

# HOUSE BILL No. 4986

June 26, 1997, Introduced by Reps. Scott, Freeman, LaForge, Vaughn, Baird, Martinez, DeHart, Schermesser, Hale, Thomas, Kilpatrick, Schauer, Griffin, Brewer, Wojno, Callahan, Dobronski, Harder, Curtis, Bogardus, Wallace, Gubow, Kelly, Voorhees, Quarles, Leland, Parks, Mans, Varga, Brater, Wetters, Birkholz, Godchaux, Stallworth, Richner, Hood, Jaye, Schroer, Price and Hanley and referred to the Committee on Human Services and Children.

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
by amending sections 57, 57d, 57e, and 57f (MCL 400.57, 400.57d,  
400.57e, and 400.57f), as added by 1995 PA 223.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 57. (1) As used in this section and sections 57a to  
2 57g:

3       (a) "Adult-supervised household" means either of the  
4 following:

5       (i) The place of residence of a parent, stepparent, or legal  
6 guardian of a minor parent.

7       (ii) A living arrangement not described in subparagraph (i)  
8 that the family independence agency approves as a family setting  
9 that provides care and control of a minor parent and his or her

1 child and supportive services including, but not limited to,  
2 counseling, guidance, or supervision.

3 (b) "Caretaker" means an individual who is acting as parent  
4 for a child in the absence or because of the disability of the  
5 child's parent or stepparent and who is the child's legal guardi-  
6 an, grandparent, great grandparent, great-great grandparent, sib-  
7 ling, stepsibling, aunt, great aunt, great-great aunt, uncle,  
8 great uncle, great-great uncle, nephew, niece, first cousin, or  
9 first cousin once-removed, a spouse of any person listed above, a  
10 parent of the putative father, or an unrelated individual aged 21  
11 or older whose appointment as legal guardian of the child is  
12 pending.

13 (c) "Child" means an individual who is not emancipated under  
14 ~~Act No. 293 of the Public Acts of 1968, being sections 722.1 to~~  
15 ~~722.6 of the Michigan Compiled Laws~~ 1968 PA 293, MCL 722.1 TO  
16 722.6, who lives with a parent or caretaker, and who is either of  
17 the following:

18 (i) Under the age of 18.

19 (ii) Age 18 or 19, a full-time high school student, and rea-  
20 sonably expected to graduate from high school before the age of  
21 20.

22 (d) "Family" means 1 or more of the following:

23 (i) A household consisting of a child and either of the  
24 following:

25 (A) A parent or stepparent of the child.

26 (B) A caretaker of the child.

1 (ii) A pregnant woman.

2 (iii) A parent of a child in foster care.

3 (E) "COMMUNITY SERVICE ACTIVITIES" MEANS THOSE ACTIVITIES  
4 REQUIRED TO BE PERFORMED BY A RECIPIENT TO FULFILL A SOCIAL CON-  
5 TRACT, WHICH MAY INCLUDE THOSE ACTIVITIES DESCRIBED IN AN OPER-  
6 ATIONAL PLAN OF A COMMUNITY ACTION AGENCY OR OTHER APPROVED  
7 ENTITY UNDER THE COMMUNITY CONSERVATION CORPS ACT.

8 (F) ~~(e)~~ "Family independence assistance" means financial  
9 assistance provided to a family under the family independence  
10 program.

11 (G) ~~(f)~~ "Family independence assistance group" means all  
12 those members of a program group who receive family independence  
13 assistance.

14 (H) ~~(g)~~ "Family independence program" means the program of  
15 financial assistance established under section 57a.

16 (I) ~~(h)~~ "Minor parent" means an individual under the age  
17 of 18 who is not emancipated under ~~Act No. 293 of the Public~~  
18 ~~Acts of 1968~~ 1968 PA 293, MCL 722.1 TO 722.6, and who is either  
19 the biological parent of a child living in the same household or  
20 a pregnant woman.

21 (J) ~~(i)~~ "Payment standard" means the standard upon which  
22 family independence program benefits are based if the family  
23 independence assistance group has no net income.

24 (K) ~~(j)~~ "Program group" means a family and all those indi-  
25 viduals living with a family whose income and assets are consid-  
26 ered for purposes of determining financial eligibility for family  
27 independence assistance.

1       (1) ~~(k)~~ "Recipient" means an individual receiving family  
2 independence assistance.

3       (M) ~~(l)~~ "Social contract" means a document described in  
4 section 57e that is executed by a family in return for the  
5 receipt of family independence assistance.

6       (N) ~~(m)~~ "Substance abuse" means that term as defined in  
7 section 6107 of the public health code, ~~Act No. 368 of the~~  
8 ~~Public Acts of 1978, being section 333.6107 of the Michigan~~  
9 ~~Compiled Laws~~ 1978 PA 368, MCL 333.6107.

10       (O) ~~(n)~~ "Substance abuse treatment" means outpatient or  
11 inpatient services or participation in alcoholics anonymous or a  
12 similar program.

13       (P) ~~(o)~~ "Work first" means the program of employment and  
14 training administered by the Michigan jobs commission for appli-  
15 cants and recipients of family independence assistance.

16       (2) A reference in this act to "aid to dependent children"  
17 or "aid to families with dependent children" means "family inde-  
18 pendence assistance".

19       Sec. 57d. (1) The Michigan jobs commission and the family  
20 independence agency shall conduct joint orientation sessions for  
21 family independence assistance applicants ~~no less frequently~~  
22 ~~than weekly~~ AT LEAST ONCE PER WEEK. After the family indepen-  
23 dence agency makes an initial determination that an adult or a  
24 child aged 16 or older who is not attending elementary or second-  
25 ary school full-time ~~might~~ MAY be eligible for family indepen-  
26 dence assistance, that individual shall attend a joint  
27 orientation session as a condition of eligibility ~~prior to~~

1 BEFORE receipt of family independence assistance. After  
2 completion of the orientation, the individual and the family  
3 independence agency shall develop the family's social contract in  
4 accordance with section 57e. If all eligibility criteria are  
5 met, the family independence agency shall provide family indepen-  
6 dence assistance to the family for not more than 2 months.

7 (2) ~~By the end~~ UPON THE EXPIRATION of 2 months following  
8 the orientation session described in subsection (1), the family  
9 independence agency shall review the individual's compliance with  
10 the social contract. ~~If the individual has failed to cooperate~~  
11 ~~with work first, the~~ THE INDIVIDUAL'S family is ineligible for  
12 ~~further~~ family independence assistance UNLESS THE INDIVIDUAL  
13 HAS COOPERATED WITH WORK FIRST OR, IF APPLICABLE, HAS PERFORMED  
14 COMMUNITY SERVICE ACTIVITIES. If the individual fails to cooper-  
15 ate with any other social contract requirement, the family inde-  
16 pendence agency shall impose penalties under section 57g. If the  
17 individual is complying with the social contract, the family  
18 independence agency and the recipient shall revise the social  
19 contract if necessary and the family independence assistance  
20 group shall continue to BE ELIGIBLE TO receive family indepen-  
21 dence assistance so long as the recipients meet family indepen-  
22 dence assistance program requirements.

23 Sec. 57e. (1) Each family receiving family independence  
24 assistance shall execute a social contract outlining the respon-  
25 sibilities of members of the family independence assistance  
26 group. The social contract shall be developed jointly by the  
27 family independence agency and the adult family members and shall

1 identify compliance goals that are to be met by members of the  
2 family independence assistance group. The social contract shall  
3 reflect the individual needs and abilities of the particular  
4 family, and shall include at least all of the following:

5 (a) The obligation of each adult and each child aged 16 or  
6 older who is not attending elementary or secondary school  
7 full-time to participate in work first unless exempt under sec-  
8 tion 57f.

9 (b) The obligation of each minor parent who has not com-  
10 pleted secondary school to attend school.

11 (c) The obligation of each adult to engage in at least 20  
12 hours per week of employment, work first activities, education or  
13 training, community service activities, or self-improvement  
14 activities.

15 (d) The obligation to cooperate in the establishment of  
16 paternity and the procurement of child support, if applicable.

17 (e) The obligation of a recipient who fails to comply with  
18 compliance goals due to substance abuse to participate in sub-  
19 stance abuse treatment and submit to any periodic drug testing  
20 required by the treatment program.

21 (f) Any other obligation the family independence agency  
22 determines is necessary to enable the family to achieve  
23 independence.

24 (2) Beginning 6 weeks after the birth of her child until the  
25 child is ~~3 months~~ 1 YEAR old, the family independence agency  
26 may permit a mother exempted from work first under  
27 section 57f(3)(d) to receive instruction in parenting, nutrition,

1 and child development as fulfillment of her social contract  
2 obligation under section (1)(c).

3 (3) The family independence agency shall monitor each  
4 family's compliance with the social contract. If the family  
5 fails to comply with the compliance goals set forth in the social  
6 contract, the family independence agency shall impose penalties  
7 under section 57g.

8 (4) IN THE CASE OF A RECIPIENT INVOLVED IN COMMUNITY SERVICE  
9 ACTIVITIES, THE FAMILY INDEPENDENCE AGENCY SHALL NOT CONSIDER THE  
10 LOSS OF APPROVAL OR ELIGIBILITY OF A COMMUNITY ACTION AGENCY OR  
11 OTHER ENTITY UNDER THE COMMUNITY CONSERVATION CORPS ACT AS A VIO-  
12 LATION BY THE RECIPIENT OF THE SOCIAL CONTRACT.

13 Sec. 57f. (1) The family independence agency shall enter  
14 into an agreement with the Michigan jobs commission in order to  
15 facilitate the administration of work first. The family indepen-  
16 dence agency shall make information on the program available to  
17 the legislature.

18 (2) Except as otherwise provided in subsection (3), every  
19 member of a family independence assistance group shall be  
20 referred to and shall participate in work first. If a recipient  
21 has cooperated with work first but the work first agency deter-  
22 mines that a job is not available, the recipient may enroll in a  
23 program that is specifically job-related and of no more than 2  
24 years' duration that is offered by a college or university, com-  
25 munity college, state-licensed vocational or technical education  
26 program, or state-licensed proprietary school. IF THE RECIPIENT  
27 HAS COOPERATED WITH WORK FIRST BUT THE WORK FIRST AGENCY

1 DETERMINES THAT MORE JOB SKILL TRAINING IS NEEDED, THE RECIPIENT  
2 MAY ENROLL IN A WORKFORCE SKILL DEVELOPMENT PROGRAM APPROVED BY  
3 THE WORK FIRST AGENCY. The particular activities in which the  
4 recipient is required or authorized to participate, the number of  
5 hours of work required, and other details of work first shall be  
6 developed by the Michigan jobs commission and the family indepen-  
7 dence agency and shall be set forth in the recipient's social  
8 contract.

9 (3) The following individuals are exempt from participation  
10 in work first:

11 (a) A child under the age of 16.

12 (b) A child aged 16 or older, or a minor parent, who is  
13 attending elementary or secondary school full-time.

14 (c) An individual who is working a minimum number of hours  
15 determined by the family independence agency to be necessary to  
16 meet federal requirements.

17 (d) The mother of a child under the age of ~~3 months~~ 1  
18 YEAR.

19 (e) An individual aged 65 or older.

20 (f) A recipient of supplemental security income, social  
21 security disability, or medical assistance due to disability or  
22 blindness.

23 (g) An individual suffering from a physical or mental  
24 impairment that meets federal supplemental security income dis-  
25 ability standards, except that no minimum duration is required.

26 (h) The spouse of an individual described in subdivision (f)  
27 or (g) who is the full-time caregiver of that individual.



1 (i) A parent or caretaker of a child who is suffering from a  
2 physical or mental impairment that meets the federal supplemental  
3 security income disability standards, except that no minimum  
4 duration is required.

5 (J) AN INDIVIDUAL PARTICIPATING AT LEAST 10 HOURS PER WEEK  
6 IN COMMUNITY SERVICE ACTIVITIES UNDER THE COMMUNITY CONSERVATION  
7 CORPS ACT IF THE INDIVIDUAL HAS COOPERATED WITH WORK FIRST AND IS  
8 EMPLOYED OR ENROLLED IN A VOCATIONAL, EDUCATIONAL, OR WORKFORCE  
9 SKILL DEVELOPMENT PROGRAM FOR AT LEAST 10 HOURS PER WEEK.

10 (4) In addition to those individuals exempt under subsection  
11 (3), the family independence agency may grant a temporary exemp-  
12 tion from participation in work first, not to exceed 90 days, to  
13 an individual who is suffering from a documented short-term  
14 mental or physical illness, limitation, or disability that  
15 severely restricts his or her ability to participate in employ-  
16 ment or training activities. An individual with a documented  
17 mental or physical illness, limitation, or disability that does  
18 not severely restrict his or her ability to participate in  
19 employment or training activities shall be required to partici-  
20 pate in work first at a medically permissible level.

21 (5) An individual is not disabled for purposes of this sec-  
22 tion if substance abuse is a contributing factor material to the  
23 determination of disability.

24 (6) THE FAMILY INDEPENDENCE AGENCY SHALL ENTER INTO AN  
25 AGREEMENT WITH ANY COMMUNITY ACTION AGENCY OR OTHER APPROVED  
26 ENTITY UNDER THE COMMUNITY CONSERVATION CORPS ACT FOR THE

1 PROVISION OF COMMUNITY SERVICE ACTIVITIES FOR RECIPIENTS REQUIRED  
2 TO PERFORM SUCH ACTIVITIES PURSUANT TO A SOCIAL CONTRACT.  
3       Enacting section 1. This amendatory act does not take  
4 effect unless Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_  
5 (request no. 03130'97) of the 89th Legislature is enacted into  
6 law.