

SENATE BILL No. 904

January 24, 2012, Introduced by Senator HUNE and referred to the Committee on Families, Seniors and Human Services.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 10d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 10D. (1) THE DEPARTMENT SHALL REQUIRE AN APPLICANT FOR OR
2 A RECIPIENT OF PUBLIC ASSISTANCE TO SUBMIT TO SUBSTANCE ABUSE
3 TESTING IF THE CASEWORKER HAS A REASONABLE SUSPICION REGARDING
4 SUBSTANCE ABUSE RELATING TO THAT APPLICANT OR RECIPIENT.

5 (2) IF THE APPLICANT OR RECIPIENT TESTS NEGATIVE FOR SUBSTANCE
6 ABUSE AND MEETS ALL OTHER CONDITIONS OF ELIGIBILITY FOR PUBLIC
7 ASSISTANCE, HE OR SHE MAY RECEIVE PUBLIC ASSISTANCE.

8 (3) IF THE APPLICANT OR RECIPIENT TESTS POSITIVE FOR SUBSTANCE
9 ABUSE, THE APPLICANT OR RECIPIENT IS INELIGIBLE TO RECEIVE PUBLIC
10 ASSISTANCE AS FOLLOWS:

1 (A) IF THE APPLICANT OR RECIPIENT CAN DOCUMENT THAT HE OR SHE
2 IS PARTICIPATING IN OR HAS COMPLETED TREATMENT, HE OR SHE IS
3 INELIGIBLE FOR PUBLIC ASSISTANCE, BUT MAY REAPPLY AFTER 180 DAYS.
4 THE APPLICANT OR RECIPIENT MUST TEST NEGATIVE FOR SUBSTANCE ABUSE
5 IN ORDER TO RECEIVE PUBLIC ASSISTANCE.

6 (B) IF THE APPLICANT OR RECIPIENT CANNOT DOCUMENT THAT HE OR
7 SHE IS PARTICIPATING IN OR HAS COMPLETED TREATMENT, HE OR SHE IS
8 INELIGIBLE FOR PUBLIC ASSISTANCE, BUT MAY REAPPLY AFTER 365 DAYS.
9 THE APPLICANT OR RECIPIENT MUST TEST NEGATIVE FOR SUBSTANCE ABUSE
10 IN ORDER TO RECEIVE PUBLIC ASSISTANCE.

11 (4) THE DEPARTMENT SHALL ADMINISTER SUSPICION-BASED SUBSTANCE
12 ABUSE TESTING REQUIRED UNDER THIS SECTION AS FOLLOWS:

13 (A) THE DEPARTMENT SHALL DEVELOP AND ADMINISTER A SUBSTANCE
14 ABUSE SURVEY THAT SHALL BE USED UPON INITIAL APPLICATION FOR
15 APPLICANTS AND AT ANNUAL REDETERMINATION FOR RECIPIENTS.

16 (B) THE DEPARTMENT SHALL SCREEN AN APPLICANT OR RECIPIENT FOR
17 SUSPICION OF SUBSTANCE ABUSE USING AN EMPIRICALLY VALIDATED
18 SUBSTANCE ABUSE SCREENING TOOL IN A 1-ON-1 CONTACT.

19 (C) THE DEPARTMENT SHALL GATHER ADDITIONAL INFORMATION ABOUT
20 THE APPLICANT OR RECIPIENT, INCLUDING REQUIRING A SUBSTANCE ABUSE
21 TEST.

22 (D) THE DEPARTMENT SHALL DETERMINE THE LEVEL OF SUBSTANCE
23 ABUSE TREATMENT SERVICES NEEDED FOR THE APPLICANT OR RECIPIENT AND
24 SHALL MAKE THE APPROPRIATE REFERRAL FOR TREATMENT.

25 (5) AS USED IN THIS SECTION:

26 (A) "PUBLIC ASSISTANCE" MEANS THE FAMILY INDEPENDENCE PROGRAM,
27 STATE FAMILY ASSISTANCE, STATE DISABILITY ASSISTANCE, FOOD

1 ASSISTANCE PROGRAM, OR CHILD DEVELOPMENT AND CARE PROGRAM PROVIDED
2 UNDER THIS ACT.

3 (B) "TREATMENT" MEANS REFERRAL TO SUBSTANCE ABUSE TREATMENT
4 SERVICES DESCRIBED IN SUBSECTION (4)(D).