SENATE BILL No. 897

March 8, 2018, Introduced by Senators SHIRKEY, PAVLOV, HILDENBRAND, MACGREGOR, HUNE, EMMONS, BRANDENBURG, COLBECK, PROOS, SCHMIDT and ROBERTSON and referred to the Committee on Michigan Competitiveness.

A bill to amend 1939 PA 280, entitled "The social welfare act,"
(MCL 400.1 to 400.119b) by adding sections 107a and 107b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 107A. (1) THE PURPOSE OF ADDING WORK REQUIREMENTS TO THE MEDICAL ASSISTANCE PROGRAM AS PROVIDED IN SECTION 107B IS TO UTILIZE WORKFORCE DEMAND TO PREPARE AN ABLE-BODIED ADULT FOR A LIFE OF SELF-SUFFICIENCY AND INDEPENDENCE FROM GOVERNMENT INTERFERENCE.

(2) AS USED IN THIS SECTION AND SECTION 107B:

(A) "ABLE-BODIED ADULT" MEANS AN INDIVIDUAL AT LEAST 18 YEARS OF AGE WHO IS PHYSICALLY AND MENTALLY CAPABLE OF WORKING.

(B) "CARETAKER" MEANS AN INDIVIDUAL WHO IS ACTING AS PARENT FOR A CHILD IN THE ABSENCE OR BECAUSE OF THE DISABILITY OF THE
CHILD'S PARENT OR STEPPARENT AND WHO IS THE CHILD'S LEGAL GUARDIAN, GRANDPARENT, GREAT GRANDPARENT, GREAT-GREAT GRANDPARENT, SIBLING, Stepsibling, AUNT, GREAT AUNT, GREAT-GREAT AUNT, UNCLE, GREAT UNCLE, GREAT-GREAT UNCLE, NEPHEW, NIECE, FIRST COUSIN, OR FIRST COUSIN ONCE-REMOVED, A SPOUSE OF ANY PERSON LISTED ABOVE, A PARENT OF THE PUTATIVE FATHER, OR AN UNRELATED INDIVIDUAL AGED 21 OR OLDER WHOSE APPOINTMENT AS LEGAL GUARDIAN OF THE CHILD IS PENDING.

(C) "CHILD" MEANS AN INDIVIDUAL WHO IS NOT EMANCIPATED UNDER 1968 PA 293, MCL 722.1 TO 722.6, WHO LIVES WITH A PARENT OR CARETAKER, AND WHO IS EITHER OF THE FOLLOWING:

(i) UNDER THE AGE OF 18.

(ii) AGE 18 AND A FULL-TIME HIGH SCHOOL STUDENT.

(D) "SUBSTANCE USE DISORDER" MEANS THAT TERM AS DEFINED IN SECTION 100D OF THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1100D.

SEC. 107B. (1) NO LATER THAN JULY 1, 2018, THE DEPARTMENT MUST APPLY FOR A WAIVER UNDER SECTION 1115 OF THE SOCIAL SECURITY ACT, 42 USC 1315, AND ANNUALLY AS REQUIRED AFTER THAT TO REQUIRE WORK REQUIREMENTS AS A CONDITION OF RECEIVING MEDICAL ASSISTANCE UNDER THIS ACT, INCLUDING, BUT NOT LIMITED TO, SECTIONS 105 AND 105D. THE WAIVER MUST BE A REQUEST TO ALLOW FOR, AT A MINIMUM, ALL OF THE FOLLOWING:

(A) WORK REQUIREMENTS ALIGNED WITH THE WORK REQUIREMENTS IN PLACE FOR RECIPIENTS OF THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM DESCRIBED UNDER 7 CFR 273.7 TO THE EXTENT POSSIBLE.

(B) MODIFICATION IN WORK OR COMMUNITY ENGAGEMENT REQUIREMENTS FOR AN INDIVIDUAL WHO IS CLASSIFIED AS NONDISABLED UNDER THE STATE
MEDICAL ASSISTANCE PROGRAM BUT WHO MAY HAVE A DISABILITY UNDER THE

(C) MODIFICATION FOR A SUBSTANCE USE DISORDER WHICH
MODIFICATION ALLOWS AN INDIVIDUAL'S TIME IN MEDICAL TREATMENT,
INCLUDING, BUT NOT LIMITED TO, TIME IN INPATIENT OR INTENSIVE
OUTPATIENT TREATMENT, TO COUNT TOWARD THE WORK OR COMMUNITY
ENGAGEMENT REQUIREMENT.

(2) AFTER THE WAIVER REQUESTED UNDER THIS SECTION IS APPROVED,
THE DEPARTMENT MUST INCLUDE THE FOLLOWING IN ITS IMPLEMENTATION OF
THE WORK REQUIREMENTS UNDER THIS SECTION:

(A) A REQUIREMENT OF 30 HOURS PER WEEK OF WORK, JOB TRAINING
IN AN INDUSTRY WITH PROVEN DEMAND, OR EDUCATION, OR A COMBINATION
OF ANY OF THE 3, TO COUNT TOWARD THE WORK REQUIREMENT UNDER THIS
SECTION.

(B) REQUIRE ABLE-BODIED MEDICAL ASSISTANCE RECIPIENTS TO
VERIFY CHANGE IN FAMILY INCOME QUARTERLY. IF A MEDICAL ASSISTANCE
RECIPIENT FAILS TO REPORT A CHANGE IN FAMILY INCOME OR MAKES A
FALSE STATEMENT IN COMPLYING WITH THIS REQUIREMENT, THE INDIVIDUAL
IS PROHIBITED FROM RECEIVING MEDICAL ASSISTANCE FOR 1 YEAR.

(C) ALLOW FOR PROGRAM FEATURES TO BE PHASED IN OR SUSPENDED AS
NECESSARY.

(D) AN EXEMPTION FOR AN INDIVIDUAL WHO MEETS EITHER OF THE
FOLLOWING CONDITIONS:

(i) AN INDIVIDUAL WHO IS THE SOLE CARETAKER OF A FAMILY MEMBER
WHO IS UNDER THE AGE OF 90 DAYS.

(ii) AN INDIVIDUAL WHO IS CURRENTLY RECEIVING TEMPORARY OR
PERMANENT LONG-TERM DISABILITY BENEFITS FROM A PRIVATE INSURER OR
FROM THE GOVERNMENT.

(3) THE DEPARTMENT MUST FIRST DIRECT MEDICAL ASSISTANCE RECIPIENTS TO EXISTING RESOURCES FOR JOB TRAINING OR OTHER EMPLOYMENT SERVICES, CHILD CARE ASSISTANCE, TRANSPORTATION, OR OTHER SUPPORTS. THE DEPARTMENT MAY DEVELOP STRATEGIES FOR ASSISTING MEDICAL ASSISTANCE RECIPIENTS TO MEET WORK AND COMMUNITY ENGAGEMENT REQUIREMENTS UNDER THIS SECTION.

(4) A DEVIATION BY THE DEPARTMENT FROM THE WORK REQUIREMENTS OR COMMUNITY ENGAGEMENT REQUIREMENTS DESCRIBED IN THIS SECTION SHALL RESULT IN A 5.0% REDUCTION IN FUNDING OF THE NUMBER OF MEDICAID FTE POSITIONS.


(6) BEGINNING JULY 1, 2019, THE DEPARTMENT MUST COMPLETE AN EVALUATION OF THE MEDICAL ASSISTANCE PROGRAM UNDER SECTION 105D TO DETERMINE HOW MANY RECIPIENTS HAVE LEFT THE HEALTHY MICHIGAN PROGRAM AS A RESULT OF OBTAINING FULL-TIME EMPLOYMENT WITH MEDICAL BENEFITS.

(7) BEGINNING JULY 1, 2019, AND EVERY JULY 1 AFTER THAT, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE LEGISLATURE THAT SHOWS SEPARATELY, FOR EACH OF THE FOLLOWING TYPES OF ASSISTANCE, THE NUMBER OF EXEMPTIONS FROM WORK REQUIREMENTS GRANTED TO INDIVIDUALS IN THAT YEAR AND THE REASON THE EXEMPTIONS WERE GRANTED:

(A) MEDICAL ASSISTANCE UNDER SECTION 105.
(B) MEDICAL ASSISTANCE UNDER SECTION 105D KNOWN AS HEALTHY MICHIGAN.

(C) FAMILY INDEPENDENCE PROGRAM ASSISTANCE UNDER THIS ACT.

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