

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

***** 400.57b.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2011 *****

400.57b.amended Family independence program assistance; eligibility requirements generally; requirements applicable to minor parent and minor parent's child; recipient applying for supplemental security income and seeking exemption from JET program; evaluation and assessment process; contracts; audit.

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

- (a) Is a member of a family or a family independence program assistance group.
- (b) Is a member of a program group whose income and assets are less than the income and asset limits set by the department.
- (c) In the case of a minor parent, meets the requirements of subsection (2).
- (d) Is a United States citizen, a permanent resident alien, or a refugee. If the applicant indicates that he or she is not a United States citizen, the department shall verify the applicant's immigration status using the federal systematic alien verification for entitlements (SAVE) program.
- (e) Is a resident of this state as described in section 32.
- (f) Meets any other eligibility criterion required for the receipt of federal or state funds or determined by the department to be necessary for the accomplishment of the goals of the family independence program.

(2) A minor parent and the minor parent's child shall not receive family independence program assistance unless they live in an adult-supervised household. The family independence program assistance shall be paid on behalf of the minor parent and child to an adult in the adult-supervised household. Child care in conjunction with participation in education, employment readiness, training, or employment programs, that have been approved by the department, shall be provided for the minor parent's child. The minor parent and child shall live with the minor parent's parent, stepparent, or legal guardian unless the department determines that there is good cause for not requiring the minor parent and child to live with a parent, stepparent, or legal guardian. The department shall determine the circumstances that constitute good cause, based on a parent's, stepparent's, or guardian's unavailability or unwillingness or based on a reasonable belief that there is physical, sexual, or substance abuse, or domestic violence, occurring in the household, or that there is other risk to the physical or emotional health or safety of the minor parent or child. If the department determines that there is good cause for not requiring a minor parent to live with a parent, stepparent, or legal guardian, the minor parent and child shall live in another adult-supervised household. A local office director may waive the requirement set forth in this subsection with respect to a minor parent who is at least 17 years of age, attending secondary school full-time, and participating in a department service plan or a teen parenting program, if moving would require the minor parent to change schools.

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

- (a) A determination that the recipient is eligible to participate in the JET program and a referral to the JET program.
- (b) A determination that the recipient is exempt from JET program participation under section 57f and a referral to a sheltered work environment or subsidized employment.
- (c) A determination that the recipient is exempt from JET program participation under section 57f and a referral for supplemental security income advocacy.

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

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

History: Add. 1995, Act 223, Eff. Mar. 28, 1996;—Am. 1999, Act 9, Eff. Mar. 10, 2000;—Am. 2006, Act 468, Imd. Eff. Dec. 20, 2006;—Am. 2011, Act 131, Eff. Oct. 1, 2011.

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Page 1

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