

HOUSE BILL No. 4410

March 10, 2011, Introduced by Reps. Tyler, Kurtz, Horn, Lyons, Knollenberg, Agema, Rendon, Moss, Franz, Yonker, Muxlow, Lori, Rogers, McMillin, Denby, Callton, Wayne Schmidt, Crawford, Outman, Somerville, Cotter, Shirkey, Genetski, MacMaster, Price, Bumstead, Scott, Pscholka, Poleski, Pettalia, Opsommer, McBroom, Glardon, Daley, Heise, O'Brien, Haveman, Potvin, Foster, Haines and Nesbitt and referred to the Committee on Families, Children, and Seniors.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 57f (MCL 400.57f), as amended by 2006 PA 468.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57f. (1) The department shall enter into an agreement
2 with the department of ~~labor and economic growth~~ **LICENSING AND**
3 **REGULATORY AFFAIRS** to facilitate the administration of ~~work first~~
4 **THE JET PROGRAM**. The department shall make information on the
5 program available to the legislature.

6 (2) Except as provided in section 57b, at the time the
7 department determines that an individual is eligible to receive
8 family independence **PROGRAM** assistance under this act, the
9 department shall determine whether that individual is eligible to
10 participate in the ~~work first~~ **JET** program or if the individual is

1 exempt from ~~work first~~ **JET PROGRAM** participation under this
 2 section. The particular activities in which the recipient is
 3 required or authorized to participate, the number of hours of work
 4 required, and other details of work first shall be developed by the
 5 department and the department of ~~labor and economic growth~~
 6 **LICENSING AND REGULATORY AFFAIRS** and shall be set forth in the
 7 recipient's family self-sufficiency plan. If a recipient has
 8 cooperated with ~~work first~~ **THE JET PROGRAM**, the recipient may
 9 enroll in a program approved by the local workforce development
 10 board. Any and all training or education with the exception of high
 11 school completion, GED preparation, and literacy training must be
 12 occupationally relevant and in demand in the labor market as
 13 determined by the local workforce development board and may be no
 14 more than 2 years in duration. Participants must make satisfactory
 15 progress while in training or education.

16 (3) The following individuals are exempt from participation in
 17 ~~work first~~ **THE JET PROGRAM**:

18 ~~—— (a) A child under the age of 16.~~

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

21 ~~—— (c) The parent of a child under the age of 3 months. The~~
 22 ~~family independence agency may require a parent exempted from~~
 23 ~~participation in work first under this subdivision to participate~~
 24 ~~in family services, including, but not limited to, instruction in~~
 25 ~~parenting, nutrition, and child development beginning 6 weeks after~~
 26 ~~the birth of his or her child until the child is 3 months old as~~
 27 ~~fulfillment of that parent's social contract obligation under~~

~~section 57e(1)(c).~~

~~—— (d) An individual aged 65 or older.~~

~~—— (e) A recipient of supplemental security income.~~

~~—— (f) An individual who meets 1 or more of the following
criteria to the extent that the individual, based on medical
evidence and an assessment of need by the department, is severely
restricted in his or her ability to participate in employment or
training activities:~~

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

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

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

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

~~—— (g) Beginning April 1, 2007, the parent of a child under the
age of 3 months. The department may require a 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 development beginning 6 weeks after
the birth of his or her child until the child is 3 months old as
fulfillment of that recipient's family self-sufficiency plan
obligation under section 57e(1)(c).~~

~~1 (h) Beginning April 1, 2007, a recipient of supplemental
2 security income.~~

~~3 (i) Beginning April 1, 2007, an individual who meets 1 or more
4 of the following criteria to the extent that the individual, based
5 on medical evidence and an assessment of need by the department, is
6 severely restricted in his or her ability to participate in
7 employment or training activities:~~

~~8 (i) A recipient of social security disability, or medical
9 assistance due to disability or blindness.~~

~~10 (ii) An individual suffering from a physical or mental
11 impairment that meets federal supplemental security income
12 disability standards, except that no minimum duration is required.~~

~~13 (iii) The spouse of an individual described in subparagraph (i)
14 or (ii) who is the full-time caregiver of that individual.~~

~~15 (iv) A parent or caretaker of a child who is suffering from a
16 physical or mental impairment that meets the federal supplemental
17 security income disability standards, except that no minimum
18 duration is required.~~

~~19 (v) An individual with low intellectual capacity or learning
20 disabilities that impede comprehension and prevent success in
21 acquiring basic reading, writing, and math skills, including, but
22 not limited to, an individual with an intelligence quotient less
23 than 80.~~

~~24 (vi) An individual with documented chronic mental health
25 problems that cannot be controlled through treatment or medication.~~

~~26 (vii) An individual with physical limitations on his or her
27 ability to perform routine manual labor tasks, including, but not~~

1 ~~limited to, bending or lifting, combined with intellectual capacity~~
2 ~~or learning disabilities.~~

3 (A) A CHILD UNDER THE AGE OF 16.

4 (B) A CHILD AGE 16 TO 18 WHO IS ATTENDING ELEMENTARY OR
5 SECONDARY SCHOOL FULL-TIME.

6 (C) A RECIPIENT WHO HAS MEDICAL DOCUMENTATION OF BEING
7 DISABLED OR MEDICAL DOCUMENTATION OF AN INABILITY TO PARTICIPATE IN
8 EMPLOYMENT OR THE JET PROGRAM FOR MORE THAN 90 DAYS BECAUSE OF A
9 MENTAL OR PHYSICAL CONDITION.

10 (D) THE SPOUSE OF A RECIPIENT WHO IS VERIFIED AS DISABLED AND
11 LIVING IN THE HOME WITH THE SPOUSE IF IT IS VERIFIED THAT THE
12 SPOUSE IS NEEDED IN THE HOME FULL-TIME DUE TO THE EXTENT OF MEDICAL
13 CARE REQUIRED.

14 (E) A PARENT OF A CHILD WHO IS VERIFIED AS DISABLED AND LIVING
15 IN THE HOME WITH THE PARENT IF IT IS VERIFIED THAT THE PARENT IS
16 NEEDED IN THE HOME DUE TO THE EXTENT OF MEDICAL CARE REQUIRED. IF
17 THE CHILD ATTENDS SCHOOL, THE PARENT MAY BE REFERRED TO THE JET
18 PROGRAM WITH LIMITATIONS.

19 (F) A RECIPIENT UNABLE TO PARTICIPATE AS DETERMINED BY THE
20 MEDICAL REVIEW TEAM.

21 (G) A RECIPIENT AGED 65 OR OLDER.

22 (H) A RECIPIENT OF SUPPLEMENTAL SECURITY INCOME.

23 (I) A RECIPIENT OF RETIREMENT, SURVIVOR, OR DISABILITY
24 INSURANCE BASED ON DISABILITY OR BLINDNESS, OR A RECIPIENT FOUND
25 ELIGIBLE FOR RETIREMENT, SURVIVOR, OR DISABILITY INSURANCE BASED ON
26 DISABILITY OR BLINDNESS WHO IS IN NONPAY STATUS.

27 (4) ~~In addition to those individuals exempt under subsection~~

1 ~~(3), the~~ **THE** department may grant a temporary exemption from
2 participation in ~~work first~~ **THE JET PROGRAM**, not to exceed 90 days,
3 to ~~an~~ **ANY OF THE FOLLOWING:**

4 **(A) AN** individual who is suffering from a documented short-
5 term mental or physical illness, limitation, or disability that
6 severely restricts his or her ability to participate in ~~employment~~
7 ~~or training~~ **JET PROGRAM** activities. An individual with a documented
8 mental or physical illness, limitation, or disability that does not
9 severely restrict his or her ability to participate in ~~employment~~
10 ~~or training activities~~ **THE JET PROGRAM** shall be required to
11 participate in ~~work first~~ **THE JET PROGRAM** at a medically
12 permissible level.

13 **(B) A PARENT OR CARETAKER WITH A DOCUMENTED CLAIM OF**
14 **THREATENED OR ACTUAL DOMESTIC VIOLENCE AGAINST HIMSELF OR HERSELF**
15 **OR HIS OR HER DEPENDENT CHILD THAT CAN REASONABLY BE EXPECTED TO**
16 **INTERFERE WITH JET PROGRAM REQUIREMENTS.**

17 **(C) A PARENT WITH A CHILD UNDER THE AGE OF 2 MONTHS UP TO 2**
18 **MONTHS IF THAT CHILD IS IN THE HOME OR A MOTHER FOR POSTPARTUM**
19 **RECOVERY UP TO 2 MONTHS AFTER GIVING BIRTH IF THAT CHILD IS NOT IN**
20 **THE HOME.**

21 **(D) A RECIPIENT WHO LACKS CHILD CARE THAT IS APPROPRIATE, THAT**
22 **IS A REASONABLE DISTANCE FROM HIS OR HER HOME OR WORK SITE, THAT IS**
23 **WITH A SUITABLE PROVIDER, OR THAT IS AFFORDABLE, IF THE RECIPIENT**
24 **CAN PROVIDE DOCUMENTATION FOR THE EXEMPTION UNDER THIS SUBDIVISION.**

25 **(E) A PREGNANT RECIPIENT WHO, BASED ON MEDICAL EVIDENCE, IS**
26 **SEVERELY RESTRICTED IN HER ABILITY TO PARTICIPATE IN JET PROGRAM**
27 **ACTIVITIES FOR THE DURATION OF THE PREGNANCY.**

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

4 (6) The department may promulgate rules in accordance with the
5 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
6 24.328, identifying exemptions under this section. The director of
7 the department may grant exemptions for extenuating circumstances
8 beyond the exemptions provided for in this section. The department
9 shall annually provide to the legislature, at the same time as the
10 governor's departmental budget proposal, a report of the number of
11 exemptions issued under this section and the individual reason for
12 those exemptions. **THIS SUBSECTION DOES NOT APPLY 1 YEAR AFTER THE**
13 **EFFECTIVE DATE OF THE 2011 AMENDATORY ACT THAT AMENDED THIS**
14 **SECTION.**

15 ~~(7) This section does not apply after September 30, 2011.~~