

HOUSE BILL No. 5860

May 6, 2004, Introduced by Reps. Murphy, Williams, Tobocman, Hopgood, Kolb, Dennis, Phillips, Accavitti, Whitmer, Gleason, Byrum, Stallworth, Waters, Reeves, Elkins, Condino, Clack and Hardman and referred to the Committee on Family and Children Services.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 57f (MCL 400.57f), as amended by 2001 PA
280.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57f. (1) The family independence agency shall enter
2 into an agreement with the department of career development in
3 order to facilitate the administration of work first. The family
4 independence agency shall make information on the program
5 available to the legislature.

6 (2) Except as otherwise provided in subsection (3), every
7 member of a family independence assistance group shall be
8 referred to and shall participate in work first. The particular
9 activities in which the recipient is required or authorized to
10 participate, the number of hours of work required, and other

1 details of work first shall be developed by the department of
2 career development and the family independence agency and shall
3 be set forth in the recipient's social contract. If a recipient
4 has cooperated with work first, the recipient may enroll in a
5 program approved by the local workforce development board. Any
6 and all training or education with the exception of high school
7 completion and GED preparation must be occupationally relevant
8 and in demand in the labor market as determined by the local
9 workforce development board and may be no more than 2 years in
10 duration. Participants must make satisfactory progress while in
11 training or education.

12 (3) The following individuals are exempt from participation
13 in work first:

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

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

17 (c) The parent of a child under the age of 3 months. The
18 family independence agency may require a parent exempted from
19 participation in work first under this subdivision to participate
20 in family services, including, but not limited to, instruction in
21 parenting, nutrition, and child development beginning 6 weeks
22 after the birth of his or her child until the child is 3 months
23 old as fulfillment of that parent's social contract obligation
24 under section 57e(1)(c).

25 (d) An individual aged 65 or older.

26 (e) A recipient of supplemental security income.

27 (f) An individual who meets 1 or more of the following

1 criteria to the extent that the individual, based on medical
2 evidence and an assessment of need by the family independence
3 agency, is severely restricted in his or her ability to
4 participate in employment or training activities:

5 (i) A recipient of social security disability, or medical
6 assistance due to disability or blindness.

7 (ii) An individual suffering from a physical or mental
8 impairment that meets federal supplemental security income
9 disability standards, except that no minimum duration is
10 required.

11 (iii) The spouse of an individual described in
12 subparagraph (i) or (ii) who is the full-time caregiver of that
13 individual.

14 (iv) A parent or caretaker of a child who is suffering from a
15 physical or mental impairment that meets the federal supplemental
16 security income disability standards, except that no minimum
17 duration is required.

18 (g) Beginning January 1, 2005, the parent of a child under
19 the age of 12 months. The family independence agency may require
20 a parent exempted from participation in work first under this
21 subdivision to participate in family services, including, but not
22 limited to, instruction in parenting, nutrition, and child
23 development beginning 6 weeks after the birth of his or her child
24 until the child is 12 months old as fulfillment of that parent's
25 social contract obligation under section 57e(1)(c).

26 (4) In addition to those individuals exempt under subsection
27 (3), the family independence agency may grant a temporary

1 exemption from participation in work first, not to exceed 90
2 days, to an individual who is suffering from a documented
3 short-term mental or physical illness, limitation, or disability
4 that severely restricts his or her ability to participate in
5 employment or training activities. An individual with a
6 documented mental or physical illness, limitation, or disability
7 that does not severely restrict his or her ability to participate
8 in employment or training activities shall be required to
9 participate in work first at a medically permissible level.

10 (5) An individual is not disabled for purposes of this
11 section if substance abuse is a contributing factor material to
12 the determination of disability.