

HOUSE BILL No. 4388

March 7, 2013, Introduced by Reps. Pscholka, Kelly, Somerville, Haveman, Heise, Johnson, Farrington, Poleski, Jenkins, Rendon, Lori, Forlini, Bumstead, Graves, Schmidt, Daley, Shirkey, Cotter, Franz, MacGregor and Foster 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 57b (MCL 400.57b), as amended by 2011 PA 131.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57b. (1) An individual who meets all of the following
2 requirements is eligible for family independence program
3 assistance:

4 (a) Is a member of a family or a family independence program
5 assistance group.

6 (b) Is a member of a program group whose income and assets are
7 less than the income and asset limits set by the department.

8 (c) In the case of a minor parent, meets the requirements of
9 subsection (2).

10 (d) Is a United States citizen, a permanent resident alien, or
11 a refugee. If the applicant indicates that he or she is not a

1 United States citizen, the department shall verify the applicant's
2 immigration status using the federal systematic alien verification
3 for entitlements (SAVE) program.

4 (e) Is a resident of this state as described in section 32.

5 (f) Meets any other eligibility criterion required for the
6 receipt of federal or state funds or determined by the department
7 to be necessary for the accomplishment of the goals of the family
8 independence program.

9 **(G) IS A MEMBER OF A PROGRAM GROUP THAT MEETS THE REQUIREMENTS**
10 **OF SUBSECTION (6).**

11 (2) A minor parent and the minor parent's child shall not
12 receive family independence program assistance unless they live in
13 an adult-supervised household. The family independence program
14 assistance shall be paid on behalf of the minor parent and child to
15 an adult in the adult-supervised household. Child care in
16 conjunction with participation in education, employment readiness,
17 training, or employment programs, that have been approved by the
18 department, shall be provided for the minor parent's child. The
19 minor parent and child shall live with the minor parent's parent,
20 stepparent, or legal guardian unless the department determines that
21 there is good cause for not requiring the minor parent and child to
22 live with a parent, stepparent, or legal guardian. The department
23 shall determine the circumstances that constitute good cause, based
24 on a parent's, stepparent's, or guardian's unavailability or
25 unwillingness or based on a reasonable belief that there is
26 physical, sexual, or substance abuse, or domestic violence,
27 occurring in the household, or that there is other risk to the

1 physical or emotional health or safety of the minor parent or
2 child. If the department determines that there is good cause for
3 not requiring a minor parent to live with a parent, stepparent, or
4 legal guardian, the minor parent and child shall live in another
5 adult-supervised household. A local office director may waive the
6 requirement set forth in this subsection with respect to a minor
7 parent who is at least 17 years of age, attending secondary school
8 full-time, and participating in a department service plan or a teen
9 parenting program, if moving would require the minor parent to
10 change schools.

11 (3) If a recipient who is otherwise eligible for family
12 independence program assistance under this section is currently
13 applying for supplemental security income and seeking exemption
14 from the JET program, the recipient shall be evaluated and assessed
15 as provided in this section before a family self-sufficiency plan
16 is developed under section 57e. Based on a report resulting from
17 the evaluation and assessment, the caseworker shall make a
18 determination and referral as follows:

19 (a) A determination that the recipient is eligible to
20 participate in the JET program and a referral to the JET program.

21 (b) A determination that the recipient is exempt from JET
22 program participation under section 57f and a referral to a
23 sheltered work environment or subsidized employment.

24 (c) A determination that the recipient is exempt from JET
25 program participation under section 57f and a referral for
26 supplemental security income advocacy.

27 (4) The department may contract with a legal services

1 organization to assist recipients with the process for applying for
2 supplemental security income. The department may also contract with
3 a nonprofit rehabilitation organization to perform the evaluation
4 and assessment described under subsection (3). If the department
5 contracts with either a nonprofit legal or rehabilitation services
6 organization, uniform contracts shall be used statewide that
7 include, but are not limited to, uniform rates and performance
8 measures.

9 (5) The auditor general shall conduct an annual audit of the
10 evaluation and assessment process required under this section and
11 submit a report of his or her findings to the legislature.

12 (6) A FAMILY INDEPENDENCE PROGRAM ASSISTANCE GROUP SHALL NOT
13 RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE IF A MEMBER OF THE
14 PROGRAM GROUP IS NOT IN COMPLIANCE WITH COMPULSORY SCHOOL
15 ATTENDANCE REQUIRED UNDER SECTION 1561 OF THE REVISED SCHOOL CODE,
16 1976 PA 451, MCL 380.1561, WITH RESPECT TO A CHILD UNDER THE AGE OF
17 16. IF A MEMBER OF THE PROGRAM GROUP IS NOT IN COMPLIANCE WITH
18 COMPULSORY SCHOOL ATTENDANCE REQUIRED UNDER SECTION 1561 OF THE
19 REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1561, WITH RESPECT TO A
20 CHILD AGE 16 AND ABOVE, THE CHILD SHALL BE REMOVED FROM THE PROGRAM
21 GROUP. THE DEPARTMENT SHALL IMPLEMENT POLICIES IN ACCORDANCE WITH
22 THIS SUBSECTION THAT ARE EFFECTIVE AND BINDING ON ALL PROGRAM
23 GROUPS AND ARE EXEMPT FROM THE RULE PROMULGATION REQUIREMENTS OF
24 THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201
25 TO 24.328.