

SHORT TITLE: Poor persons; Community Workfare Experience Act; Aid to Families with Dependent Children and JOBS program modifications; codification; effective date.

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

SENATE BILL NO. 107

By: Leftwich

AS INTRODUCED

An Act relating to poor persons; amending 56 O.S.

1991, Section 509, which relates to the Community Workfare Experience Act; requiring the Commission for Human Services to request certain waivers related to the Aid to Families with Dependent Children Program and the JOBS Program; modifying certain exemption; requiring the Commission for Human Services to promulgate certain rules; requiring promulgation of family plan and contract; requiring family plan and contract to be reviewed annually; providing for certain services under certain program; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 237.5A of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Commission for Human Services shall:

1. Revise the schedule of benefits to be paid to a recipient family under the program of Aid to Families with Dependent Children (AFDC) by limiting the increase in the AFDC payment for the birth of a second child while such family is receiving benefits to half the amount of the current increase, and to provide no further increases when a third or subsequent child is born while such family is receiving benefits;

2. Maintain the AFDC benefit level of a recipient for up to twenty-four (24) months following employment or until such time as earned income exceeds one hundred fifty percent (150%) of the federal poverty level, whichever comes first;

3. Decrease benefit payments by thirty percent (30%) per year after the child reaches the age of two (2) years;

4. Decrease benefits by twenty percent (20%) if the adult recipient fails to have the child recipient immunized; and

5. Revise the schedule of benefits to provide that new state residents shall receive the same level of benefits that they received in the previous state of residence or the level of benefits of the State of Oklahoma, whichever is lower.

B. The Commission shall request a waiver from the Secretary of the federal Department of Health and Human Services to permit the Department of Human Services to implement the provisions of this section.

SECTION 2. AMENDATORY 56 O.S. 1991, Section 509, is amended to read as follows:

Section 509. A. Each AFDC recipient must register and shall participate, ~~upon referral by the Department,~~ in a program unless such individual is:

1. Employed for no fewer than eighty (80) hours per month and is earning an amount not less than the applicable minimum wage for such employment;

2. A child who is under sixteen (16) years of age or attending school full time;

3. A person who is ill, incapacitated or over the age of fifty-five (55) years;

4. A person whose presence in the home is required because of illness or incapacity of another member of the household; or

5. The mother or other relative who is caring for a child under the age of one (1) year.

B. The exemptions contained in subsection A of this section may be modified by the Department in the event of a change in the federal exemption criteria.

C. Any individual referred to in subsection A of this section shall be ~~advised of the option to register, if so desired, and shall be~~ informed of the child care and other services which ~~would be~~ are available ~~in the event such individual should decide to register and~~ to individuals who participate in the program.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 512 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Commission for Human Services shall extend child care benefits for participants in the JOBS Program who become employed from twelve (12) months to twenty-four (24) months following employment.

B. The Commission for Human Services shall request a waiver from the federal Department of Health and Human Services to permit the Department of Human Services to implement the provisions of subsection A of this section.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 513 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Commission for Human Services shall promulgate rules to design and implement a system that provides for services to each participant in the AFDC Program to be provided according to a family plan which includes a written contract. The contract shall be signed by the participant and a program representative who shall act as a case manager, advocate and broker of services for the participant and the participant's family, and shall set forth the specific mutual obligations of the participant and the program, and a detailed plan for the participant and the participant's family. The family plan and contract, which shall explicitly state the

services that the program will provide to the participant, shall be reviewed by both the participant and the program representative at least once a year and may be revised from time to time according to the needs of the participant, the participant's family and the program.

B. The services to be provided under the program may include, but not be limited to, job development and placement in full-time permanent jobs, preferably in the private sector; counseling and vocational assessment; intensive remedial education; financial and other assistance for higher education, including four-year and community colleges, and for postsecondary vocational training programs; job search assistance; community work experience; employment skills training focused on a specific job; and on-the-job training in an employment setting.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 514 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Commission for Human Services shall amend the state plan to provide that:

1. Adult recipients in the AFDC Program shall be required to participate in parenting classes for the first six (6) months following the birth of a child; provided, however, that the Commission shall meet this requirement in the least costly fashion and in a manner that does not duplicate any existing programs that may be operating in the public schools;

2. Benefits paid to an adult recipient under the AFDC Program will be reduced by twenty percent (20%) if the child recipient drops out of school or has in excess of fifteen absences in one semester, provided, however, this provision shall not apply to a mother who is under the age of eighteen (18) and has not completed high school who does not return to school after sixty (60) days if said recipient

provides a doctor's statement attesting to the recipient's inability to return to school;

3. A teenage mother who is a recipient of AFDC shall be required to live with her parents or in another supervised setting;

4. The one-hundred-hour rule for participants in the AFDC Unemployed Parent Program shall be eliminated and provide that participants may continue on the program for the time period necessary to obtain unsubsidized employment;

5. Adult recipients of AFDC, who are exempt from participation in the JOBS Program due to the age of their child, shall provide child care for other AFDC recipients who are participating in the JOBS Program; and

6. Any employable person who is receiving public assistance shall be required, except when good cause exists, to perform such public work as shall be assigned to them. The Department of Human Services shall provide for the establishment of public work programs for the assignment of employable persons in receipt of public assistance. Public work may include the performance of work for the state or a governmental subdivision, or the performance of work in the operation of or in an activity of a nonprofit agency or institution pursuant to a contract with the state or governmental subdivision.

B. The Commission shall request a waiver, where required, from the Secretary of the federal Department of Health and Human Services to permit the Department of Human Services to implement the provisions of this section.

SECTION 6. This act shall become effective September 1, 1993.

44-1-0040

CJ