

# HOUSE BILL No. 5855

May 13, 1998, Introduced by Reps. McManus, Sanborn, Horton, London, Whyman, Llewellyn, Goschka, Law, Gustafson, Johnson, Jansen and Perricone and referred to the Committee on Human Services and Children.

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
by amending section 57b (MCL 400.57b), as added by 1995 PA 223.

**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 assistance:  
3       (a) Is a member of a family or a family independence assist-  
4 ance group.  
5       (b) Is a member of a program group whose income and assets  
6 are less than the income and asset limits set by the family inde-  
7 pendence agency.  
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,  
11 or a refugee.

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

2 (f) Meets any other eligibility criterion required for the  
3 receipt of federal or state funds or determined by the family  
4 independence agency to be necessary for the accomplishment of the  
5 goals of the family independence program.

6 (2) A minor parent and the minor parent's child shall not  
7 receive family independence assistance unless they live in an  
8 adult-supervised household. The family independence assistance  
9 shall be paid on behalf of the minor parent and child to an adult  
10 in the adult-supervised household. Child care in conjunction  
11 with participation in education, employment readiness, training,  
12 or employment programs, which have been approved by the family  
13 independence agency, shall be provided for the minor parent's  
14 child. The minor parent and child shall live with the minor  
15 parent's parent, stepparent, or legal guardian unless the family  
16 independence agency determines that there is good cause for not  
17 requiring the minor parent and child to live with a parent, step-  
18 parent, or legal guardian. The family independence agency shall  
19 determine the circumstances that constitute good cause, based on  
20 a parent's, stepparent's, or guardian's unavailability or unwill-  
21 ingness or on a reasonable belief that there is physical, sexual,  
22 or substance abuse, or domestic violence occurring in the house-  
23 hold, or other risk to the physical or emotional health or safety  
24 of the minor parent or child. If the family independence agency  
25 determines that there is good cause for not requiring a minor  
26 parent to live with a parent, stepparent, or legal guardian, the  
27 minor parent and child shall live in another adult-supervised

1 household. A local office director may waive the requirement set  
2 forth in this subsection with respect to a minor parent who is at  
3 least 17 years of age, attending secondary school full-time, and  
4 participating in a service plan of the family independence agency  
5 or a teen parenting program, if moving would require the minor  
6 parent to change schools.

7 (3) THE FAMILY INDEPENDENCE AGENCY MAY REQUIRE SUBSTANCE  
8 ABUSE TESTING AS A CONDITION FOR FAMILY INDEPENDENCE ASSISTANCE  
9 UNDER THIS ACT. IF THE FAMILY INDEPENDENCE AGENCY IMPLEMENTS  
10 SUBSTANCE ABUSE TESTING UNDER THIS SUBSECTION, AS A CONDITION OF  
11 RECEIVING FAMILY INDEPENDENCE ASSISTANCE UNDER THIS ACT, AN INDI-  
12 VIDUAL DESCRIBED IN SUBSECTION (1) WHO TESTS POSITIVE FOR SUB-  
13 STANCE ABUSE UNDER THIS SUBSECTION SHALL ENROLL IN SUBSTANCE  
14 ABUSE TREATMENT, WHICH TREATMENT SHALL BECOME A PART OF THE  
15 RECIPIENT'S SOCIAL CONTRACT UNDER SECTION 57E. BEFORE IMPLEMENT-  
16 ING SUBSTANCE ABUSE TESTING UNDER THIS SUBSECTION, THE FAMILY  
17 INDEPENDENCE AGENCY SHALL NOTIFY THE SENATE AND HOUSE OF REPRE-  
18 SENTATIVES STANDING COMMITTEES HAVING JURISDICTION OVER THIS ACT  
19 AND THE SENATE AND HOUSE OF REPRESENTATIVES APPROPRIATIONS SUB-  
20 COMMITTEES HAVING JURISDICTION OVER THE FAMILY INDEPENDENCE  
21 AGENCY BUDGET OF THE PLANNED IMPLEMENTATION.

22 (4) IF THE FAMILY INDEPENDENCE AGENCY IMPLEMENTS SUBSTANCE  
23 ABUSE TESTING UNDER SUBSECTION (3), THE FAMILY INDEPENDENCE  
24 AGENCY SHALL SUBMIT AN ANNUAL REPORT ON THE TESTING PROGRAM TO  
25 THE SENATE AND HOUSE OF REPRESENTATIVES STANDING COMMITTEES  
26 HAVING JURISDICTION OVER THIS ACT AND THE SENATE AND HOUSE OF  
27 REPRESENTATIVES APPROPRIATIONS SUBCOMMITTEES HAVING JURISDICTION

1 OVER THE FAMILY INDEPENDENCE AGENCY BUDGET. THE ANNUAL REPORT  
2 SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING INFORMATION FOR THE  
3 PRECEDING YEAR:

4 (A) THE NUMBER OF INDIVIDUALS TESTED, THE SUBSTANCES TESTED  
5 FOR, THE RESULTS OF THE TESTING, AND THE NUMBER OF REFERRALS FOR  
6 TREATMENT.

7 (B) THE COSTS OF THE TESTING AND THE RESULTING TREATMENT.

8 (C) SANCTIONS, IF ANY, THAT HAVE BEEN IMPOSED ON RECIPIENTS  
9 AS A RESULT OF THE TESTING PROGRAM.

10 (D) THE PERCENTAGE AND NUMBER OF HOUSEHOLDS RECEIVING FAMILY  
11 INDEPENDENCE ASSISTANCE THAT INCLUDE AN INDIVIDUAL WHO HAS TESTED  
12 POSITIVE FOR SUBSTANCE ABUSE UNDER THE PROGRAM AND THAT ALSO  
13 INCLUDE AN INDIVIDUAL WHO HAS BEEN SUBSTANTIATED FOR CHILD ABUSE  
14 OR NEGLECT UNDER THE CHILD PROTECTION LAW, 1975 PA 238, MCL  
15 722.621 TO 722.638.