Drug-Testing & the TANF Program

Several bills submitted to the Oklahoma Legislature this session would require mandatory drug-testing of welfare applicants at their own expense. The Oklahoma bills target TANF (Temporary Assistance for Needy Families), a program that provides cash-assistance in case of a parent’s death, incapacity, absence or unemployment. The average monthly benefit is $207 and it’s available only on a time-limited basis. Proponents argue that testing is necessary to prevent abuse of the program and save the state money. There are several reasons to think twice about these proposals:

1. **Oklahoma already screens TANF applicants for substance abuse**
   A screening tool administered to TANF applicants allows the state to determine substance abuse issues with greater than 90 percent accuracy, and it includes alcohol abuse, which conventional drug-testing cannot determine. Replacing the screening assessment with a drug-test would add significant expense without helping identify substance abusers or improving quality.

2. **Mandatory drug-testing of welfare applicants is unconstitutional**
   The Sixth Circuit Court of Appeals ruled in 2003 in Marchwinski v. Howard that Michigan’s policy of broadly subjecting all welfare applicants to a drug test violates the Fourth Amendment’s prohibition against unreasonable searches and seizures.

3. **Children will bear the brunt**
   The overwhelming majority of TANF recipients in Oklahoma are children. Around 17,000 children receive food, clothing, shelter, and basic household necessities through the state’s TANF program. These bills hold children responsible for parents who use drugs and subject children to the consequences.

4. **It will cost more than it saves**
   If one of these bills passes, the state will be on the hook for bills from a legal challenge it will likely lose. Also, denying impoverished parents access to assistance just shifts costs to other state programs, as those parents will be less able to adequately care for their children on their own.

5. **Drug addiction is a disease**
   The assumption that people with low-incomes are more likely to use drugs is an unfair and incorrect stereotype. For those who do struggle with drug addiction, they live with a disease that needs treatment, not sanction. Mandatory drug testing of welfare recipients is opposed by the American Public Health Association and the National Association of Social Workers.

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4. Ibid 1
8. See note 1