

# SENATE BILL No. 70

January 24, 2013, Introduced by Senator SCHUITMAKER 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 section 32 (MCL 400.32), as amended by 1995 PA 223.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 32. (1) Subject to section 14g, a person qualified for  
2       and receiving assistance under this act in any county in this state  
3       who moves or is taken to another county in this state may continue  
4       to receive assistance in the county to which the person has moved  
5       or is taken, and the county ~~family independence agency~~ **DEPARTMENT**  
6       of the county from which the person has moved shall transfer all  
7       necessary records relating to the person to the county ~~family~~  
8       ~~independence agency~~ **DEPARTMENT** of the county to which the person  
9       has moved.

10       (2) ~~For~~ **EXCEPT AS PROVIDED IN SUBSECTIONS (5) AND (6), FOR THE**

1 purposes of the family independence program **ASSISTANCE** and medical  
 2 assistance under this act, a resident of this state is a person who  
 3 is living in this state voluntarily with the intention of making  
 4 his or her home in this state and not for a temporary purpose and  
 5 who is not receiving assistance from another state. ~~For~~ **EXCEPT AS**  
 6 **PROVIDED IN SUBSECTION (6), FOR THE** purposes of medical assistance,  
 7 a resident of this state also includes a person and the dependents  
 8 of a person who, at the time of application, is living in this  
 9 state, is not receiving assistance from another state, and entered  
 10 the state with a job commitment or seeking employment in this  
 11 state. For purposes of determining eligibility to receive  
 12 assistance under this act, excluding recipients of supplemental  
 13 security income under title XVI of the social security act, ~~chapter~~  
 14 ~~531, 49 Stat. 620, 42 U.S.C. 1381 to 1382, and 1383 to 1383d~~ **42 USC**  
 15 **1381 TO 1383F** or state supplementation under this act, the  
 16 continued absence of a recipient from this state, unless the  
 17 absence is temporary or intent to return is established as provided  
 18 by applicable federal regulations, ~~shall constitute~~ **CONSTITUTES**  
 19 abandonment by the recipient of residence in this state. Any  
 20 existing rule that has been promulgated under this act that defines  
 21 temporary absence for the purpose of eligibility for family  
 22 independence **PROGRAM** assistance or medical assistance, or that  
 23 provides for continuation of eligibility if the absence is not  
 24 temporary, is not applicable.

25 (3) For purposes of medical assistance eligibility the  
 26 requirements in ~~subsection (2)~~ **SUBSECTIONS (2) AND (6)** apply except  
 27 as otherwise provided in federal regulations for the administration

1 of the medical assistance program under title XIX of the social  
2 security act, 42 U.S.C. ~~1396 to 1396g and 1396i to 1396v~~ USC 1396  
3 TO 1396W-2.

4 (4) The residence of a husband shall not be considered to be  
5 the residence of the wife if they are living separate and apart. If  
6 a husband and wife are living separate and apart, each may have a  
7 separate residence dependent upon proof of the fact and not upon  
8 legal presumption. This subsection shall not be construed to  
9 prohibit a person from acquiring or retaining a legal residence.

10 (5) FOR THE PURPOSES OF THE FAMILY INDEPENDENCE PROGRAM  
11 ASSISTANCE, A PERSON IS NOT CONSIDERED A RESIDENT OF THIS STATE  
12 UNLESS HE OR SHE HAS LIVED VOLUNTARILY IN THIS STATE FOR NOT LESS  
13 THAN 1 YEAR BEFORE THE DATE OF THE APPLICATION FOR BENEFITS.  
14 RESIDENCY MAY BE DOCUMENTED BY A VALID STATE OF MICHIGAN DRIVER  
15 LICENSE, A VALID OFFICIAL STATE PERSONAL IDENTIFICATION CARD, A  
16 VALID VOTER REGISTRATION CARD, OR ANOTHER FORM OF PROOF OF  
17 RESIDENCY DETERMINED ACCEPTABLE BY THE DEPARTMENT.

18 (6) FOR THE PURPOSES OF ANY MEDICAL ASSISTANCE OR OTHER HEALTH  
19 CARE PROGRAM PROVIDING COVERAGE FOR ADULTS AND CHILDREN AGE 19 AND  
20 OLDER, A PERSON IS NOT CONSIDERED A RESIDENT OF THIS STATE UNLESS  
21 HE OR SHE HAS LIVED VOLUNTARILY IN THIS STATE FOR NOT LESS THAN 1  
22 YEAR BEFORE THE DATE OF THE APPLICATION FOR BENEFITS. RESIDENCY MAY  
23 BE DOCUMENTED BY A VALID STATE OF MICHIGAN DRIVER LICENSE, A VALID  
24 OFFICIAL STATE PERSONAL IDENTIFICATION CARD, A VALID VOTER  
25 REGISTRATION CARD, OR ANOTHER FORM OF PROOF OF RESIDENCY DETERMINED  
26 ACCEPTABLE BY THE DEPARTMENT.