

SENATE BILL No. 364

March 28, 2001, Introduced by Senator JAYE and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 55a, 57e, and 57f (MCL 400.55a, 400.57e, and 400.57f), section 55a as amended by 1980 PA 251 and sections 57e and 57f as added by 1995 PA 223.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 55a. (1) In determining the eligibility of an appli-
2 cant for general assistance, and before granting the assistance,
3 except temporary assistance pending disposition of the case, the
4 county and district ~~departments of social services~~ FAMILY INDE-
5 PENDENCE AGENCIES shall conform to the following:

6 (a) Require each applicant entitled to alimony or separate
7 maintenance to seek the assistance of the friend of the court.

1 (b) Clear with the proper legal authorities the case of an
2 applicant who is deserted by his or her spouse to determine the
3 advisability of legal action to obtain support.

4 (c) If it is indicated that eligibility for benefits from
5 other programs, such as unemployment compensation, old-age and
6 survivors insurance benefits, federal veterans' benefits, ~~aid to~~
7 ~~families with dependent children~~ FAMILY INDEPENDENCE ASSISTANCE,
8 or supplemental security income exists, secure a clearance in
9 writing with each appropriate agency.

10 (d) Require an employable person to work NOT LESS THAN 50
11 HOURS PER WEEK on a work relief or work training project, or
12 other departmental-approved activity, if available, in return for
13 assistance given. A person participating in a work relief or
14 work training project ~~shall be~~ IS entitled to the benefits pro-
15 vided by ~~Act No. 317 of the Public Acts of 1969, as amended,~~
16 ~~being sections 418.101 to 418.941 of the Michigan Compiled Laws~~
17 THE WORKER'S DISABILITY COMPENSATION ACT OF 1969, 1969 PA 317,
18 MCL 418.101 TO 418.941. All work relief or work training
19 projects or other departmental-approved activities authorized by
20 this section ~~shall be~~ ARE subject to all of the following
21 conditions:

22 (i) Any person required to work on an approved project or
23 activity, upon claiming to be physically incapable to work when
24 so assigned, shall be given a thorough medical examination by
25 competent medical authorities to ascertain his or her ability to
26 participate in the required project or activity.

1 (ii) Each person assigned to an approved project or activity
2 may be required to register for employment with the ~~Michigan~~
3 ~~employment security commission~~ DEPARTMENT OF CAREER DEVELOPMENT,
4 if the service is available, and to investigate all bona fide
5 employment opportunities.

6 (e) Determine that each employable applicant, mentally and
7 physically able to work, is not currently refusing to accept
8 available employment for which wages not less than the usual rate
9 paid by that employer for the particular kind of employment are
10 being offered.

11 (2) Any employable person who, without good cause, fails to
12 participate in an approved project or activity or to accept
13 available lawful employment for which wages, not less than the
14 usual rate paid by that employer for that particular kind of
15 employment are being offered, shall have his or her needs removed
16 from the general assistance grant and ~~shall~~ IS not ~~be~~ eligi-
17 ble for general assistance for 3 months.

18 Sec. 57e. (1) Each family receiving family independence
19 assistance shall execute a social contract outlining the respon-
20 sibilities of members of the family independence assistance
21 group. The social contract shall be developed jointly by the
22 family independence agency and the adult family members and shall
23 identify compliance goals that are to be met by members of the
24 family independence assistance group. The social contract shall
25 reflect the individual needs and abilities of the particular
26 family, and shall include at least all of the following:

1 (a) The obligation of each adult and each child aged 16 or
2 older who is not attending elementary or secondary school
3 full-time to participate in work first unless exempt under sec-
4 tion 57f.

5 (b) The obligation of each minor parent who has not com-
6 pleted secondary school to attend school.

7 (c) The obligation of each adult to engage in ~~at least 20~~
8 NOT LESS THAN 50 hours per week of employment ~~,~~ OR work first
9 activities ~~,~~ OR NOT LESS THAN 20 HOURS OF education or train-
10 ing, community service activities, or self-improvement
11 activities.

12 (d) The obligation to cooperate in the establishment of
13 paternity and the procurement of child support, if applicable.

14 (e) The obligation of a recipient who fails to comply with
15 compliance goals due to substance abuse to participate in sub-
16 stance abuse treatment and submit to any periodic drug testing
17 required by the treatment program.

18 (f) Any other obligation the family independence agency
19 determines is necessary to enable the family to achieve
20 independence.

21 (2) Beginning 6 weeks after the birth of her child until the
22 child is 3 months old, the family independence agency may permit
23 a mother exempted from work first under section 57f(3)(d) to
24 receive instruction in parenting, nutrition, and child develop-
25 ment as fulfillment of her social contract obligation under
26 section (1)(c).

1 (3) The family independence agency shall monitor each
2 family's compliance with the social contract. If the family
3 fails to comply with the compliance goals set forth in the social
4 contract, the family independence agency shall impose penalties
5 ~~under~~ AS PRESCRIBED BY section 57g.

6 Sec. 57f. (1) The family independence agency shall enter
7 into an agreement with the ~~Michigan jobs commission~~ DEPARTMENT
8 OF CAREER DEVELOPMENT in order to facilitate the administration
9 of work first. The family independence agency shall make infor-
10 mation on the program available to the legislature.

11 (2) Except as otherwise provided in subsection (3), every
12 member of a family independence assistance group shall be
13 referred to and shall participate in work first. If a recipient
14 has cooperated with work first but the work first agency deter-
15 mines that a job is not available, the recipient may enroll in a
16 program that is specifically job-related and of no more than 2
17 years' duration that is offered by a college or university, com-
18 munity college, state-licensed vocational or technical education
19 program, or state-licensed proprietary school. The particular
20 activities in which the recipient is required or authorized to
21 participate, the number of hours of work required, and other
22 details of work first shall be developed by the ~~Michigan jobs~~
23 ~~commission~~ DEPARTMENT OF CAREER DEVELOPMENT and the family inde-
24 pendence agency and shall be set forth in the recipient's social
25 contract. THE NUMBER OF HOURS OF WORK REQUIRED SHALL BE NOT LESS
26 THAN 50 HOURS PER WEEK.

1 (3) The following individuals are exempt from participation
2 in work first:

3 (a) A child under ~~the age of~~ 16 YEARS OLD.

4 (b) A child ~~aged~~ 16 YEARS OLD or older, or a minor parent,
5 who is attending elementary or secondary school full-time.

6 (c) An individual who is working a minimum number of hours
7 determined by the family independence agency to be necessary to
8 meet federal AND STATE requirements.

9 (d) The mother of a child under ~~the age of~~ 3 months OLD.

10 (e) An individual ~~aged~~ 65 YEARS OLD or older.

11 (f) A recipient of supplemental security income, social
12 security disability, or medical assistance due to disability or
13 blindness.

14 (g) An individual suffering from a physical or mental
15 impairment that meets federal supplemental security income dis-
16 ability standards, except that no minimum duration is required.

17 (h) The spouse of an individual described in subdivision (f)
18 or (g) who is the full-time caregiver of that individual.

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

23 (4) In addition to those individuals exempt under subsection
24 (3), the family independence agency may grant a temporary exemp-
25 tion from participation in work first, not to exceed 90 days, to
26 an individual who is suffering from a documented short-term
27 mental or physical illness, limitation, or disability that

1 severely restricts his or her ability to participate in
2 employment or training activities. An individual with a docu-
3 mented mental or physical illness, limitation, or disability that
4 does not severely restrict his or her ability to participate in
5 employment or training activities shall be required to partici-
6 pate in work first at a medically permissible level.

7 (5) An individual is not disabled for purposes of this sec-
8 tion if substance abuse is a contributing factor material to the
9 determination of disability.