

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4118
(As amended, March 18, 2014)

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 57y.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 57Y. (1) THE DEPARTMENT SHALL ESTABLISH AND ADMINISTER A
2 PROGRAM OF SUSPICION-BASED SUBSTANCE ABUSE SCREENING AND TESTING
3 FOR FAMILY INDEPENDENCE PROGRAM APPLICANTS AND RECIPIENTS AS
4 DESCRIBED IN THIS SECTION.

5 (2) SUBJECT TO STATE APPROPRIATION, <<
6 >> THE DEPARTMENT SHALL, IN ACCORDANCE WITH SECTION 14G,
7 ADMINISTER A SUSPICION-BASED SUBSTANCE ABUSE SCREENING AND TESTING
8 PILOT PROGRAM FOR FAMILY INDEPENDENCE PROGRAM APPLICANTS AND
9 RECIPIENTS IN 3 OR MORE COUNTIES IN THIS STATE. THE DEPARTMENT
10 SHALL DETERMINE WHICH 3 OR MORE COUNTIES SHALL BEGIN THE INITIAL

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1 ADMINISTRATION OF THE SUSPICION-BASED SUBSTANCE ABUSE SCREENING AND
2 TESTING REQUIRED IN THIS SUBSECTION.

3 (3) UPON INITIAL APPLICATION AND AT ANNUAL REDETERMINATION,
4 THE DEPARTMENT SHALL SCREEN FAMILY INDEPENDENCE PROGRAM APPLICANTS
5 AND RECIPIENTS FOR SUSPICION OF SUBSTANCE ABUSE USING AN
6 EMPIRICALLY VALIDATED SUBSTANCE ABUSE SCREENING TOOL.

7 (4) IF THE RESULTS OF THE SUBSTANCE ABUSE SCREENING GIVES THE
8 DEPARTMENT A REASONABLE SUSPICION TO BELIEVE THAT THE APPLICANT OR
9 RECIPIENT HAS ENGAGED IN THE <<USE OF A CONTROLLED SUBSTANCE IN
VIOLATION OF STATE LAW,>>
10 THE APPLICANT OR RECIPIENT IS REQUIRED TO TAKE A SUBSTANCE ABUSE
11 TEST.

12 (5) IF THE APPLICANT OR RECIPIENT REFUSES TO TAKE A SUBSTANCE
13 ABUSE TEST, HE OR SHE IS INELIGIBLE FOR FAMILY INDEPENDENCE PROGRAM
14 ASSISTANCE, BUT MAY REAPPLY AFTER 6 MONTHS. IF THE APPLICANT OR
15 RECIPIENT REAPPLIES FOR FAMILY INDEPENDENCE PROGRAM ASSISTANCE, HE
16 OR SHE MUST <<TEST NEGATIVE FOR USE OF A CONTROLLED SUBSTANCE OR IF
HE OR SHE TESTS POSITIVE FOR USE OF A CONTROLLED SUBSTANCE, THERE IS
A DETERMINATION THAT USE OF THE CONTROLLED SUBSTANCE WAS NOT IN
VIOLATION OF STATE LAW>>
17 IN ORDER TO RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE.

18 (6) IF THE APPLICANT OR RECIPIENT TESTS NEGATIVE FOR << >>
19 USE OF A CONTROLLED SUBSTANCE, <<OR TESTS POSITIVE FOR USE OF A
CONTROLLED SUBSTANCE BUT IT IS DETERMINED THAT USE OF THE CONTROLLED
SUBSTANCE WAS NOT IN VIOLATION OF STATE LAW,>> THE COST OF
ADMINISTERING THE
20 SUBSTANCE ABUSE TEST TO HIM OR HER SHALL BE PAID FOR BY THE
21 DEPARTMENT.

<<(7) FOR FISCAL YEAR 2013-2014, \$500,000.00 IS APPROPRIATED
TO THE DEPARTMENT OF HUMAN SERVICES TO BE EXPENDED TO IMPLEMENT
AND ADMINISTER THE PILOT PROGRAM DESCRIBED UNDER THIS SECTION.>>
22 Enacting section 1. This amendatory act does not take effect
23 unless Senate Bill No. 275 of the 97th Legislature is enacted into
24 law.