

# HOUSE BILL No. 5317

December 5, 2017, Introduced by Reps. Glenn and Howell and referred to the Committee on Appropriations.

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 56i (MCL 400.56i), as added by 1997 PA 162, and by adding section 107a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 56i. (1) The ~~family independence agency~~ **DEPARTMENT** shall  
2 establish and enforce standards and procedures to do all of the  
3 following:

4           (a) Screen and identify individuals who are receiving  
5 assistance under section 57b **OR MEDICAL ASSISTANCE UNDER THIS ACT**  
6 who have a history of domestic violence, while maintaining the  
7 confidentiality of that information.

8           (b) Refer those individuals identified under subdivision (a)

1 to counseling and supportive services.

2 (c) In accordance with a determination of good cause, waive  
3 certain program requirements of the family independence program  
4 established in section 57a **AND THE MEDICAL ASSISTANCE PROGRAM**  
5 **ADMINISTERED UNDER THIS ACT** in cases where compliance with those  
6 requirements would make it more difficult for individuals receiving  
7 assistance **OR MEDICAL ASSISTANCE** to escape domestic violence or  
8 would unfairly penalize individuals who are or have been victimized  
9 by domestic violence or individuals who are at risk of further  
10 domestic violence.

11 (2) The ~~family independence agency~~ **DEPARTMENT** shall include in  
12 the **STATE PLAN FOR MEDICAL ASSISTANCE AND THE** state plan required  
13 for federal temporary assistance for needy families block grants a  
14 certification by the governor that the state has established and is  
15 enforcing the standards and procedures described in subsection (1).

16 (3) The ~~family independence agency~~ **DEPARTMENT** shall collect  
17 and compile data regarding administration of the waiver authorized  
18 under subsection (1)(c), including information regarding  
19 individuals screened and identified under subsection (1)(a) and  
20 information regarding individuals actually granted a waiver. The  
21 ~~family independence agency~~ **DEPARTMENT** shall annually report to the  
22 legislature on the information collected and compiled under this  
23 subsection.

24 **SEC. 107A. (1) AT THE TIME THE DEPARTMENT DETERMINES THAT AN**  
25 **INDIVIDUAL IS ELIGIBLE TO RECEIVE MEDICAL ASSISTANCE UNDER THIS**  
26 **ACT, THE DEPARTMENT SHALL DETERMINE WHETHER THAT INDIVIDUAL IS**  
27 **ELIGIBLE TO PARTICIPATE IN THE PATH PROGRAM OR IF THE INDIVIDUAL IS**

1 EXEMPT FROM PATH PROGRAM PARTICIPATION UNDER THIS SECTION. THE  
2 PARTICULAR ACTIVITIES IN WHICH THE RECIPIENT IS REQUIRED OR  
3 AUTHORIZED TO PARTICIPATE, INCLUDING COMMUNITY SERVICE, THE NUMBER  
4 OF HOURS OF WORK REQUIRED, AND OTHER DETAILS OF THE PATH PROGRAM  
5 SHALL BE DEVELOPED BY THE DEPARTMENT AND THE MICHIGAN ECONOMIC  
6 DEVELOPMENT CORPORATION OR A SUCCESSOR ENTITY.

7 (2) IF A RECIPIENT HAS COOPERATED WITH THE PATH PROGRAM, THE  
8 RECIPIENT MAY ENROLL IN A PROGRAM APPROVED BY THE LOCAL WORKFORCE  
9 DEVELOPMENT BOARD. ANY AND ALL TRAINING OR EDUCATION WITH THE  
10 EXCEPTION OF HIGH SCHOOL COMPLETION, GED PREPARATION, AND LITERACY  
11 TRAINING MUST BE OCCUPATIONALLY RELEVANT AND IN DEMAND IN THE LABOR  
12 MARKET AS DETERMINED BY THE LOCAL WORKFORCE DEVELOPMENT BOARD AND  
13 MAY BE NO MORE THAN 2 YEARS IN DURATION. PARTICIPANTS MUST MAKE  
14 SATISFACTORY PROGRESS WHILE IN TRAINING OR EDUCATION.

15 (3) THE FOLLOWING INDIVIDUALS ARE EXEMPT FROM PARTICIPATION IN  
16 THE PATH PROGRAM:

17 (A) A CHILD UNDER THE AGE OF 16.

18 (B) A CHILD AGE 16 TO 18 WHO IS ATTENDING ELEMENTARY OR  
19 SECONDARY SCHOOL FULL-TIME.

20 (C) A RECIPIENT WHO HAS MEDICAL DOCUMENTATION OF BEING  
21 DISABLED OR MEDICAL DOCUMENTATION OF AN INABILITY TO PARTICIPATE IN  
22 EMPLOYMENT OR THE PATH PROGRAM FOR MORE THAN 90 DAYS BECAUSE OF A  
23 MENTAL OR PHYSICAL CONDITION.

24 (D) A RECIPIENT UNABLE TO PARTICIPATE AS DETERMINED BY THE  
25 MEDICAL REVIEW TEAM.

26 (E) A RECIPIENT AGED 65 OR OLDER.

27 (F) A RECIPIENT OF SUPPLEMENTAL SECURITY INCOME.

1 (G) A RECIPIENT OF RETIREMENT, SURVIVOR, OR DISABILITY  
2 INSURANCE BASED ON DISABILITY OR BLINDNESS, OR A RECIPIENT FOUND  
3 ELIGIBLE FOR RETIREMENT, SURVIVOR, OR DISABILITY INSURANCE BASED ON  
4 DISABILITY OR BLINDNESS WHO IS IN NONPAY STATUS.

5 (4) THE DEPARTMENT MAY GRANT A TEMPORARY EXEMPTION FROM  
6 PARTICIPATION IN THE PATH PROGRAM TO ANY OF THE FOLLOWING:

7 (A) AN INDIVIDUAL WHO IS SUFFERING FROM A DOCUMENTED SHORT-  
8 TERM MENTAL OR PHYSICAL ILLNESS, LIMITATION, OR DISABILITY THAT  
9 SEVERELY RESTRICTS HIS OR HER ABILITY TO PARTICIPATE IN PATH  
10 PROGRAM ACTIVITIES. AN INDIVIDUAL WITH A DOCUMENTED MENTAL OR  
11 PHYSICAL ILLNESS, LIMITATION, OR DISABILITY THAT DOES NOT SEVERELY  
12 RESTRICT HIS OR HER ABILITY TO PARTICIPATE IN THE PATH PROGRAM  
13 SHALL BE REQUIRED TO PARTICIPATE IN THE PATH PROGRAM AT A MEDICALLY  
14 PERMISSIBLE LEVEL. AN EXEMPTION UNDER THIS SUBDIVISION SHALL NOT  
15 EXCEED A PERIOD OF 90 DAYS WITHOUT A REVIEW BY A DEPARTMENT  
16 CASEWORKER.

17 (B) AN INDIVIDUAL FOR WHOM CERTAIN PROGRAM REQUIREMENTS HAVE  
18 BEEN WAIVED UNDER SECTION 56I. AN EXEMPTION UNDER THIS SUBDIVISION  
19 SHALL NOT EXCEED A PERIOD OF 90 DAYS WITHOUT A REVIEW BY A  
20 DEPARTMENT CASEWORKER.

21 (C) A PARENT WITH A CHILD UNDER THE AGE OF 60 DAYS IF THAT  
22 CHILD IS IN THE HOME OR A MOTHER FOR POSTPARTUM RECOVERY UP TO 60  
23 DAYS AFTER GIVING BIRTH IF THAT CHILD IS NOT IN THE HOME.

24 (D) A PREGNANT RECIPIENT WHO, BASED ON MEDICAL DOCUMENTATION,  
25 IS SEVERELY RESTRICTED IN HER ABILITY TO PARTICIPATE IN PATH  
26 PROGRAM ACTIVITIES FOR THE DURATION OF THE PREGNANCY.

27 (E) THE SPOUSE OF A RECIPIENT WHO IS VERIFIED AS DISABLED AND

1 LIVING IN THE HOME WITH THE SPOUSE IF IT IS VERIFIED THAT THE  
2 SPOUSE IS NEEDED IN THE HOME FULL-TIME DUE TO THE EXTENT OF MEDICAL  
3 CARE REQUIRED. AN EXEMPTION UNDER THIS SUBDIVISION SHALL NOT EXCEED  
4 A PERIOD OF 365 DAYS WITHOUT A REVIEW BY A DEPARTMENT CASEWORKER.

5 (F) A PARENT OF A CHILD WHO IS VERIFIED AS DISABLED AND LIVING  
6 IN THE HOME WITH THE PARENT IF IT IS VERIFIED THAT THE PARENT IS  
7 NEEDED IN THE HOME DUE TO THE EXTENT OF MEDICAL CARE REQUIRED. IF  
8 THE CHILD ATTENDS SCHOOL, THE PARENT MAY BE REFERRED TO THE PATH  
9 PROGRAM WITH LIMITATIONS. AN EXEMPTION UNDER THIS SUBDIVISION SHALL  
10 NOT EXCEED A PERIOD OF 365 DAYS WITHOUT A REVIEW BY A DEPARTMENT  
11 CASEWORKER.

12 (5) AN INDIVIDUAL IS NOT DISABLED FOR PURPOSES OF THIS SECTION  
13 IF SUBSTANCE ABUSE IS A CONTRIBUTING FACTOR MATERIAL TO THE  
14 DETERMINATION OF DISABILITY.

15 (6) AS USED IN THIS SECTION, "PATH PROGRAM" MEANS THE PATH:  
16 PARTNERSHIP. ACCOUNTABILITY. TRAINING. HOPE. WORK PARTNERSHIP  
17 PROGRAM.

18 Enacting section 1. This amendatory act takes effect 90 days  
19 after the date it is enacted into law.