

SUBSTITUTE FOR
HOUSE BILL NO. 5446

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 57f (MCL 400.57f), as amended by 2001 PA 280.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57f. (1) The ~~family independence agency~~ **DEPARTMENT**
2 shall enter into an agreement with the department of ~~career~~
3 ~~development~~ **LABOR AND ECONOMIC GROWTH** in order to facilitate the
4 administration of work first. The ~~family independence agency~~
5 **DEPARTMENT** shall make information on the program available to the
6 legislature.
7 (2) Except as otherwise provided in subsection (3), every
8 member of a family independence assistance group shall be referred
9 to and shall participate in work first. The particular activities
10 in which the recipient is required or authorized to participate,

the number of hours of work required, and other details of work first shall be developed by the department ~~of career development and the family independence agency~~ **AND THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH** and shall be set forth in the recipient's ~~social contract~~ **PERSONAL DEVELOPMENT PLAN**. If a recipient has cooperated with work first, the recipient may enroll in a program approved by the local workforce development board. Any and all training or education with the exception of high school completion and GED preparation must be occupationally relevant and in demand in the labor market as determined by the local workforce development board and may be no more than 2 years in duration. Participants must make satisfactory progress while in training or education. **THE DEPARTMENT SHALL WORK WITH THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH TO IDENTIFY BARRIERS THAT PREVENT WORK FIRST PARTICIPANTS FROM OBTAINING EMPLOYMENT AND SELF-SUFFICIENCY.**

(3) **ALL FAMILY INDEPENDENCE PROGRAM RECIPIENTS ARE WORK OR TRAINING ELIGIBLE UNLESS EXEMPTED FROM WORK FIRST PARTICIPATION UNDER THIS SUBSECTION.** The following individuals are exempt from participation in work first:

(a) A child under the age of 16.

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

(c) The **CUSTODIAL** parent of a child under the age of 3 months. The ~~family independence agency may~~ **DEPARTMENT SHALL** require a **CUSTODIAL** parent exempted from participation in work first under this subdivision to participate in family services, including, but not limited to, instruction in parenting, nutrition, ~~and~~ child

1 development, **AND ABSTINENCE-BASED FAMILY PLANNING** beginning 6 weeks
2 after the birth of his or her child until the child is 3 months old
3 as fulfillment of that parent's ~~social contract~~ **PERSONAL**
4 **DEVELOPMENT PLAN** obligation under section 57e(1)(c).

5 (d) An individual aged 65 or older.

6 (e) A recipient of supplemental security income. **AN INDIVIDUAL**
7 **WHO IS APPLYING FOR SUPPLEMENTAL SECURITY INCOME IS NOT**
8 **AUTOMATICALLY EXEMPT FROM PARTICIPATION IN WORK FIRST DURING THE**
9 **APPLICATION PROCESS FOR SUPPLEMENTAL SECURITY INCOME.**

10 (f) An individual who meets 1 or more of the following
11 criteria to the extent that the individual, based on **WRITTEN**
12 medical ~~evidence~~ **VERIFICATION PROVIDED BY A PHYSICIAN,**
13 **PSYCHIATRIST, OR PSYCHOLOGIST** and an assessment of need by the
14 ~~family independence agency~~ **DEPARTMENT**, is severely restricted in
15 his or her ability to participate in employment or training
16 activities:

17 (i) A recipient of social security disability, or medical
18 assistance due to disability or blindness.

19 (ii) An individual suffering from a physical or mental
20 impairment that meets federal supplemental security income
21 disability standards, except that no minimum duration is required.

22 (iii) The spouse of an individual described in subparagraph (i)
23 or (ii) who is the full-time caregiver of that individual.

24 (iv) A parent or caretaker of a child who is suffering from a
25 physical or mental impairment that meets the federal supplemental
26 security income disability standards, except that no minimum
27 duration is required.

1 (4) In addition to those individuals exempt under subsection
2 (3), the ~~family independence agency~~ **DEPARTMENT** may grant a
3 temporary exemption from participation in work first, not to exceed
4 90 days, to an individual who is suffering from a ~~documented~~
5 short-term mental or physical illness, limitation, or disability
6 that severely restricts his or her ability to participate in
7 employment or training activities **AS DOCUMENTED IN WRITING BY A**
8 **PHYSICIAN, PSYCHIATRIST, OR PSYCHOLOGIST**. An individual with a
9 ~~documented~~ mental or physical illness, limitation, or disability
10 **AS DESCRIBED IN THIS SECTION** that does not severely restrict his or
11 her ability to participate in employment or training activities
12 ~~shall be~~ **IS** required to participate in work first at a medically
13 permissible level.

14 (5) An individual is not disabled for purposes of this section
15 if substance abuse is a contributing factor material to the
16 determination of disability.

17 (6) **INDIVIDUALS EXEMPT FROM PARTICIPATION IN WORK FIRST UNDER**
18 **THIS SECTION SHALL BE EVALUATED BY THE DEPARTMENT TO DETERMINE**
19 **ELIGIBILITY TO PARTICIPATE IN OTHER WORK-RELATED ACTIVITIES. IF AN**
20 **INDIVIDUAL IS ELIGIBLE TO PARTICIPATE IN OTHER WORK-RELATED**
21 **ACTIVITIES, THE DEPARTMENT SHALL REFER HIM OR HER TO THOSE**
22 **ACTIVITIES.**

23 (7) **THE DEPARTMENT SHALL REEVALUATE AN INDIVIDUAL EXEMPT FROM**
24 **PARTICIPATION IN WORK FIRST UNDER SUBSECTION (3) EVERY 120 DAYS TO**
25 **DETERMINE WHETHER THE INDIVIDUAL CONTINUES TO BE EXEMPT FROM WORK**
26 **FIRST PARTICIPATION.**

27 (8) **AN INDIVIDUAL EXEMPT FROM PARTICIPATION IN WORK FIRST DUE**

1 TO A MENTAL OR PHYSICAL ILLNESS, LIMITATION, OR DISABILITY AS
2 DOCUMENTED IN WRITING BY A PHYSICIAN, PSYCHIATRIST, OR PSYCHOLOGIST
3 SHALL BE EVALUATED NOT LATER THAN 90 DAYS FROM THE DEPARTMENT'S
4 RECEIPT OF THAT DOCUMENTATION FOR ELIGIBILITY IN THE SUPPLEMENTAL
5 SECURITY INCOME PROGRAM.

6 Enacting section 1. This amendatory act does not take effect
7 unless all of the following bills of the 93rd Legislature are
8 enacted into law:

- 9 (a) House Bill No. 5438.
- 10 (b) House Bill No. 5439.
- 11 (c) House Bill No. 5440.
- 12 (d) House Bill No. 5441.
- 13 (e) House Bill No. 5442.
- 14 (f) House Bill No. 5443.
- 15 (g) House Bill No. 5444.
- 16 (h) House Bill No. 5445.