

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4041

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 57b (MCL 400.57b), as amended by 2011 PA 131.

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
9 subsection (2).

10 (d) Is a United States citizen, a permanent resident alien, or

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

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

6 (f) Meets any other eligibility ~~eriterion~~**CRITERIA** required
7 for the receipt of federal or state funds or determined by the
8 department to be necessary for the accomplishment of the goals of
9 the family independence program.

10 **(G) IS A MEMBER OF A PROGRAM GROUP THAT MEETS THE REQUIREMENTS**
11 **OF SUBSECTION (6).**

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

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

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

20 (a) A determination that the recipient is eligible to
21 participate in the ~~JET-PATH~~ program and a referral to the ~~JET-PATH~~
22 program.

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

26 (c) A determination that the recipient is exempt from ~~JET-PATH~~
27 program participation under section 57f and a referral for

1 supplemental security income advocacy.

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

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

14 (6) EXCEPT AS PROVIDED IN SUBSECTION (7) AND BEGINNING AFTER
15 THE DATE ON WHICH THE DEPARTMENT IMPLEMENTS THE POLICY DESCRIBED IN
16 SUBSECTION (7), A FAMILY INDEPENDENCE PROGRAM ASSISTANCE GROUP
17 SHALL NOT RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE IF A
18 MEMBER OF THE PROGRAM GROUP DOES NOT MEET THE ATTENDANCE
19 REQUIREMENTS OF SECTION 1561 OF THE REVISED SCHOOL CODE, 1976 PA
20 451, MCL 380.1561, WITH RESPECT TO A CHILD UNDER THE AGE OF 16.
21 EXCEPT AS PROVIDED IN SUBSECTION (7) AND BEGINNING AFTER THE DATE
22 ON WHICH THE DEPARTMENT IMPLEMENTS THE POLICY DESCRIBED IN
23 SUBSECTION (7), IF A MEMBER OF THE PROGRAM GROUP DOES NOT MEET THE
24 ATTENDANCE REQUIREMENTS OF SECTION 1561 OF THE REVISED SCHOOL CODE,
25 1976 PA 451, MCL 380.1561, WITH RESPECT TO A CHILD AGE 16 AND
26 ABOVE, THE CHILD SHALL BE REMOVED FROM THE PROGRAM GROUP. THE
27 DEPARTMENT SHALL IMPLEMENT POLICIES IN ACCORDANCE WITH THIS

1 SUBSECTION THAT ARE EFFECTIVE AND BINDING ON ALL PROGRAM GROUPS AND
2 ARE EXEMPT FROM THE RULE PROMULGATION REQUIREMENTS OF THE
3 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO
4 24.328.

5 (7) NOT LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE
6 AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE DEPARTMENT SHALL
7 IMPLEMENT A POLICY THAT IT MUST FOLLOW BEFORE TERMINATING A FAMILY
8 INDEPENDENCE PROGRAM ASSISTANCE GROUP FROM RECEIVING FAMILY
9 INDEPENDENCE PROGRAM ASSISTANCE AS PROVIDED IN SUBSECTION (6) OR
10 BEFORE REMOVING A CHILD FROM THE PROGRAM GROUP AS PROVIDED IN
11 SUBSECTION (6). THE DEPARTMENT SHALL APPLY THE POLICY DESCRIBED IN
12 THIS SUBSECTION BEFORE REMOVING A FAMILY INDEPENDENCE PROGRAM
13 ASSISTANCE GROUP FROM RECEIVING FAMILY INDEPENDENCE PROGRAM
14 ASSISTANCE AS DESCRIBED IN SUBSECTION (6) AND BEFORE REMOVING A
15 CHILD FROM A FAMILY INDEPENDENCE PROGRAM ASSISTANCE GROUP AS
16 DESCRIBED IN SUBSECTION (6).