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House Bill 5512 (Substitute H-1 as passed by the House)
Sponsor: Representative Kenneth Kurtz
House Committee: Families, Children, and Seniors
Senate Committee: Families, Seniors and Human Services

Date Completed: 10-1-14

CONTENT

The bill would amend the Social Welfare Act to require Family Independence Program (FIP) assistance benefits to be denied if a recipient failed to comply with child support requirements without good cause.

The Act requires the Department of Human Services (DHS) to establish and administer the FIP to provide temporary assistance to families who are making efforts to achieve independence.

Family Independence Program assistance benefits must be terminated if a recipient fails, without good cause, to comply with applicable child support requirements, including efforts to establish paternity and assign or obtain child support. The FIP assistance group is ineligible for assistance for at least one month. After assistance has been terminated for at least one month, it may be restored if the noncompliant recipient complies with child support requirements. (A family and all of the individuals living with a family whose income and assets are considered for purposes of determining financial eligibility for FIP assistance constitute a "program group". An FIP "assistance group" includes all of the members of a program group who receive assistance.)

Under the bill, FIP assistance benefits also would have to be denied if a recipient failed to comply with child support requirements without good cause.

The bill provides that "good cause" would include an instance in which efforts to establish paternity or assign or obtain child support would harm the child or in which there was danger of physical or emotional harm to the child or the recipient.

The bill also would refer to the PATH Program rather than the JET Program in several provisions, and specifies that a reference to the JET Program would mean the PATH Program. ("JET Program" means the Jobs, Education, and Training Program administered by the Michigan Economic Development Corporation or a successor entity for applicants and recipients of FIP assistance or a successor program. "PATH Program" means the PATH: Partnership. Accountability. Training. Hope. Work Partnership Program. The PATH Program replaced the JET Program in 2013.)

MCL 400.57 & 400.57g

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Current Department policy requires a custodial parent or caretaker to "comply with all requests for action or information needed to establish paternity and/or obtain child support on behalf of children for whom they receive assistance, unless a claim of good cause for not cooperating has been granted or is pending". The bill would codify a definition for "good cause" that is similar to language in current policy.

The bill also would require the Department to deny applications for assistance if the applicant did not take action to establish paternity and obtain child support. Currently, the Department is required to terminate assistance payments that are already in place under these circumstances.

Fiscal Analyst: Frances Carley

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.