

HOUSE BILL No. 5183

October 26, 2017, Introduced by Rep. Lucido and referred to the Committee on Families, Children, and Seniors.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 57f (MCL 400.57f), as amended by 2014 PA 51.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57f. (1) The department shall enter into an agreement
2 with the ~~Michigan economic development corporation~~ **WORKFORCE**
3 **DEVELOPMENT AGENCY** or a successor entity to facilitate the
4 administration of the PATH program. The department shall make
5 information on the program available to the legislature.

6 (2) Except as provided in section 57b, at the time the
7 department determines that an individual is eligible to receive
8 family independence program assistance under this act, the
9 department shall determine whether that individual is eligible to
10 participate in the PATH program or if the individual is exempt from
11 PATH program participation under this section. The particular

activities in which the recipient is required or authorized to participate, including community service, the number of hours of work required, and other details of the PATH program shall be developed by the department and the ~~Michigan economic development corporation~~ **WORKFORCE DEVELOPMENT AGENCY** or a successor entity and shall ~~shall~~ **MUST** be set forth in the recipient's family self-sufficiency plan. If a recipient has cooperated with the PATH program, the recipient may enroll in a program approved by the local workforce development board. Any and all training or education with the exception of high school completion, GED preparation, and literacy training must be occupationally relevant and in demand in the labor market as determined by the local workforce development board and may be no more than 2 years in duration. Participants must make satisfactory progress while in training or education.

(3) ~~The~~ **SUBJECT TO SUBSECTION (5), THE** following individuals are exempt from participation in the PATH program:

(a) A child under the age of 16.

(b) A child age 16 to 18 who is attending elementary or secondary school full-time.

(c) A recipient who has medical documentation of being disabled or medical documentation of an inability to participate in employment or the PATH program for more than 90 days because of a mental or physical condition.

(d) A recipient unable to participate as determined by the medical review team.

(e) A recipient aged 65 or older.

(f) A recipient of supplemental security income.

1 (g) A recipient of retirement, survivor, or disability
2 insurance based on disability or blindness, or a recipient found
3 eligible for retirement, survivor, or disability insurance based on
4 disability or blindness who is in nonpay status.

5 (4) ~~The~~ **SUBJECT TO SUBSECTION (5), THE** department may grant a
6 temporary exemption from participation in the PATH program to any
7 of the following:

8 (a) An individual who is suffering from a documented short-
9 term mental or physical illness, limitation, or disability that
10 severely restricts his or her ability to participate in PATH
11 program activities. An individual with a documented mental or
12 physical illness, limitation, or disability that does not severely
13 restrict his or her ability to participate in the PATH program
14 ~~shall be~~ **IS** required to participate in the PATH program at a
15 medically permissible level. An exemption under this subdivision
16 shall not exceed a period of 90 days without a review by a
17 department caseworker.

18 (b) An individual for whom certain program requirements have
19 been waived under section 56i. An exemption under this subdivision
20 shall not exceed a period of 90 days without a review by a
21 department caseworker.

22 (c) A parent with a child under the age of 60 days if that
23 child is in the home or a mother for postpartum recovery up to 60
24 days after giving birth if that child is not in the home.

25 (d) A pregnant recipient who, based on medical documentation,
26 is severely restricted in her ability to participate in PATH
27 program activities for the duration of the pregnancy.

1 (e) The spouse of a recipient who is verified as disabled and
2 living in the home with the spouse if it is verified that the
3 spouse is needed in the home full-time due to the extent of medical
4 care required. An exemption under this subdivision shall not exceed
5 a period of 365 days without a review by a department caseworker.

6 (f) A parent of a child who is verified as disabled and living
7 in the home with the parent if it is verified that the parent is
8 needed in the home due to the extent of medical care required. If
9 the child attends school, the parent may be referred to the PATH
10 program with limitations. An exemption under this subdivision shall
11 not exceed a period of 365 days without a review by a department
12 caseworker.

13 (5) THE EXEMPTIONS PROVIDED FOR IN SUBSECTIONS (3) (C) AND (D)
14 AND (4) (A) SHALL BE GRANTED ON A PROVISIONAL BASIS. UPON GRANTING
15 THE PROVISIONAL EXEMPTION, THE DEPARTMENT SHALL REQUIRE AND PROVIDE
16 FOR AN INDEPENDENT MEDICAL EXAMINATION WITHIN 90 DAYS OF GRANTING
17 THE PROVISIONAL EXEMPTION. IF THE INDEPENDENT MEDICAL EXAMINER
18 DETERMINES THAT THE BASIS FOR THE PROVISIONAL EXEMPTION IS, OR WAS,
19 INVALID, OR IF THE APPLICANT FAILS TO APPEAR FOR THE INDEPENDENT
20 MEDICAL EXAMINATION, THE PROVISIONAL EXEMPTION SHALL BE RESCINDED
21 AND THE APPLICANT'S FAILURE TO PARTICIPATE IN THE PATH PROGRAM
22 DURING THE PERIOD OF THE PROVISIONAL EXEMPTION SHALL BE CONSIDERED
23 A FAILURE TO COOPERATE UNDER SECTION 57D(2). ANY ASSISTANCE
24 RECEIVED BY THE RECIPIENT DURING THE PERIOD OF THE RESCINDED
25 PROVISIONAL EXEMPTION SHALL BE CONSIDERED AN OVERISSUANCE SUBJECT
26 TO ADMINISTRATIVE RECOUPMENT UNDER THE RULES PROMULGATED BY THE
27 DEPARTMENT.

1 (6) ~~(5)~~An individual is not disabled for purposes of this
2 section if substance abuse is a contributing factor material to the
3 determination of disability.

4 (7) ~~(6)~~The department may promulgate rules in accordance with
5 the administrative procedures act of 1969, 1969 PA 306, MCL 24.201
6 to 24.328, identifying exemptions under this section. The director
7 of the department may grant exemptions for extenuating
8 circumstances beyond the exemptions provided for in this section.
9 The department shall annually provide to the legislature, at the
10 same time as the governor's departmental budget proposal, a report
11 of the number of exemptions issued under this section and the
12 individual reason for those exemptions. ~~This subsection does not~~
13 ~~apply after December 31, 2013.~~

14 ~~———— (7) As used in this section, "PATH program" means the PATH:~~
15 ~~partnership. accountability. training. hope. work partnership~~
16 ~~program.~~