

# HOUSE BILL No. 6578

September 20, 2006, Introduced by Reps. Kooiman, Stahl and Pastor 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,  
and by adding sections 57s, 57t, 57u, and 57v.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 57f. (1) The ~~family independence agency~~ **DEPARTMENT**  
2 shall enter into an agreement with the department of ~~career~~  
3 ~~development in order~~ **LABOR AND ECONOMIC GROWTH** to facilitate the  
4 administration of work first. ~~The family independence agency shall~~  
5 ~~make information on the program available to the legislature.~~ **THE**  
6 **DEPARTMENT SHALL TRACK ALL FAMILY INDEPENDENCE PROGRAM RECIPIENTS**  
7 **BY SOCIAL SECURITY NUMBER SO THAT TRACKING INFORMATION IS TRACEABLE**  
8 **FOR A RECIPIENT'S LIFETIME. TRACKING INFORMATION SHALL BE LIMITED**

1 TO INFORMATION REGARDING THE RECEIPT OF PUBLIC ASSISTANCE OR  
2 PARTICIPATION IN WORK FIRST PROGRAMS OR BOTH. THE DEPARTMENT OF  
3 LABOR AND ECONOMIC GROWTH SHALL TRACK WORK FIRST PARTICIPANTS BY  
4 SOCIAL SECURITY NUMBER AND THE RECIPIENT'S JOB STATUS FOR A PERIOD  
5 OF NOT LESS THAN 1 YEAR AFTER JOB PLACEMENT. THIS INFORMATION SHALL  
6 BE SHARED BETWEEN THE DEPARTMENT AND THE DEPARTMENT OF LABOR AND  
7 ECONOMIC GROWTH. INFORMATION TRACKED UNDER THIS SUBSECTION SHALL BE  
8 PROVIDED TO THE APPROPRIATIONS COMMITTEES DURING THE ANNUAL BUDGET  
9 REVIEW. AT THE TIME THE DEPARTMENT OR THE DEPARTMENT OF LABOR AND  
10 ECONOMIC GROWTH OPENS A CASE ON A RECIPIENT, THE DEPARTMENT AND THE  
11 DEPARTMENT OF LABOR AND ECONOMIC GROWTH SHALL USE THE SAME CASE  
12 NUMBER PREVIOUSLY USED FOR THE RECIPIENT AND SHALL NOT ASSIGN A NEW  
13 CASE NUMBER IF THE RECIPIENT HAS PREVIOUSLY RECEIVED ASSISTANCE OR  
14 PARTICIPATED IN WORK FIRST. THE DEPARTMENT AND THE DEPARTMENT OF  
15 LABOR AND ECONOMIC GROWTH SHALL DEVELOP PROGRAM GOALS AND  
16 MEASURABLE PERFORMANCE INDICATORS TO BE REVIEWED FOR SUCCESS OR  
17 FAILURE ANNUALLY. THE ANNUAL SUCCESS OR FAILURE RATES SHALL BE  
18 REPORTED TO THE LEGISLATURE. ONE PROGRAM GOAL DEVELOPED UNDER THIS  
19 SUBSECTION SHALL BE A STATE GOAL FOR THE PERCENTAGE OF THE FAMILY  
20 INDEPENDENCE PROGRAM CASELOAD INVOLVED IN EMPLOYMENT ACTIVITIES TO  
21 BE DEVELOPED JOINTLY BY THE DEPARTMENT AND THE DEPARTMENT OF LABOR  
22 AND ECONOMIC GROWTH. THE STATE GOAL FOR THE PERCENTAGE OF THE  
23 FAMILY INDEPENDENCE PROGRAM CASELOAD INVOLVED IN EMPLOYMENT  
24 ACTIVITIES DEVELOPED UNDER THIS SUBSECTION SHALL NOT BE LESS THAN  
25 50% OF THE FAMILY INDEPENDENCE PROGRAM CASELOAD. IF THE FAMILY  
26 INDEPENDENCE PROGRAM CASELOAD PERCENTAGE IS BELOW THE GOAL FOR MORE  
27 THAN 2 CONSECUTIVE QUARTERS, THE DEPARTMENT SHALL DEVELOP A PLAN

1 FOR INCREASING THE FAMILY INDEPENDENCE PROGRAM CASELOAD PERCENTAGE  
2 INVOLVED IN EMPLOYMENT-RELATED ACTIVITIES. THE DEPARTMENT SHALL  
3 DELIVER THE PLAN DURING THE FOLLOWING ANNUAL BUDGET PRESENTATIONS  
4 TO THE APPROPRIATIONS SUBCOMMITTEES ON THE DEPARTMENT OF HUMAN  
5 SERVICES IN THE SENATE AND HOUSE.

6 (2) Except as otherwise provided in subsection (3), every  
7 member of a family independence assistance group shall be referred  
8 to and shall participate in work first. The particular activities  
9 in which the recipient is required or authorized to participate,  
10 the number of hours of work required, and other details of work  
11 first shall be developed by the department of ~~career development~~  
12 ~~and the family independence agency~~ **LABOR AND ECONOMIC GROWTH** and  
13 shall be set forth in the recipient's ~~social contract~~ **PERSONAL**  
14 **WORK PLAN**. If a recipient has cooperated with work first, the  
15 recipient may enroll in a program approved by the local workforce  
16 development board. Any and all training or education with the  
17 exception of ~~high school completion~~ **AN ENGLISH AS A SECOND**  
18 **LANGUAGE PROGRAM, A FAST TRACK LITERACY PROGRAM, HIGH SCHOOL**  
19 **COMPLETION**, and GED preparation must be occupationally relevant and  
20 in demand in the labor market as determined by the local workforce  
21 development board. ~~and may be no more than 2 years in duration.~~  
22 ~~Participants must make satisfactory progress while in training or~~  
23 ~~education.~~ **IF A RECIPIENT DOES NOT HAVE A HIGH SCHOOL DIPLOMA OR**  
24 **GED OR HAS READING PROFICIENCY AT THE EIGHTH GRADE LEVEL OR LOWER,**  
25 **THE RECIPIENT MUST ENROLL IN 1 OR MORE OF THE FOLLOWING, IF THE**  
26 **SERVICE IS AVAILABLE:**

27 (A) **AN ENGLISH AS A SECOND LANGUAGE PROGRAM.**

1 (B) A FAST TRACK LITERACY PROGRAM.

2 (C) A HIGH SCHOOL COMPLETION COURSE.

3 (D) A GED PREPARATION COURSE.

4 (3) The following individuals are exempt from participation in  
5 work first:

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

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

9 (c) The **SINGLE** parent of a child under the age of 3 months.

10 The ~~family independence agency may~~ **DEPARTMENT SHALL** require a  
11 parent exempted from participation in work first under this  
12 subdivision to participate in family services, including ~~—, but not~~  
13 ~~limited to, instruction in parenting, nutrition, and child~~  
14 ~~development—~~ **INSTRUCTION OR COUNSELING IN 1 OR MORE OF THE**  
15 **FOLLOWING** beginning 6 weeks after the birth of his or her child  
16 until the child is 3 months old as fulfillment of that parent's  
17 ~~social contract—~~ **PERSONAL RESPONSIBILITY PLAN** obligation under  
18 section 57e(1)(c): —

19 (i) **MARRIAGE.**

20 (ii) **FATHERHOOD.**

21 (iii) **PARENTING.**

22 (iv) **ABSTINENCE-BASED FAMILY PLANNING.**

23 (v) **CHILD DEVELOPMENT.**

24 (vi) **NUTRITION.**

25 (d) An individual aged 65 or older.

26 (e) A recipient of supplemental security income. **AN INDIVIDUAL**  
27 **WHO IS APPLYING FOR SUPPLEMENTAL SECURITY INCOME IS NOT**

1 **AUTOMATICALLY EXEMPT FROM PARTICIPATION IN WORK FIRST DURING THE**  
2 **APPLICATION PROCESS FOR SUPPLEMENTAL SECURITY INCOME.**

3 (f) An individual who meets 1 or more of the following  
4 criteria to the extent that the individual, based on **WRITTEN**  
5 medical ~~evidence~~ **VERIFICATION PROVIDED BY A PHYSICIAN,**  
6 **PSYCHIATRIST, OR PSYCHOLOGIST** and an assessment of need by the  
7 ~~family independence agency~~ **DEPARTMENT**, is severely restricted in  
8 his or her ability to participate in employment or training  
9 activities:

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

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

15 (iii) The spouse of an individual described in subparagraph (i)  
16 or (ii) who is the full-time caregiver of that individual **IF THAT**  
17 **INDIVIDUAL REQUIRES 24-HOUR ASSISTANCE.**

18 (iv) A **SINGLE** parent or caretaker of a child who is suffering  
19 from a physical or mental impairment that meets the federal  
20 supplemental security income disability standards **IF THAT**  
21 **INDIVIDUAL REQUIRES 24-HOUR ASSISTANCE**, except that no minimum  
22 duration is required.

23 (4) In addition to those individuals exempt under subsection  
24 (3), the ~~family independence agency~~ **DEPARTMENT** may grant a  
25 temporary exemption from participation in work first, not to exceed  
26 90 days, to an individual who is suffering from a documented short-  
27 term mental or physical illness, limitation, or disability that

1 severely restricts his or her ability to participate in employment  
2 or training activities **AS DOCUMENTED IN WRITING BY A PHYSICIAN,**  
3 **PSYCHIATRIST, OR PSYCHOLOGIST.** An individual with a ~~documented~~  
4 mental or physical illness, limitation, or disability **AS DESCRIBED**  
5 **IN THIS SECTION** that does not severely restrict his or her ability  
6 to participate in employment or training activities shall be  
7 required to participate in work first at a medically permissible  
8 level.

9 (5) THE WORK FIRST CASEWORKER, IN HIS OR HER DISCRETION, MAY  
10 AUTHORIZE 1 OF THE FOLLOWING:

11 (A) A RECIPIENT'S REQUEST TO ENROLL IN EDUCATION OR TRAINING  
12 AND COUNT UP TO 20 HOURS PER WEEK OF THAT EDUCATION OR TRAINING  
13 TOWARD HIS OR HER 40-HOUR-PER-WEEK WORK REQUIREMENT. THE 20 HOURS  
14 PER WEEK OF EDUCATION AND TRAINING ALLOWED IN THIS SUBSECTION SHALL  
15 BE COUNTED TOWARD THE 40-HOUR-PER-WEEK WORK REQUIREMENT FOR NOT  
16 LONGER THAN A CUMULATIVE TOTAL OF 24 MONTHS IN THE RECIPIENT'S  
17 LIFETIME. THE EDUCATION OR TRAINING COURSE REQUIREMENTS AND  
18 RESPONSIBILITIES, INCLUDING, BUT NOT LIMITED TO, ATTENDANCE,  
19 PERFORMANCE, AND GRADE POINT AVERAGE, SHALL BE OUTLINED IN THE  
20 RECIPIENT'S PERSONAL RESPONSIBILITY PLAN'S EXPECTATIONS SECTION.

21 (B) A RECIPIENT'S EXEMPTION FROM WORK FIRST WORK REQUIREMENTS  
22 FOR A MAXIMUM OF 6 MONTHS IN THE CLIENT'S LIFETIME IF THE RECIPIENT  
23 IS ABLE TO DEMONSTRATE THAT THERE IS A CURRENT DEMAND FOR WORKERS  
24 WITH THE EDUCATION OR TRAINING THE RECIPIENT IS SEEKING. THE  
25 EDUCATION OR TRAINING COURSE REQUIREMENTS AND RESPONSIBILITIES,  
26 INCLUDING, BUT NOT LIMITED TO, ATTENDANCE, PERFORMANCE, AND GRADE  
27 POINT AVERAGE, SHALL BE OUTLINED IN THE RECIPIENT'S PERSONAL

1 RESPONSIBILITY PLAN'S EXPECTATIONS SECTION.

2 (6) A RECIPIENT UNDER SUBSECTION (5)(B) OR A RECIPIENT  
3 PARTICIPATING IN EDUCATION OR TRAINING TO MEET THE 40-HOUR-PER-WEEK  
4 WORK REQUIREMENT SHALL MEET WITH HIS OR HER WORK FIRST CASEWORKER  
5 NOT LESS THAN 1 TIME EVERY 45 DAYS.

6 (7) IF THE RECIPIENT IS NOT IN COMPLIANCE WITH OR MEETING THE  
7 EXPECTATIONS OUTLINED IN HIS OR HER PERSONAL RESPONSIBILITY PLAN  
8 UNDER SUBSECTION (5) OR (6), THE RECIPIENT IS PROHIBITED FROM USING  
9 EDUCATION OR TRAINING TOWARD HIS OR HER 40-HOUR-PER-WEEK WORK  
10 REQUIREMENT AND IS INELIGIBLE FOR AN EXEMPTION OFFERED UNDER  
11 SUBSECTION (5)(B).

12 (8) ~~—(5)—~~ An individual is not disabled for purposes of this  
13 section if substance abuse is a contributing factor material to the  
14 determination of disability.

15 SEC. 57S. IF A RECIPIENT IS UNABLE TO FIND EMPLOYMENT OR BE  
16 PLACED BY THE WORK FIRST PROGRAM INTO A JOB AND THEREFORE IS NOT  
17 FULFILLING HIS OR HER OBLIGATION TO PARTICIPATE IN WORK FIRST, THAT  
18 RECIPIENT SHALL PARTICIPATE IN TRAINING OR COUNSELING FOR NOT MORE  
19 THAN 10 HOURS PER WEEK IN ANY OF THE FOLLOWING AREAS CONSIDERED  
20 RELEVANT AND APPROPRIATE BY THE WORK FIRST CASEWORKER: MARRIAGE,  
21 FATHERHOOD, PARENTING, SELF-IMPROVEMENT, SUBSTANCE ABUSE, OR  
22 VOLUNTEER ACTIVITIES.

23 SEC. 57T. THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH SHALL  
24 PROVIDE A WRITTEN REPORT TO THE HOUSE AND SENATE APPROPRIATIONS  
25 SUBCOMMITTEES ON THE DEPARTMENT NOT LATER THAN 90 DAYS AFTER THE  
26 AMENDATORY ACT THAT ADDED THIS SECTION TAKES EFFECT AND ANNUALLY  
27 THEREAFTER BY MARCH 31 OF EACH YEAR THAT INCLUDES, AT A MINIMUM,

1 ALL OF THE FOLLOWING:

2 (A) THE NUMBER AND PERCENTAGE OF WORK FIRST PARTICIPANTS  
3 ACHIEVING PERSONAL WORK PLAN GOALS.

4 (B) THE NUMBER AND PERCENTAGE OF WORK FIRST PARTICIPANTS  
5 PLACED IN UNSUBSIDIZED EMPLOYMENT.

6 (C) THE NUMBER AND PERCENTAGE OF WORK FIRST PARTICIPANTS  
7 PLACED IN EMPLOYMENT WHO REMAIN EMPLOYED FOR A PERIOD OF 180 DAYS  
8 AND 365 DAYS OR MORE.

9 (D) THE NUMBER AND PERCENTAGE OF WORK FIRST PARTICIPANTS WHOSE  
10 CASES ARE CLOSED DUE TO EARNINGS.

11 (E) THE NUMBER AND PERCENTAGE OF WORK FIRST PARTICIPANTS  
12 ENROLLED IN A 2-YEAR OR 4-YEAR EDUCATIONAL PROGRAM WITH INFORMATION  
13 ON THE DEGREE PROGRAMS ENROLLED IN AND THE LOCAL WORK FIRST  
14 PROGRAM'S PARTICIPANTS' GRADUATION RATE.

15 (F) THE NUMBER AND PERCENTAGE OF WORK FIRST PARTICIPANTS  
16 PARTICIPATING IN A FAST TRACK LITERACY PROGRAM AND THE LOCAL WORK  
17 FIRST PROGRAM'S PARTICIPANTS' SUCCESS RATE IN THIS PROGRAM.

18 (G) THE NUMBER AND PERCENTAGE OF WORK FIRST PARTICIPANTS  
19 PARTICIPATING IN A HIGH SCHOOL COMPLETION PROGRAM OR A GENERAL  
20 EDUCATION DEVELOPMENT (GED) PROGRAM AND THE LOCAL WORK FIRST  
21 PROGRAM'S PARTICIPANTS' GRADUATION RATE.

22 SEC. 57U. IN GRANTING CONTRACTS TO WORK FIRST PROVIDERS, THE  
23 DEPARTMENT OF LABOR AND ECONOMIC GROWTH MAY USE INCENTIVES IN  
24 CONTRACTS OR MAY REQUIRE PERFORMANCE-BASED MEASURES IN PAYMENT OF  
25 CONTRACTS.

26 SEC. 57V. THE DEPARTMENT SHALL SUBMIT A WRITTEN REPORT NOT  
27 LATER THAN 90 DAYS AFTER THE AMENDATORY ACT THAT ADDED THIS SECTION



1 TAKES EFFECT AND ANNUALLY THEREAFTER BY MARCH 31 OF EACH YEAR TO  
2 THE LEGISLATURE, THE HOUSE AND SENATE FISCAL AGENCIES, THE  
3 APPROPRIATE HOUSE AND SENATE STANDING COMMITTEES THAT HANDLE FAMILY  
4 AND CHILDREN'S ISSUES, AND THE HOUSE AND SENATE APPROPRIATIONS  
5 SUBCOMMITTEES FOR THE DEPARTMENT BUDGET, THAT CONTAINS ALL OF THE  
6 FOLLOWING INFORMATION BY DISTRICT OFFICE FOR THAT TIME PERIOD:

7 (A) THE NUMBER OF SANCTIONS IMPOSED FOR FIRST INSTANCES OF  
8 NONCOMPLIANCE AND REAPPLICATIONS MADE.

9 (B) THE NUMBER OF SANCTIONS IMPOSED FOR SECOND INSTANCES OF  
10 NONCOMPLIANCE AND REAPPLICATIONS MADE.

11 (C) THE NUMBER OF SANCTIONS IMPOSED FOR THIRD INSTANCES OF  
12 NONCOMPLIANCE.

13 (D) THE NUMBER OF FAMILY INDEPENDENCE PROGRAM CASES REOPENED.

14 (E) THE NUMBER OF FAMILY INDEPENDENCE PROGRAM CASES  
15 PERMANENTLY CLOSED.

16 Enacting section 1. This amendatory act does not take effect  
17 unless Senate Bill No.\_\_\_\_ or House Bill No. 6580(request no.  
18 05677'06) of the 93rd Legislature is enacted into law.