

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

400.57a Family independence program; establishment and administration; purpose; establishment of certain requirements by department; assistance to certain program groups prohibited; determination of financial eligibility.

Sec. 57a. (1) The department shall establish and administer the family independence program to provide temporary assistance to families who are making efforts to achieve independence. Family independence program assistance is not an entitlement.

(2) The department shall administer the family independence program to accomplish all of the following:

(a) Provide financial support to eligible families while they pursue self-improvement activities and engage in efforts to become financially independent.

(b) Ensure that recipients who are minor parents live in adult-supervised households in order to reduce long-term dependency on financial assistance.

(c) Assist families in determining and overcoming the barriers preventing them from achieving financial independence.

(d) Ensure that families pursue other sources of support available to them.

(3) The department shall establish income and asset levels for eligibility, types of income and assets to be considered in making eligibility determinations, payment standards, composition of the program group and the family independence program assistance group, program budgeting and accounting methods, and client reporting requirements to meet the following goals:

(a) Efficient, fair, cost-effective administration of the family independence program.

(b) Provision of family independence program assistance to families willing to work toward eventual self-sufficiency.

(4) In accordance with 42 USC 608(a)(7)(A) and 45 CFR 260.31, the department shall not provide family independence program assistance to any program group that includes an adult who has received assistance under any state program funded with temporary assistance for needy families for more than 60 months, whether or not consecutive, after October 1, 1996. This subsection does not apply to a program group that includes an adult who is exempt from participation in the PATH program under section 57f(3) or (4)(b), (e), or (f), if that adult also was exempt from participation in the former JET program under section 57f(3) or (4)(b), (e), or (f) on January 9, 2013. No other provision of this act prohibits the department from terminating family independence program assistance under this subsection.

(5) Except as provided in subsections (6) and (7), when determining financial eligibility for family independence program assistance, the department shall disregard the income of a new parent or new stepparent, who becomes a new program group member as the result of marriage, from 1 month after the date of the marriage until 18 months after that date unless the income disregard results in a decrease of eligible assistance. Disregard of a new parent's or new stepparent's income only applies if the program group's income and assets do not exceed twice the income and asset limits set by the department.

(6) A new parent or stepparent described in subsection (5) and his or her children shall not be included in determining an increase in the size of the recipient's program group. If the recipient wishes to increase the size of his or her program group as a result of marriage, he or she may choose to reject the income disregard described in subsection (5). If the recipient rejects the income disregard described in subsection (5), his or her new spouse and the spouse's children, as determined by the department under federal rules and regulations, may be included in determining the size of the recipient's program group.

(7) The income disregard described in subsection (5) and section 57b(1)(b) only applies if the department receives approval from the federal government to implement this program.

History: Add. 1995, Act 223, Eff. Mar. 28, 1996;—Am. 1999, Act 26, Eff. Mar. 10, 2000;—Am. 2011, Act 131, Eff. Oct. 1, 2011;—Am. 2012, Act 607, Imd. Eff. Jan. 9, 2013;—Am. 2018, Act 574, Eff. Jan. 1, 2020.

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