

# SENATE BILL No. 897

March 8, 2018, Introduced by Senators SHIRKEY, PAVLOV, HILDENBRAND, MACGREGOR, HUNE, EMMONS, BRANDENBURG, COLBECK, PROOS, SCHMIDT and ROBERTSON and referred to the Committee on Michigan Competitiveness.

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
(MCL 400.1 to 400.119b) by adding sections 107a and 107b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 107A. (1) THE PURPOSE OF ADDING WORK REQUIREMENTS TO THE  
2 MEDICAL ASSISTANCE PROGRAM AS PROVIDED IN SECTION 107B IS TO  
3 UTILIZE WORKFORCE DEMAND TO PREPARE AN ABLE-BODIED ADULT FOR A LIFE  
4 OF SELF-SUFFICIENCY AND INDEPENDENCE FROM GOVERNMENT INTERFERENCE.

5           (2) AS USED IN THIS SECTION AND SECTION 107B:

6           (A) "ABLE-BODIED ADULT" MEANS AN INDIVIDUAL AT LEAST 18 YEARS  
7 OF AGE WHO IS PHYSICALLY AND MENTALLY CAPABLE OF WORKING.

8           (B) "CARETAKER" MEANS AN INDIVIDUAL WHO IS ACTING AS PARENT  
9 FOR A CHILD IN THE ABSENCE OR BECAUSE OF THE DISABILITY OF THE

1 CHILD'S PARENT OR STEPPARENT AND WHO IS THE CHILD'S LEGAL GUARDIAN,  
2 GRANDPARENT, GREAT GRANDPARENT, GREAT-GREAT GRANDPARENT, SIBLING,  
3 STEPSIBLING, AUNT, GREAT AUNT, GREAT-GREAT AUNT, UNCLE, GREAT  
4 UNCLE, GREAT-GREAT UNCLE, NEPHEW, NIECE, FIRST COUSIN, OR FIRST  
5 COUSIN ONCE-REMOVED, A SPOUSE OF ANY PERSON LISTED ABOVE, A PARENT  
6 OF THE PUTATIVE FATHER, OR AN UNRELATED INDIVIDUAL AGED 21 OR OLDER  
7 WHOSE APPOINTMENT AS LEGAL GUARDIAN OF THE CHILD IS PENDING.

8 (C) "CHILD" MEANS AN INDIVIDUAL WHO IS NOT EMANCIPATED UNDER  
9 1968 PA 293, MCL 722.1 TO 722.6, WHO LIVES WITH A PARENT OR  
10 CARETAKER, AND WHO IS EITHER OF THE FOLLOWING:

11 (i) UNDER THE AGE OF 18.

12 (ii) AGE 18 AND A FULL-TIME HIGH SCHOOL STUDENT.

13 (D) "SUBSTANCE USE DISORDER" MEANS THAT TERM AS DEFINED IN  
14 SECTION 100D OF THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1100D.

15 SEC. 107B. (1) NO LATER THAN JULY 1, 2018, THE DEPARTMENT MUST  
16 APPLY FOR A WAIVER UNDER SECTION 1115 OF THE SOCIAL SECURITY ACT,  
17 42 USC 1315, AND ANNUALLY AS REQUIRED AFTER THAT TO REQUIRE WORK  
18 REQUIREMENTS AS A CONDITION OF RECEIVING MEDICAL ASSISTANCE UNDER  
19 THIS ACT, INCLUDING, BUT NOT LIMITED TO, SECTIONS 105 AND 105D. THE  
20 WAIVER MUST BE A REQUEST TO ALLOW FOR, AT A MINIMUM, ALL OF THE  
21 FOLLOWING:

22 (A) WORK REQUIREMENTS ALIGNED WITH THE WORK REQUIREMENTS IN  
23 PLACE FOR RECIPIENTS OF THE FEDERAL SUPPLEMENTAL NUTRITION  
24 ASSISTANCE PROGRAM DESCRIBED UNDER 7 CFR 273.7 TO THE EXTENT  
25 POSSIBLE.

26 (B) MODIFICATION IN WORK OR COMMUNITY ENGAGEMENT REQUIREMENTS  
27 FOR AN INDIVIDUAL WHO IS CLASSIFIED AS NONDISABLED UNDER THE STATE

1 MEDICAL ASSISTANCE PROGRAM BUT WHO MAY HAVE A DISABILITY UNDER THE  
2 AMERICANS WITH DISABILITIES ACT OF 1990, PUBLIC LAW 101-336.

3 (C) MODIFICATION FOR A SUBSTANCE USE DISORDER WHICH  
4 MODIFICATION ALLOWS AN INDIVIDUAL'S TIME IN MEDICAL TREATMENT,  
5 INCLUDING, BUT NOT LIMITED TO, TIME IN INPATIENT OR INTENSIVE  
6 OUTPATIENT TREATMENT, TO COUNT TOWARD THE WORK OR COMMUNITY  
7 ENGAGEMENT REQUIREMENT.

8 (2) AFTER THE WAIVER REQUESTED UNDER THIS SECTION IS APPROVED,  
9 THE DEPARTMENT MUST INCLUDE THE FOLLOWING IN ITS IMPLEMENTATION OF  
10 THE WORK REQUIREMENTS UNDER THIS SECTION:

11 (A) A REQUIREMENT OF 30 HOURS PER WEEK OF WORK, JOB TRAINING  
12 IN AN INDUSTRY WITH PROVEN DEMAND, OR EDUCATION, OR A COMBINATION  
13 OF ANY OF THE 3, TO COUNT TOWARD THE WORK REQUIREMENT UNDER THIS  
14 SECTION.

15 (B) REQUIRE ABLE-BODIED MEDICAL ASSISTANCE RECIPIENTS TO  
16 VERIFY CHANGE IN FAMILY INCOME QUARTERLY. IF A MEDICAL ASSISTANCE  
17 RECIPIENT FAILS TO REPORT A CHANGE IN FAMILY INCOME OR MAKES A  
18 FALSE STATEMENT IN COMPLYING WITH THIS REQUIREMENT, THE INDIVIDUAL  
19 IS PROHIBITED FROM RECEIVING MEDICAL ASSISTANCE FOR 1 YEAR.

20 (C) ALLOW FOR PROGRAM FEATURES TO BE PHASED IN OR SUSPENDED AS  
21 NECESSARY.

22 (D) AN EXEMPTION FOR AN INDIVIDUAL WHO MEETS EITHER OF THE  
23 FOLLOWING CONDITIONS:

24 (i) AN INDIVIDUAL WHO IS THE SOLE CARETAKER OF A FAMILY MEMBER  
25 WHO IS UNDER THE AGE OF 90 DAYS.

26 (ii) AN INDIVIDUAL WHO IS CURRENTLY RECEIVING TEMPORARY OR  
27 PERMANENT LONG-TERM DISABILITY BENEFITS FROM A PRIVATE INSURER OR

1 FROM THE GOVERNMENT.

2 (3) THE DEPARTMENT MUST FIRST DIRECT MEDICAL ASSISTANCE  
3 RECIPIENTS TO EXISTING RESOURCES FOR JOB TRAINING OR OTHER  
4 EMPLOYMENT SERVICES, CHILD CARE ASSISTANCE, TRANSPORTATION, OR  
5 OTHER SUPPORTS. THE DEPARTMENT MAY DEVELOP STRATEGIES FOR ASSISTING  
6 MEDICAL ASSISTANCE RECIPIENTS TO MEET WORK AND COMMUNITY ENGAGEMENT  
7 REQUIREMENTS UNDER THIS SECTION.

8 (4) A DEVIATION BY THE DEPARTMENT FROM THE WORK REQUIREMENTS  
9 OR COMMUNITY ENGAGEMENT REQUIREMENTS DESCRIBED IN THIS SECTION  
10 SHALL RESULT IN A 5.0% REDUCTION IN FUNDING OF THE NUMBER OF  
11 MEDICAID FTE POSITIONS.

12 (5) BEGINNING JULY 1, 2018 AND BY JULY 1 EACH YEAR AFTER THAT,  
13 THE MEDICAID DIRECTOR MUST SUBMIT TO THE GOVERNOR, THE SENATE  
14 MAJORITY LEADER, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES A  
15 LETTER CONFIRMING THE SUBMISSION OF THE WAIVER REQUEST REQUIRED  
16 UNDER SUBSECTION (1).

17 (6) BEGINNING JULY 1, 2019, THE DEPARTMENT MUST COMPLETE AN  
18 EVALUATION OF THE MEDICAL ASSISTANCE PROGRAM UNDER SECTION 105D TO  
19 DETERMINE HOW MANY RECIPIENTS HAVE LEFT THE HEALTHY MICHIGAN  
20 PROGRAM AS A RESULT OF OBTAINING FULL-TIME EMPLOYMENT WITH MEDICAL  
21 BENEFITS.

22 (7) BEGINNING JULY 1, 2019, AND EVERY JULY 1 AFTER THAT, THE  
23 DEPARTMENT SHALL SUBMIT A REPORT TO THE LEGISLATURE THAT SHOWS  
24 SEPARATELY, FOR EACH OF THE FOLLOWING TYPES OF ASSISTANCE, THE  
25 NUMBER OF EXEMPTIONS FROM WORK REQUIREMENTS GRANTED TO INDIVIDUALS  
26 IN THAT YEAR AND THE REASON THE EXEMPTIONS WERE GRANTED:

27 (A) MEDICAL ASSISTANCE UNDER SECTION 105.

1            (B) MEDICAL ASSISTANCE UNDER SECTION 105D KNOWN AS HEALTHY  
2 MICHIGAN.

3            (C) FAMILY INDEPENDENCE PROGRAM ASSISTANCE UNDER THIS ACT.

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