

HOUSE BILL No. 4315

February 21, 2001, Introduced by Reps. Gielegem, Neumann, Bogardus, Kolb, Woodward, Waters, Lipsey, Schauer, Basham, Sheltroun, Hansen, Mans, Jamnick, Bernero, Rivet, Minore, Lockwood and Lemmons and referred to the Committee on Family and Children Services.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57. (1) As used in this section and sections 57a to
2 ~~57g~~ 57l:

3 (a) "Adult-supervised household" means either of the
4 following:

5 (i) The place of residence of a parent, stepparent, or legal
6 guardian of a minor parent.

7 (ii) A living arrangement not described in subparagraph (i)
8 that the family independence agency approves as a family setting
9 that provides care and control of a minor parent and his or her

1 child and supportive services including, but not limited to,
2 counseling, guidance, or supervision.

3 (b) "Caretaker" means an individual who is acting as parent
4 for a child in the absence or because of the disability of the
5 child's parent or stepparent and who is the child's legal guardi-
6 an, grandparent, great grandparent, great-great grandparent, sib-
7 ling, stepsibling, aunt, great aunt, great-great aunt, uncle,
8 great uncle, great-great uncle, nephew, niece, first cousin, or
9 first cousin once-removed, a spouse of ~~any~~ A person listed
10 above, a parent of the putative father, or an unrelated individ-
11 ual aged 21 or older whose appointment as legal guardian of the
12 child is pending.

13 (c) "Child" means an individual who is not emancipated under
14 ~~Act No. 293 of the Public Acts of 1968, being sections 722.1 to~~
15 ~~722.6 of the Michigan Compiled Laws~~ 1968 PA 293, MCL 722.1 TO
16 722.6, who lives with a parent or caretaker, and who is either of
17 the following:

18 (i) Under the age of 18.

19 (ii) Age 18 or 19, a full-time high school student, and rea-
20 sonably expected to graduate from high school before the age of
21 20.

22 (d) "Family" means 1 or more of the following:

23 (i) A household consisting of a child and either of the
24 following:

25 (A) A parent or stepparent of the child.

26 (B) A caretaker of the child.

1 (ii) A pregnant woman.

2 (iii) A parent of a child in foster care.

3 (e) "Family independence assistance" means financial assist-
4 ance provided to a family under the family independence program.

5 (f) "Family independence assistance group" means all those
6 members of a program group who receive family independence
7 assistance.

8 (g) "Family independence program" means the program of
9 financial assistance established under section 57a.

10 (h) "Minor parent" means an individual under the age of 18
11 who is not emancipated under ~~Act No. 293 of the Public Acts of~~
12 ~~1968~~ 1968 PA 293, MCL 722.1 TO 722.6, and who is either the bio-
13 logical parent of a child living in the same household or a preg-
14 nant woman.

15 (i) "Payment standard" means the standard ~~upon which~~ THAT
16 THE family independence program benefits are based ON if the
17 family independence assistance group has no net income.

18 (j) "Program group" means a family and all those individuals
19 living with a family whose income and assets are considered for
20 purposes of determining financial eligibility for family indepen-
21 dence assistance.

22 (k) "Recipient" means an individual receiving family inde-
23 pendence assistance.

24 (l) "Social contract" means a document described in section
25 57e that is executed by a family in return for the receipt of
26 family independence assistance.

1 (m) "Substance abuse" means that term as defined in section
2 6107 of the public health code, ~~Act No. 368 of the Public Acts~~
3 ~~of 1978, being section 333.6107 of the Michigan Compiled Laws~~
4 1978 PA 368, MCL 333.6107.

5 (n) "Substance abuse treatment" means outpatient or inpa-
6 tient services or participation in alcoholics anonymous or a sim-
7 ilar program.

8 (o) "Work first" means the program of employment and train-
9 ing administered by the ~~Michigan jobs commission~~ DEPARTMENT OF
10 CAREER DEVELOPMENT for applicants and recipients of family inde-
11 pendence assistance.

12 (2) A reference in this act to "aid to dependent children"
13 or "aid to families with dependent children" means "family inde-
14 pendence assistance".

15 Sec. 57f. (1) The family independence agency shall enter
16 into an agreement with the ~~Michigan jobs commission~~ DEPARTMENT
17 OF CAREER DEVELOPMENT in order to facilitate the administration
18 of work first. The family independence agency shall make infor-
19 mation on the program available to the legislature.

20 (2) Except as otherwise provided in subsection (3), every
21 member of a family independence assistance group shall be
22 referred to and shall participate in work first. If a recipient
23 has cooperated with work first but the work first agency deter-
24 mines that a job is not available, the recipient may enroll in a
25 program that is specifically job-related and of no more than 2
26 years' duration that is offered by a college or university,
27 community college, state-licensed vocational or technical

1 education program, or state-licensed proprietary school. The
2 particular activities in which the recipient is required or
3 authorized to participate, the number of hours of work required,
4 and other details of work first shall be developed by the
5 ~~Michigan jobs commission~~ DEPARTMENT OF CAREER DEVELOPMENT and
6 the family independence agency and shall be set forth in the
7 recipient's social contract.

8 (3) The following individuals are exempt from participation
9 in work first:

10 (a) A child under the age of 16.

11 (b) A child aged 16 or older, or a minor parent, who is
12 attending elementary or secondary school full-time.

13 (c) An individual who is working a minimum number of hours
14 determined by the family independence agency to be necessary to
15 meet federal requirements.

16 (d) The mother of a child under the age of 3 months.

17 (e) An individual aged 65 or older.

18 (f) A recipient of supplemental security income, social
19 security disability, or medical assistance due to disability or
20 blindness.

21 (g) An individual suffering from a physical or mental
22 impairment that meets federal supplemental security income dis-
23 ability standards, except that no minimum duration is required.

24 (h) The spouse of an individual described in subdivision (f)
25 or (g) who is the full-time caregiver of that individual.

26 (i) A parent or caretaker of a child who is suffering from a
27 physical or mental impairment that meets the federal supplemental

1 security income disability standards, except that no minimum
2 duration is required.

3 (4) In addition to those individuals exempt under subsection
4 (3), the family independence agency may grant a temporary exemp-
5 tion from participation in work first, not to exceed 90 days, to
6 an individual who is suffering from a documented short-term
7 mental or physical illness, limitation, or disability that
8 severely restricts his or her ability to participate in employ-
9 ment or training activities. An individual with a documented
10 mental or physical illness, limitation, or disability that does
11 not severely restrict his or her ability to participate in
12 employment or training activities shall be required to partici-
13 pate in work first at a medically permissible level.

14 (5) An individual is not disabled for purposes of this sec-
15 tion if substance abuse is a contributing factor material to the
16 determination of disability.

17 (6) A WORK FIRST PARTICIPANT MAY MEET THE WORK PARTICIPATION
18 REQUIREMENT BY COMBINING A MINIMUM OF 10 HOURS PER WEEK OF WORK
19 WITH TRAINING OR EDUCATION. WITH THE EXCEPTION OF HIGH SCHOOL
20 COMPLETION AND GED PREPARATION, THE TRAINING OR EDUCATION MUST BE
21 OCCUPATIONALLY RELEVANT AND IN DEMAND IN THE LABOR MARKET AS
22 DETERMINED BY THE WORKFORCE DEVELOPMENT BOARD. A PARTICIPANT
23 MUST MAKE SATISFACTORY PROGRESS IN TRAINING OR EDUCATION.
24 TRAINING OR EDUCATION MAY LAST UP TO 12 MONTHS, AND THE CALCU-
25 LATED HOURS MAY INCLUDE ACTUAL CLASSROOM TIME UP TO 10 HOURS PER
26 WEEK PLUS UP TO 1 HOUR OF STUDY TIME FOR EACH HOUR OF CLASSROOM
27 TIME. THE COMBINED WORK AND TRAINING OR EDUCATION HOURS MUST

1 EQUAL THE MINIMUM NUMBER OF HOURS REQUIRED TO MEET 1 OF THE
2 FOLLOWING FEDERAL WORK PARTICIPATION REQUIREMENTS:

3 (A) THIRTY HOURS PER WEEK FOR A SINGLE PARENT OR 20 HOURS
4 PER WEEK IF THE SINGLE PARENT HAS A CHILD UNDER 6 YEARS OLD.

5 (B) THIRTY-FIVE HOURS PER WEEK FOR A 2-PARENT FAMILY OR 55
6 HOURS IF THE FAMILY UTILIZES FEDERALLY FUNDED CHILD CARE.

7 (7) A WORK FIRST PARTICIPANT MAY ENROLL IN ADDITIONAL HOURS
8 OF CLASSROOM TIME BEYOND THE 10 HOURS. THESE HOURS AND THE
9 RELATED STUDY TIME DO NOT COUNT TOWARD THE WORK PARTICIPATION
10 REQUIREMENT. THE TRAINING OR EDUCATION MAY BE NO LONGER THAN A
11 1-YEAR PROGRAM. THE 1-YEAR PROGRAM MAY INCLUDE THE FINAL YEAR OF
12 A 2- OR 4-YEAR UNDERGRADUATE PROGRAM THAT IS DESIGNED TO LEAD TO
13 IMMEDIATE EMPLOYMENT.

14 (8) A WORK FIRST PARTICIPANT MAY MEET THE FEDERAL WORK PAR-
15 TICIPATION REQUIREMENT THROUGH ENROLLMENT IN A SHORT-TERM VOCA-
16 TIONAL PROGRAM REQUIRING 30 HOURS OF ACTUAL CLASSROOM TIME PER
17 WEEK FOR A PERIOD THAT DOES NOT EXCEED 6 MONTHS, OR BY ENROLLMENT
18 IN A FULL-TIME INTERNSHIP, PRACTICUM, OR CLINICAL REQUIRED BY AN
19 ACADEMIC OR TRAINING INSTITUTION FOR LICENSURE, PROFESSIONAL CER-
20 TIFICATION, OR DEGREE COMPLETION WITHOUT AN ADDITIONAL WORK
21 REQUIREMENT. A 2-PARENT FAMILY THAT RECEIVES FEDERALLY FUNDED
22 CHILD CARE MUST WORK AN ADDITIONAL 25 HOURS PER WEEK TO MEET THE
23 FEDERAL WORK PARTICIPATION REQUIREMENT.

24 (9) A WORK FIRST PARTICIPANT WHO LACKS A HIGH SCHOOL DIPLOMA
25 OR GED AND WHO ENROLLS IN HIGH SCHOOL COMPLETION COURSES OR
26 CLASSES TO OBTAIN A GED MAY COUNT UP TO 10 HOURS OF ACTUAL
27 CLASSROOM TIME, COMBINED WITH A MINIMUM NUMBER OF HOURS OF WORK

- 1 PER WEEK, TO MEET THE FEDERAL WORK PARTICIPATION REQUIREMENT.
- 2 THERE IS NO TIME LIMIT ON HIGH SCHOOL COMPLETION. GED PREPARA-
- 3 TION IS LIMITED TO 6 MONTHS.