

SUBSTITUTE FOR

SENATE BILL NO. 275

(As amended December 11, 2013)

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 57z.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 57Z. (1) <<IF AN APPLICANT OR RECIPIENT TESTS POSITIVE FOR
2 USE OF A CONTROLLED SUBSTANCE AND IT IS DETERMINED THAT HE OR SHE USED
3 THAT CONTROLLED SUBSTANCE IN VIOLATION OF STATE LAW, AND IT IS THE FIRST
4 TIME THAT IT IS DETERMINED THAT HE OR SHE TESTED POSITIVE FOR USE OF A
5 CONTROLLED SUBSTANCE IN VIOLATION OF STATE LAW UNDER THE PILOT PROGRAM
6 DESCRIBED IN SECTION 57Y,>> THAT DEPARTMENT SHALL REFER THE INDIVIDUAL
7 TO THE
8 REGIONAL SUBSTANCE ABUSE COORDINATING AGENCIES AND, IF HE OR SHE IS
9 OTHERWISE ELIGIBLE, PROVIDE OR CONTINUE TO PROVIDE FAMILY
10 INDEPENDENCE PROGRAM ASSISTANCE TO HIM OR HER. FOR AN APPLICANT
11 DESCRIBED IN THIS SUBSECTION, THE COST OF ADMINISTERING THE
12 SUBSTANCE ABUSE TEST TO HIM OR HER SHALL BE DEDUCTED FROM HIS OR

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1 HER FIRST FAMILY INDEPENDENCE PROGRAM ASSISTANCE PAYMENT. FOR A
2 RECIPIENT DESCRIBED IN THIS SUBSECTION, THE COST OF ADMINISTERING
3 THE SUBSTANCE ABUSE TEST TO HIM OR HER SHALL BE DEDUCTED FROM HIS
4 OR HER FIRST FAMILY INDEPENDENCE PROGRAM ASSISTANCE PAYMENT AFTER
5 THE REDETERMINATION. IF THE APPLICANT OR RECIPIENT DESCRIBED IN
6 THIS SUBSECTION FAILS TO PARTICIPATE IN TREATMENT OFFERED BY THE
7 REGIONAL SUBSTANCE ABUSE COORDINATING AGENCIES OR FAILS TO SUBMIT
8 TO PERIODIC SUBSTANCE ABUSE TESTING REQUIRED BY THE REGIONAL
9 SUBSTANCE ABUSE COORDINATING AGENCIES, THE DEPARTMENT SHALL
10 TERMINATE HIS OR HER FAMILY INDEPENDENCE PROGRAM ASSISTANCE.

11 (2) <<IF AN APPLICANT OR RECIPIENT TESTS POSITIVE FOR USE OF A
12 CONTROLLED SUBSTANCE AND IT IS DETERMINED THAT HE OR SHE USED THAT
13 CONTROLLED SUBSTANCE IN VIOLATION OF STATE LAW, AND IT IS THE SECOND OR
14 SUBSEQUENT TIME IT IS DETERMINED THAT HE OR SHE TESTED POSITIVE FOR USE
OF A CONTROLLED SUBSTANCE IN VIOLATION OF STATE LAW UNDER THE PILOT
PROGRAM DESCRIBED IN SECTION 57Y,>> HE
15 OR SHE IS INELIGIBLE FOR FAMILY INDEPENDENCE PROGRAM ASSISTANCE. IF
16 THE APPLICANT OR RECIPIENT REAPPLIES FOR FAMILY INDEPENDENCE
17 PROGRAM ASSISTANCE, HE OR SHE MUST <<NOT TEST POSITIVE FOR USE OF A
18 CONTROLLED SUBSTANCE WITH A DETERMINATION THAT THE USE OF THE
CONTROLLED SUBSTANCE WAS IN VIOLATION OF STATE LAW>> IN ORDER TO
RECEIVE FAMILY INDEPENDENCE
19 PROGRAM ASSISTANCE. THE DEPARTMENT MAY PROVIDE A REFERRAL TO THE
20 APPLICANT OR RECIPIENT TO THE REGIONAL SUBSTANCE ABUSE COORDINATING
21 AGENCIES FOR SUBSTANCE ABUSE TREATMENT.

22 (3) THE PILOT PROGRAM DESCRIBED IN SECTION 57Y SHALL CONCLUDE
23 ON MARCH 31, 2015.

24 (4) NOT LATER THAN APRIL 30, 2015, THE DEPARTMENT SHALL SUBMIT
25 A REPORT TO THE LEGISLATURE THAT INCLUDES, AT LEAST, ALL OF THE
26 FOLLOWING:

27 (A) THE NUMBER OF INDIVIDUALS SCREENED.

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1 (B) THE NUMBER OF INDIVIDUALS SCREENED FOR WHOM THERE WAS A
2 REASONABLE SUSPICION OF ILLEGAL USE OF A CONTROLLED SUBSTANCE.

3 (C) THE NUMBER OF INDIVIDUALS WHO CONSENTED TO SUBMITTING TO A
4 SUBSTANCE ABUSE TEST.

5 (D) THE NUMBER OF INDIVIDUALS WHO REFUSED TO SUBMIT TO A
6 SUBSTANCE ABUSE TEST.

7 (E) THE NUMBER OF INDIVIDUALS WHO SUBMITTED TO A SUBSTANCE
8 ABUSE TEST WHO TESTED POSITIVE FOR <<USE OF A CONTROLLED SUBSTANCE
9 WITH A DETERMINATION THAT THE USE OF THE CONTROLLED SUBSTANCE WAS IN
VIOLATION OF STATE LAW.>>

10 (F) THE NUMBER OF INDIVIDUALS WHO SUBMITTED TO A SUBSTANCE
11 ABUSE TEST WHO TESTED NEGATIVE FOR << >> USE OF A CONTROLLED
12 SUBSTANCE.

<<(G) THE NUMBER OF INDIVIDUALS WHO TESTED POSITIVE FOR USE OF
A CONTROLLED SUBSTANCE WITH A DETERMINATION THAT THE USE OF THE
CONTROLLED SUBSTANCE WAS NOT IN VIOLATION OF STATE LAW.

13 (H)>> THE NUMBER OF INDIVIDUALS WHO TESTED POSITIVE FOR <<USE OF
14 CONTROLLED SUBSTANCE WITH A DETERMINATION THAT THE USE OF THE
CONTROLLED SUBSTANCE WAS IN VIOLATION OF STATE LAW A SECOND OR
SUBSEQUENT TIME.

15 (I)>> THE AMOUNT OF THE COSTS INCURRED BY THE DEPARTMENT FOR
16 ADMINISTERING THE PROGRAM.

17 (5) FOR THE PURPOSES OF THIS SECTION AND SECTION 57Y ONLY, AN
18 APPLICANT OR RECIPIENT IS AN INDIVIDUAL WHO IS 18 YEARS OF AGE OR
19 OLDER.

20 (6) AS USED IN THIS SECTION AND SECTION 57Y, "CONTROLLED
21 SUBSTANCE" MEANS THAT TERM AS DEFINED IN SECTION 7104 OF THE PUBLIC
22 HEALTH CODE, 1978 PA 368, MCL 333.7104.

23 Enacting section 1. This amendatory act does not take effect
24 unless House Bill No. 4118 of the 97th Legislature is enacted into
25 law.