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## FAMILY SUBSIDY ACT: EXPAND ELIGIBILITY

**House Bill 4374**

**Sponsor: Rep. Laura Baird**

**Committee: Health Policy**

**Complete to 3-24-99**

### A SUMMARY OF HOUSE BILL 4374 AS INTRODUCED 3-3-99

Public Act 249 of 1983, known as the Family Support Subsidy Act, amended the Mental Health Code to establish a family support subsidy program in order to keep families together and to reduce the number of children being institutionalized in state facilities by defraying some of the special costs of caring for a developmentally disabled or multiply impaired child at home. [Note: Parts of the act were later repealed or amended and incorporated into the recodification of the Mental Health Code by Public Act 290 of 1995 (MCL 330.1100 et al.).] To be eligible for a monthly Family Support Subsidy, a family must meet income requirements and have a child under the age of 18 years of age who is classified under special education law as being severely mentally impaired, severely multiply impaired (which indicates a cognitive disability occurring in addition to physical disabilities), or autistic impaired (the child must be receiving special education services designed for the autistic impaired).

House Bill 4374 would amend the Mental Health Code to expand the definition of eligible minor to include children under 18 with severe emotional disturbances and children with severe physical disabilities or chronic medical conditions but no cognitive disability. The bill would also change the criteria for autistic impaired children by deleting the requirement that a child be in a program designed for the autistic impaired under special education rules or in a program designed for the severely mentally impaired or severely multiply impaired, and requiring instead that the child be autistic impaired and receiving special education services.

To be eligible, the child would have to meet the following conditions:

Emotionally impaired. The child would have to be documented by a multidisciplinary team and recommended by an individualized educational planning and placement committee as eligible for special education services for emotionally impaired children (under special education rules promulgated by the Department of Education), and meet all of the following criteria:

--The child's school documented that the emotional impairment had continued or would be likely to continue for a period of at least one year.

--The school record documented five or more of the following within the previous three years:

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- \* An identified learning problem;
- \* Results of a professionally conducted behavioral assessment that documented significant problems with the student's functioning;
- \* Results of a professionally conducted personality assessment that documented significant problems with the student's functioning;
- \* Repeated aggressive behavior toward individuals at home;
- \* Repeated aggressive behavior toward individuals at school;
- \* Repeated self-injury at home;
- \* Repeated self-injury at school;
- \* Repeated property destruction at home; or
- \* Repeated property destruction at school.

Physically or otherwise health impaired. In addition to the impairment, the child under 18 years of age would have to be one of the following:

- Hearing impaired.
- Visually impaired.
- Using one or more of the following technologies as documented by the multidisciplinary team:

- \* Wheelchair or comparable technology;
- \* Ventilator or comparable technology;
- \* Gastrostomy or comparable technology;
- \* Suctioning or postural drainage procedures or comparable technology; or
- \* Parenteral or nasal-gastric feeding or comparable technology.

Further, the bill would specify that the Department of Community Health, as a result of the bill's provisions, could not reduce the amount of a subsidy to a minor who was eligible for a Family Support Subsidy under eligibility criteria that was in effect on September 1, 1995.

MCL 330.1100a and 330.1160

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.