on rent

Improve Living Conditions and Legal Rights of Manufactured Home Park Residents by:

- Requiring manufactured home park owners to provide every park resident advance notice of an intent to sell the park
- Allow residents to rent their manufactured homes to others if they have been evicted from the park

Improve Freedom of Choice in Housing

Virginia's Fair Housing Law should have protections against discrimination based on source of income.



Consumer

Protect Virginia Student Loan Borrowers

Over one million Virginians owe \$39 billion in student loan debt. VPLC supports state-level regulation of student loan servicers and affirmative protections for Virginia student loan borrowers, ensuring their right to accurate information about their loans, repayment options, and status.

Promote Responsible Lending and a Fair Marketplace

Virginia needs comprehensive reform for a competitive loan market and reasonable rates for small dollar loan borrowers. The Virginia Fairness in Lending Act of 2020 will bring these much-needed reforms to payday and car title loan laws.

Reduce Energy Burden by Making Energy More Affordable

VPLC supports creating a system to make energy affordable for low-income Virginians no matter where they live in the state while increasing access to energy efficiency to those who need it most.