

SENATE BILL NO. 141

January 27, 1999, Introduced by Senators STILLE, GOUGEON, GOSCHKA, SHUGARS, MC COTTER, BENNETT, BULLARD, DUNASKISS and JAYE and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 57a (MCL 400.57a), as added by 1995 PA 223.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57a. (1) The family independence agency shall estab-
2 lish and administer the family independence program to provide
3 assistance to families who are making efforts to achieve
4 independence.

5 (2) The family independence agency shall administer the
6 family independence program to accomplish all of the following:

7 (a) Provide financial support to eligible families while
8 they pursue self-improvement activities and engage in efforts to
9 become financially independent.

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1 (b) Ensure that recipients who are minor parents live in
2 adult-supervised households in order to reduce long-term
3 dependency on financial assistance.

4 (c) Assist families in determining and overcoming the barri-
5 ers preventing them from achieving financial independence.

6 (d) Ensure that families pursue other sources of support
7 available to them.

8 (3) The family independence agency shall establish income
9 and asset levels for eligibility, types of income and assets to
10 be considered in making eligibility determinations, payment stan-
11 dards, composition of the program group and the family indepen-
12 dence assistance group, program budgeting and accounting methods,
13 and client reporting requirements to meet the following goals:

14 (a) Efficient, fair, cost-effective administration of the
15 family independence program.

16 (b) Provision of family independence assistance to families
17 willing to work toward eventual self-sufficiency.

18 (4) NOT LATER THAN OCTOBER 1, 2001, THE FAMILY INDEPENDENCE
19 AGENCY SHALL IMPLEMENT AN AUTOMATED FINGER IMAGING SYSTEM
20 DESIGNED TO PREVENT AN INDIVIDUAL FROM RECEIVING TEMPORARY
21 ASSISTANCE TO NEEDY FAMILIES AND FOOD STAMPS UNDER MORE THAN 1 NAME. BEGINNING
22 AT THE EFFECTIVE DATE OF THE ESTABLISHMENT AND IMPLEMENTATION OF
23 THE FINGER IMAGING SYSTEM, AN INDIVIDUAL APPLYING FOR THE BENE-
24 FITS DESCRIBED IN THIS SECTION MUST PROVIDE THE FAMILY INDEPEN-
25 DENCE AGENCY WITH AN AUTOMATED FINGER IMAGE OR IMAGES AS A CONDI-
26 TION OF ELIGIBILITY. FINGER IMAGING OBTAINED PURSUANT TO THIS
27 SUBSECTION SHALL BE USED ONLY FOR THE PURPOSES OF DETERMINING

1 ELIGIBILITY FOR AND REDUCING FRAUD IN OBTAINING PUBLIC BENEFITS
2 OR ASSISTANCE UNDER THIS ACT.

3 (5) THE FAMILY INDEPENDENCE AGENCY SHALL PROMULGATE RULES
4 UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL
5 24.201 TO 24.328, ESTABLISHING THE SYSTEM THAT, AT A MINIMUM,
6 INCLUDES THE FOLLOWING:

7 (A) CONFIDENTIALITY OF THE AUTOMATED FINGER IMAGE RECORDS
8 TAKEN PURSUANT TO THIS SECTION.

9 (B) A SYSTEM FOR ADMINISTRATIVE APPEAL OF A MATTER RELATING
10 TO THE TAKING OR VERIFICATION OF AN INDIVIDUAL'S AUTOMATED FINGER
11 IMAGE.

12 (C) AUTHORITY TO EXEMPT CERTAIN POPULATION GROUPS FROM PRO-
13 VIDING THE AUTOMATED FINGER IMAGE INCLUDING, BUT NOT LIMITED TO,
14 SENIOR CITIZENS, CHILDREN, HOMEBOUND RECIPIENTS, OR PATIENTS
15 PLACED IN NURSING HOMES.

16 (6) THE FAMILY INDEPENDENCE AGENCY SHALL REMOVE AN
17 INDIVIDUAL'S FINGER IMAGE FROM THE DEPARTMENT'S FILE IF THE INDI-
18 VIDUAL HAS NOT RECEIVED BENEFITS OR ASSISTANCE FROM THE FAMILY
19 INDEPENDENCE AGENCY WITHIN THE PREVIOUS 3 YEARS.

20 (7) THE FAMILY INDEPENDENCE AGENCY MAY NEGOTIATE AND ENTER
21 INTO A COMPACT OR RECIPROCAL AGREEMENT WITH THE FEDERAL GOVERN-
22 MENT, AN AGENCY OF THE FEDERAL GOVERNMENT, OR AN AGENCY OF
23 ANOTHER STATE FOR THE PURPOSE OF IMPLEMENTING AND ADMINISTERING
24 THE FINGER IMAGING PROVISIONS OF THIS SECTION AS LONG AS THE COM-
25 PACT OR RECIPROCAL AGREEMENT IS NOT INCONSISTENT WITH THE LIMITA-
26 TIONS OF USE AND ACCESS CONTAINED IN SUBSECTION (4).

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1 (8) THE FAMILY INDEPENDENCE AGENCY SHALL CONDUCT SEMI-ANNUAL
2 SECURITY REVIEWS TO MONITOR THE AUTOMATED FINGER IMAGING SYSTEM
3 TO INSURE THAT ALL OF THE FOLLOWING OCCUR:

4 (A) ALL RECORDS MAINTAINED AS PART OF THE SYSTEM ARE ACCU-
5 RATE AND COMPLETE.

6 (B) EFFECTIVE SOFTWARE AND HARDWARE DESIGNS HAVE BEEN INSTI-
7 TUTED WITH SECURITY FEATURES TO PREVENT UNAUTHORIZED ACCESS TO
8 RECORDS.

9 (C) ACCESS TO RECORD INFORMATION IS RESTRICTED TO AUTHORIZED
10 PERSONNEL.

11 (D) SYSTEM AND OPERATIONAL PROGRAMS ARE USED THAT WILL PRO-
12 HIBIT INQUIRY, RECORD UPDATES, OR DESTRUCTION OF RECORDS FROM A
13 TERMINAL OTHER THAN AUTOMATED FINGER IMAGING SYSTEM TERMINALS
14 THAT ARE DESIGNATED TO PERMIT INQUIRY, RECORD UPDATES, OR
15 DESTRUCTION OF RECORDS.

16 (E) SYSTEM AND OPERATIONAL PROGRAMS ARE USED TO DETECT AND
17 REPORT ALL UNAUTHORIZED ATTEMPTS TO PENETRATE AN AUTOMATED FINGER
18 IMAGING SYSTEM, PROGRAM, OR FILE.

19 (9) BEGINNING DECEMBER 31, 2002, THE FAMILY INDEPENDENCE
20 AGENCY SHALL COMPILE AND REPORT ANNUALLY TO THE SENATE AND HOUSE
21 COMMITTEES HAVING JURISDICTION OVER FAMILY INDEPENDENCE AGENCY
22 MATTERS THE FOLLOWING INFORMATION CONCERNING THE OPERATION OF THE
23 AUTOMATED FINGER IMAGING SYSTEM:

24 (A) AN ANALYSIS OF THE COSTS AND SAVINGS OF THE SYSTEM
25 INCLUDING, BUT NOT LIMITED TO, ADMINISTRATIVE COSTS, OPERATION
26 COSTS, AND ACTUAL SAVINGS DUE TO CONFIRMED FRAUD AND FRAUD
27 DETERRENCE.

1 (B) THE NUMBER OF INDIVIDUALS WHO HAVE APPLIED FOR
2 ASSISTANCE UNDER MORE THAN 1 NAME.

3 (C) THE NUMBER OF INDIVIDUALS REFUSING TO PROVIDE A FINGER
4 IMAGE AND THE REASONS FOR THE REFUSAL.

5 (D) A DETAILED SUMMARY OF THE RESULTS OF REVIEWS REQUIRED BY
6 SUBSECTION (8).