

SENATE BILL No. 1085

September 5, 2018, Introduced by Senators JONES, HOPGOOD, GREGORY, ANANICH, EMMONS and GREEN 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 57e (MCL 400.57e), as amended by 2011 PA 131, and by adding section 24a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 24A. (1) THE DEPARTMENT MUST INCLUDE THE CLAIM OF GOOD**
2 **CAUSE FORM (DHS 2169) IN AN APPLICATION FOR ASSISTANCE UNDER THIS**
3 **ACT.**

4 **(2) IN THE APPLICATION FOR ASSISTANCE, THE CLAIM OF GOOD CAUSE**
5 **FORM MUST APPEAR BEFORE ANY QUESTION PERTAINING TO THE FATHER OF**
6 **THE APPLICANT'S CHILD FOR THE PURPOSE OF ESTABLISHING PATERNITY,**
7 **OBTAINING CHILD SUPPORT, OR BOTH.**

8 **(3) ALL OF THE FOLLOWING REGARDING GOOD CAUSE MUST BE INCLUDED**
9 **IN AN APPLICATION FOR ASSISTANCE:**

10 **(i) THE DEFINITION OF GOOD CAUSE AS DEFINED IN SECTION 57G(5).**

1 (ii) INFORMATION EXPLAINING THAT IF AN EXEMPTION FROM
2 COMPLYING WITH APPLICABLE CHILD SUPPORT REQUIREMENTS INCLUDING
3 EFFORTS TO ESTABLISH PATERNITY AND ASSIGN OR OBTAIN CHILD SUPPORT
4 BASED ON GOOD CAUSE IS REQUESTED AND DENIED, THE APPLICANT HAS THE
5 RIGHT TO WITHDRAW THE APPLICATION FOR ASSISTANCE. THE DEPARTMENT
6 SHALL MAIL TO THE APPLICANT, NOT LATER THAN 30 DAYS AFTER THE
7 DETERMINATION IS MADE THAT THE REQUEST FOR A GOOD CAUSE EXEMPTION
8 IS DENIED, A CONSENT FORM THAT REQUIRES THE APPLICANT'S SIGNATURE
9 IN ORDER TO PROCEED OR CANCEL THE APPLICATION PROCESS. THE CONSENT
10 FORM MUST BE RETURNED TO THE DEPARTMENT WITHIN 30 DAYS AFTER THE
11 DATE OF THE LETTER DENYING THE GOOD CAUSE EXEMPTION.

12 (iii) INFORMATION EXPLAINING THAT IF THE APPLICANT OR
13 RECIPIENT CHOOSES TO WITHDRAW THE APPLICATION FOR ASSISTANCE, THE
14 CHILD SUPPORT SPECIALIST SHALL NOT PROVIDE THE COUNTY PROSECUTOR
15 WITH INFORMATION FOR THE PURPOSE OF ESTABLISHING PATERNITY,
16 OBTAINING CHILD SUPPORT, OR BOTH.

17 (iv) INFORMATION ABOUT THE DURATION OF AN EXEMPTION FROM
18 COMPLIANCE DESCRIBED IN SUBPARAGRAPH (ii), IF GRANTED, BASED ON THE
19 REDETERMINATION REQUIREMENT FOR EACH FORM OF ASSISTANCE.

20 Sec. 57e. (1) Each family receiving family independence
21 program assistance shall execute a family self-sufficiency plan
22 outlining the responsibilities of members of the family
23 independence program assistance group, the contractual nature of
24 family independence program assistance, and the focus on the goal
25 of attaining self-sufficiency. The family self-sufficiency plan
26 shall be developed by the department and the adult family members
27 of the family independence program assistance group with the

1 details of ~~JET-PATH~~ program participation to be included in the
2 family self-sufficiency plan being developed by the department, the
3 Michigan ~~economic development corporation~~ **WORKFORCE DEVELOPMENT**
4 **AGENCY** or a successor entity, and the adult family members of the
5 family independence program assistance group. Except as described
6 in section 57b, the department shall complete a thorough assessment
7 to facilitate development of the family self-sufficiency plan,
8 including consideration of referral to a life skills program, and
9 determination as to whether the family independence program
10 assistance group's adult members are eligible to participate in the
11 ~~JET-PATH~~ program or are exempt from ~~JET-PATH~~ program participation
12 under section 57f. The family self-sufficiency plan shall identify
13 compliance goals that are to be met by members of the family
14 independence program assistance group and goals and
15 responsibilities of the members of the family independence program
16 assistance group, the department, and the ~~JET-PATH~~ program. The
17 family self-sufficiency plan shall reflect the individual needs and
18 abilities of the particular family, and shall include at least all
19 of the following:

20 (a) The obligation of each adult and each child aged 16 or
21 older who is not attending elementary or secondary school full-time
22 to participate in the ~~JET-PATH~~ program unless exempt under section
23 57f.

24 (b) The obligation of each minor parent who has not completed
25 secondary school to attend school.

26 (c) Except as provided in section 57f(3) and (4), the
27 obligation of each adult to engage in employment, ~~JET-PATH~~ program

1 activities, education or training, community service activities, or
2 self-improvement activities, as determined appropriate by the
3 department.

4 (d) ~~The~~ **EXCEPT AS PROVIDED IN SECTION 57G(5), THE** obligation
5 to cooperate in the establishment of paternity and to assign child
6 and spousal support to the department as required by federal law
7 and to cooperate in the procurement of child support, if
8 applicable.

9 (e) The obligation of a recipient who fails to comply with
10 compliance goals due to substance ~~abuse~~ **USE DISORDER** to participate
11 in substance ~~abuse~~ **USE DISORDER** treatment and submit to any
12 periodic drug testing required by the treatment program.

13 (f) If the recipient is determined to be eligible to
14 participate in the ~~JET~~ **PATH** program, the obligation that the
15 requirements of the family self-sufficiency plan must, at a
16 minimum, meet federal guidelines for work participation. Exceptions
17 may be granted if it is determined that the recipient or a family
18 member in the recipient's household has a disability that needs
19 reasonable accommodation as required by section 504 of title V of
20 the rehabilitation act of 1973, 29 USC 794, subtitle A of title II
21 of the Americans with disabilities act of 1990, 42 USC 12131 to
22 12134, or another identified barrier that interferes with the
23 recipient's ability to participate in required activities.
24 Reasonable accommodation must be made to adjust the number of
25 required hours or the types of activities required to take the
26 identified limitations into account.

27 (g) The obligation that the recipient must enroll in a GED

1 preparation program, a high school completion program, or a
2 literacy training program, if the department determines the
3 resources are available and the assessment and plan demonstrate
4 that these issues present a barrier to the recipient meeting the
5 requirements in his or her family self-sufficiency plan. This basic
6 educational skills training shall be combined with other
7 occupational skills training, whenever possible, to ~~assure~~**ENSURE**
8 that it can be counted toward federal work participation
9 requirements.

10 (h) Notification to the recipient of the 48-month lifetime
11 cumulative total for collecting family independence program
12 assistance.

13 (i) A prohibition on using family independence program
14 assistance to purchase lottery tickets, alcohol, or tobacco, for
15 gambling, or for illegal activities or any other nonessential
16 items.

17 (j) Information regarding sanctions that shall be imposed
18 under section 57g for noncompliance.

19 (k) Any other obligation the department determines is
20 necessary to enable the family to achieve independence.

21 (2) The department shall monitor each family's compliance with
22 the family self-sufficiency plan.

23 Enacting section 1. This amendatory act takes effect 90 days
24 after the date it is enacted into law.

25 Enacting section 2. This amendatory act does not take effect
26 unless Senate Bill No.1086

27 of the 99th Legislature is enacted into law.