

SENATE BILL No. 905

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," by amending sections 57b and 57f (MCL 400.57b and 400.57f), section 57b as amended by 2011 PA 131 and section 57f as amended by 2011 PA 132.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57b. (1) An individual who meets all of the following
2 requirements is eligible for family independence program
3 assistance:

4 (a) Is a member of a family or a family independence program
5 assistance group.

6 (b) Is a member of a program group whose income and assets are
7 less than the income and asset limits set by the department.

8 (c) In the case of a minor parent, meets the requirements of

1 subsection (2).

2 (d) Is a United States citizen, a permanent resident alien, or
3 a refugee. If the applicant indicates that he or she is not a
4 United States citizen, the department shall verify the applicant's
5 immigration status using the federal systematic alien verification
6 for entitlements (SAVE) program.

7 (e) Is a resident of this state as described in section 32.

8 **(F) IF NOT EXEMPT FROM THE JET PROGRAM UNDER SECTION 57F,**
9 **PERFORMS COMMUNITY SERVICE AS DIRECTED BY THE DEPARTMENT.**

10 **(G) ~~(F)~~** Meets any other eligibility criterion required for the
11 receipt of federal or state funds or determined by the department
12 to be necessary for the accomplishment of the goals of the family
13 independence program.

14 (2) A minor parent and the minor parent's child shall not
15 receive family independence program assistance unless they live in
16 an adult-supervised household. The family independence program
17 assistance shall be paid on behalf of the minor parent and child to
18 an adult in the adult-supervised household. Child care in
19 conjunction with participation in education, employment readiness,
20 training, or employment programs, that have been approved by the
21 department, shall be provided for the minor parent's child. The
22 minor parent and child shall live with the minor parent's parent,
23 stepparent, or legal guardian unless the department determines that
24 there is good cause for not requiring the minor parent and child to
25 live with a parent, stepparent, or legal guardian. The department
26 shall determine the circumstances that constitute good cause, based
27 on a parent's, stepparent's, or guardian's unavailability or

1 unwillingness or based on a reasonable belief that there is
2 physical, sexual, or substance abuse, or domestic violence,
3 occurring in the household, or that there is other risk to the
4 physical or emotional health or safety of the minor parent or
5 child. If the department determines that there is good cause for
6 not requiring a minor parent to live with a parent, stepparent, or
7 legal guardian, the minor parent and child shall live in another
8 adult-supervised household. A local office director may waive the
9 requirement set forth in this subsection with respect to a minor
10 parent who is at least 17 years of age, attending secondary school
11 full-time, and participating in a department service plan or a teen
12 parenting program, if moving would require the minor parent to
13 change schools.

14 (3) If a recipient who is otherwise eligible for family
15 independence program assistance under this section is currently
16 applying for supplemental security income and seeking exemption
17 from the JET program, the recipient shall be evaluated and assessed
18 as provided in this section before a family self-sufficiency plan
19 is developed under section 57e. Based on a report resulting from
20 the evaluation and assessment, the caseworker shall make a
21 determination and referral as follows:

22 (a) A determination that the recipient is eligible to
23 participate in the JET program and a referral to the JET program.

24 (b) A determination that the recipient is exempt from JET
25 program participation under section 57f and a referral to a
26 sheltered work environment or subsidized employment.

27 (c) A determination that the recipient is exempt from JET

1 program participation under section 57f and a referral for
2 supplemental security income advocacy.

3 (4) The department may contract with a legal services
4 organization to assist recipients with the process for applying for
5 supplemental security income. The department may also contract with
6 a nonprofit rehabilitation organization to perform the evaluation
7 and assessment described under subsection (3). If the department
8 contracts with either a nonprofit legal or rehabilitation services
9 organization, uniform contracts shall be used statewide that
10 include, but are not limited to, uniform rates and performance
11 measures.

12 (5) The auditor general shall conduct an annual audit of the
13 evaluation and assessment process required under this section and
14 submit a report of his or her findings to the legislature.

15 Sec. 57f. (1) The department shall enter into an agreement
16 with the Michigan economic development corporation or a successor
17 entity to facilitate the administration of the JET program. The
18 department shall make information on the program available to the
19 legislature.

20 (2) Except as provided in section 57b, at the time the
21 department determines that an individual is eligible to receive
22 family independence program assistance under this act, the
23 department shall determine whether that individual is eligible to
24 participate in the JET program or if the individual is exempt from
25 JET program participation under this section. The particular
26 activities in which the recipient is required or authorized to
27 participate, the number of hours of work required, and other

1 details of ~~work first~~ **THE JET PROGRAM** shall be developed by the
2 department and the Michigan economic development corporation or a
3 successor entity and shall be set forth in the recipient's family
4 self-sufficiency plan. If a recipient has cooperated with the JET
5 program, the recipient may enroll in a program approved by the
6 local workforce development board. Any and all training or
7 education with the exception of high school completion, GED
8 preparation, and literacy training must be occupationally relevant
9 and in demand in the labor market as determined by the local
10 workforce development board and may be no more than 2 years in
11 duration. Participants must make satisfactory progress while in
12 training or education.

13 (3) The following individuals are exempt from participation in
14 the JET program:

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

16 (b) A child age 16 to 18 who is attending elementary or
17 secondary school full-time.

18 (c) A recipient who has medical documentation of being
19 disabled or medical documentation of an inability to participate in
20 employment or the JET program for more than 90 days because of a
21 mental or physical condition.

22 (d) A recipient unable to participate as determined by the
23 medical review team.

24 (e) A recipient aged 65 or older.

25 (f) A recipient of supplemental security income.

26 (g) A recipient of retirement, survivor, or disability
27 insurance based on disability or blindness, or a recipient found

1 eligible for retirement, survivor, or disability insurance based on
2 disability or blindness who is in nonpay status.

3 (4) The department may grant a temporary exemption from
4 participation in the JET program to any of the following:

5 (a) An individual who is suffering from a documented short-
6 term mental or physical illness, limitation, or disability that
7 severely restricts his or her ability to participate in JET program
8 activities. An individual with a documented mental or physical
9 illness, limitation, or disability that does not severely restrict
10 his or her ability to participate in the JET program shall be
11 required to participate in the JET program at a medically
12 permissible level. An exemption under this subdivision shall not
13 exceed a period of 90 days without a review by a department
14 caseworker.

15 (b) An individual for whom certain program requirements have
16 been waived under section 56i. An exemption under this subdivision
17 shall not exceed a period of 90 days without a review by a
18 department caseworker.

19 (c) A parent with a child under the age of 60 days if that
20 child is in the home or a mother for postpartum recovery up to 60
21 days after giving birth if that child is not in the home.

22 (d) A pregnant recipient who, based on medical documentation,
23 is severely restricted in her ability to participate in JET program
24 activities for the duration of the pregnancy.

25 (e) The spouse of a recipient who is verified as disabled and
26 living in the home with the spouse if it is verified that the
27 spouse is needed in the home full-time due to the extent of medical

1 care required. An exemption under this subdivision shall not exceed
2 a period of 365 days without a review by a department caseworker.

3 (f) A parent of a child who is verified as disabled and living
4 in the home with the parent if it is verified that the parent is
5 needed in the home due to the extent of medical care required. If
6 the child attends school, the parent may be referred to the JET
7 program with limitations. An exemption under this subdivision shall
8 not exceed a period of 365 days without a review by a department
9 caseworker.

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

13 **(6) IF AN INDIVIDUAL IS NOT EXEMPT FROM PARTICIPATION IN THE**
14 **JET PROGRAM UNDER THIS SECTION, HE OR SHE MUST PERFORM COMMUNITY**
15 **SERVICE AS DIRECTED BY THE DEPARTMENT IN ORDER TO BE ELIGIBLE TO**
16 **RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE UNDER THIS ACT.**

17 (7) ~~(6)~~—The department may promulgate rules in accordance with
18 the administrative procedures act of 1969, 1969 PA 306, MCL 24.201
19 to 24.328, identifying exemptions under this section. The director
20 of the department may grant exemptions for extenuating
21 circumstances beyond the exemptions provided for in this section.
22 The department shall annually provide to the legislature, at the
23 same time as the governor's departmental budget proposal, a report
24 of the number of exemptions issued under this section and the
25 individual reason for those exemptions. This subsection does not
26 apply after December 31, 2013.