

SUBSTITUTE FOR
SENATE BILL NO. 894

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57d. (1) The department **AND THE DEPARTMENT** of ~~career~~
2 ~~development and the family independence agency~~ **LABOR AND ECONOMIC**
3 **GROWTH** shall conduct joint orientation sessions for family
4 independence assistance applicants no less frequently than weekly.
5 After the ~~family independence agency~~ **DEPARTMENT** makes an initial
6 determination that an adult or a child aged 16 or older who is not
7 attending elementary or secondary school full-time ~~might be~~ **IS**
8 eligible for family independence assistance, that individual shall
9 attend a joint orientation session. ~~as a condition of eligibility~~

1 ~~prior to receipt of family independence assistance.~~ After
2 completion of the orientation, the individual and the ~~family~~
3 ~~independence agency~~ **DEPARTMENT** shall develop the family's ~~social~~
4 ~~contract~~ **FAMILY INDEPENDENCE PLAN** in accordance with section 57e.

5 (2) THE JOINT ORIENTATION SESSIONS REQUIRED UNDER SUBSECTION
6 (1) SHALL INCLUDE AN INITIAL ASSESSMENT OF THE FAMILY INDEPENDENCE
7 ASSISTANCE APPLICANT. THE INITIAL ASSESSMENT SHALL INCLUDE, AT A
8 MINIMUM, LITERACY AND SKILLS DETERMINATION, JOB READINESS
9 ASSESSMENT, BASIC SKILLS IDENTIFIER, AND MENTAL OR PHYSICAL
10 BARRIERS OR DISABILITY ASSESSMENT.

11 (3) THE JOINT ORIENTATION SESSIONS REQUIRED UNDER SUBSECTION
12 (1) SHALL INCLUDE BASIC LIFE SKILLS ORIENTATION TO PREPARE THE
13 INDIVIDUAL FOR EMPLOYMENT. IF IT IS DETERMINED IN THE INITIAL
14 ASSESSMENT REQUIRED UNDER SUBSECTION (2) THAT THE INDIVIDUAL DOES
15 NOT HAVE THE BASIC LIFE SKILLS REQUIRED TO MAINTAIN EMPLOYMENT, THE
16 INDIVIDUAL SHALL BE IMMEDIATELY REFERRED FOR FURTHER ASSESSMENT AND
17 TRAINING OR EDUCATION IN BASIC LIFE SKILLS.

18 (4) ~~-(2)-~~ If the individual fails to cooperate with work first
19 ~~joint orientation~~ or other required employment and training
20 activities, the family is ineligible for family independence
21 assistance.

22 (5) ~~-(3)-~~ The ~~family independence agency~~ **DEPARTMENT** shall
23 impose penalties under section 57g if the individual fails to
24 comply with any of the following:

- 25 (a) Work first activities.
26 (b) Employment and training activities.
27 (c) Child support requirements.

1 (6) ~~—(4)—~~ The ~~family independence agency may~~ **DEPARTMENT**
2 **SHALL** impose penalties under section 57g if the individual fails to
3 comply with the individual's ~~social contract~~ **FAMILY INDEPENDENCE**
4 **PLAN'S** requirements.

5 (7) ~~—(5)—~~ If the individual is complying with the ~~social~~
6 ~~contract~~ **FAMILY INDEPENDENCE PLAN**, the ~~family independence agency~~
7 **DEPARTMENT** and the recipient shall revise the ~~social contract~~
8 **FAMILY INDEPENDENCE PLAN** if necessary and the family independence
9 assistance group shall continue to receive family independence
10 assistance so long as the recipients meet family independence
11 assistance program requirements.

12 Sec. 57g. (1) The ~~family independence agency~~ **DEPARTMENT**
13 shall develop a system of penalties to be imposed if a recipient
14 fails to comply with applicable rules or the provisions of this
15 section. Penalties may be cumulative and may include reduction of
16 the grant, removal of an individual from the family independence
17 assistance group, and termination of assistance to the family.

18 (2) A penalty shall not be imposed if the recipient has
19 demonstrated that there was good cause for failing to comply. The
20 ~~family independence agency~~ **DEPARTMENT** shall determine the
21 circumstances that constitute good cause based on factors that are
22 beyond the control of a recipient.

23 (3) Recipients who are willing to participate in activities
24 leading to self-sufficiency but who require child care or
25 transportation in order to participate shall not be penalized if
26 the ~~family independence agency~~ **DEPARTMENT** determines that child
27 care or transportation is not reasonably available or provided to

1 them.

2 (4) The system of penalties developed under subsection (1)
3 shall include both of the following:

4 (a) Family independence program benefits shall be terminated
5 if a recipient fails, without good cause, to comply with applicable
6 child support requirements including efforts to establish paternity
7 and obtain child support. The assistance group is ineligible for
8 family independence program assistance for not less than 1 calendar
9 month. After assistance has been terminated for not less than 1
10 calendar month, assistance may be restored if the noncompliant
11 recipient complies with child support requirements including the
12 action to establish paternity and obtain child support.

13 (b) For any instance of noncompliance, before determining that
14 a penalty shall be imposed, the ~~family independence agency~~
15 **DEPARTMENT** shall determine if good cause for noncompliance exists.
16 The ~~family independence agency~~ **DEPARTMENT** shall notify the
17 recipient that he or she has 10 days to demonstrate good cause for
18 noncompliance. If good cause is not determined to exist, assistance
19 shall be terminated. After termination, the assistance group is
20 ineligible for family independence program assistance for not less
21 than 1 calendar month.

22 (5) For the purposes of this section, "noncompliance" means 1
23 or more of the following:

24 (a) A recipient quits a job.

25 (b) A recipient is fired for misconduct or for absenteeism
26 without good cause.

27 (c) A recipient voluntarily reduces the hours of employment or

1 otherwise reduces earnings.

2 (d) A recipient does not participate in work first activities.

3 (6) If a recipient does not meet the recipient's individual
4 social contract requirements, the ~~family independence agency~~
5 **DEPARTMENT** may impose a penalty.

6 (7) After termination for noncompliance, the assistance group
7 is ineligible for family independence program assistance for not
8 less than 1 calendar month. After assistance has been terminated
9 for not less than 1 calendar month, family independence program
10 assistance may be approved if the recipient completes a willingness
11 to comply test. For purposes of this section, "willingness to
12 comply" means participating in work first or other self-sufficiency
13 activities for up to 40 hours within 10 working days. At the time
14 any penalty is imposed under this section, the ~~family independence~~
15 ~~agency~~ **DEPARTMENT** shall provide the recipient written notice of
16 his or her option to immediately reapply for family independence
17 program benefits and that he or she may complete a "willingness to
18 comply test" during the penalty period.

19 (8) IF A RECIPIENT RECEIVES A PENALTY UNDER THIS SECTION
20 RESULTING IN TERMINATION FROM THE FAMILY INDEPENDENCE PROGRAM FOR
21 30 DAYS OR MORE, THE RECIPIENT SHALL ATTEND A JOINT MEETING WITH A
22 DEPARTMENT FAMILY INDEPENDENCE CASEWORKER AND A WORK FIRST PROGRAM
23 CASEWORKER.

24 (9) ~~(8)~~ The ~~family independence agency~~ **DEPARTMENT** shall
25 submit a report for the period between February 1, 2002 and
26 December 31, 2002 to the legislature, the house and senate fiscal
27 agencies, and the appropriate house and senate standing committees

1 that handle family and children's issues, that contains all of the
2 following information for that time period:

3 (a) The number of sanctions imposed and reapplications made.

4 (b) The number of family independence program cases reopened.

5 (c) The number of referrals to emergency shelters by the
6 department.

7 (d) The number of sanctions imposed on families with at least
8 1 disabled parent.

9 (e) The number of sanctions imposed on families with disabled
10 children.