

FILED MAR 20 1991

SENATE FILE **470**
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 165)

Passed Senate, Date 3/26/91 (p. 862) Passed House, Date 4/10/91 (p. 1199)
Vote: Ayes 50 Nays 0 Vote: Ayes 88 Nays 3

Approved May 15, 1991

*Motion to Reconsider 4/11 (p. 1216)
" 10/25 5/3/91 (p. 2077)*

A BILL FOR

- 1 An Act relating to federal-state public assistance programs.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 470

H-3594

- 1 Amend Senate File 470, as passed by the Senate, as
 - 2 follows:
 - 3 1. Page 3, by striking lines 12 through 23.
- By GRUBBS of Scott
RAFFERTY of Scott

H-3594 FILED APRIL 11, 1991

Placed c/o 5/3/91 (p. 2077)

SENATE FILE 470

H-3654

- 1 Amend Senate File 470, as passed by the Senate as
- 2 follows:
- 3 1. Page 3, by striking lines 15 through 23 and
- 4 inserting the following:
- 5 "A eligible person who receives assistance under
- 6 chapter 239 may shall participate or cooperate in a
- 7 program to attain a certificate of general educational
- 8 development, high school diploma, or adult basic
- 9 literacy, where the person has not previously received
- 10 such certification, in accordance with rules adopted
- 11 by the director. The department shall provide
- 12 incentives to encourage such participation."

By RAFFERTY of Scott

H-3654 FILED APRIL 16, 1991

Placed c/o 5/3

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1 Section 1. Section 239.2, subsection 3, paragraph e, Code
2 1991, is amended by striking the paragraph.

3 Sec. 2. Section 239.19, Code 1991, is amended to read as
4 follows:

5 239.19 TRANSFER AID FUNDS TO OTHER WORK INCENTIVE
6 PROGRAMS.

7 The department of human services ~~shall be authorized to may~~
8 transfer ~~such of the~~ aid to dependent children funds in its
9 control to any other department or agency of the state of ~~Iowa~~
10 for the purpose of providing funds to carry out the work
11 incentive job opportunities and basic skills training program
12 created by ~~Public Law 90-248, 81 Stat. 821, Title II, section~~
13 ~~2047, the Social Security Amendments of 1967 to the Social~~
14 ~~Security Act, and nothing in the laws of the state of Iowa~~
15 ~~shall be construed as limiting the authority granted by that~~
16 Act the federal Family Support Act of 1988, Title II, Pub. L.
17 No. 100-485, as codified in 42 U.S.C. § 602 et seq.

18 Sec. 3. Section 239.21, Code 1991, is amended to read as
19 follows:

20 239.21 TRANSITIONAL CHILD CARE ASSISTANCE.

21 A recipient who loses eligibility for assistance under this
22 chapter because of an increase in earned income, increased
23 hours of employment, or loss of the earned income disregards
24 is eligible to receive transitional child care assistance, in
25 accordance with the provisions of the federal Family Support
26 Act of 1988, Title III, Pub. L. No. 100-485, as codified in 42
27 U.S.C. § 602 et seq., for a period of twelve months following
28 the loss of assistance. The department shall deliver the
29 transitional child care assistance through a vendor voucher
30 payment or purchase of service system which requires the
31 recipient to contribute to the cost of the assistance in
32 accordance with a sliding-scale fee established by rule.

33 Sec. 4. Section 249C.1, subsection 4, Code 1991, is
34 amended to read as follows:

35 4. "Public assistance" means aid or assistance provided

1 under chapter 239 or-249.

2 Sec. 5. Section 249C.1, subsection 5, Code 1991, is
3 amended by adding the following new paragraph:

4 NEW PARAGRAPH. g. A person who is not an eligible person
5 pursuant to rules adopted by the director and as required by
6 the federal Family Support Act of 1988, Title II, Pub. L. No.
7 100-485, as codified in 42 U.S.C. § 602 et seq.

8 Sec. 6. Section 249C.3, Code 1991, is amended to read as
9 follows:

10 249C.3 WORK AND TRAINING PROGRAM.

11 The director shall establish a work and training program
12 for persons and members of families applying for and receiving
13 public assistance. The division of job service of the
14 department of employment services, ~~all-county-boards-and~~
15 ~~departments-of-social-welfare~~ the division of job training of
16 the department of economic development, and all state, county,
17 and public educational agencies and institutions providing
18 vocational rehabilitation, adult education, or vocational or
19 technical training shall assist and co-operate in the program.
20 They shall make agreements and arrangements for maximum co-
21 operation and use of all available resources in the program.
22 By mutual agreement the director may delegate any of the
23 director's powers and duties under this chapter to the
24 division of job service of the department of employment
25 services or to the division of job training of the department
26 of economic development.

27 Sec. 7. Section 249C.6, Code 1991, is amended to read as
28 follows:

29 249C.6 PARTICIPATION REQUIRED.

30 Each eligible person shall be required to participate in
31 the work and training program, to co-operate fully in the
32 program, and to accept any reasonably suitable employment,
33 training, or education offered to the person in connection
34 with the program, as a condition of receiving public
35 assistance. If the person fails or refuses to do so, the

1 person shall not receive public assistance. The person's
2 disqualification shall not disqualify other members of the
3 person's family who are entitled to public assistance, except
4 as required under the federal Family Support Act of 1988,
5 Title II, Pub. L. No. 100-485, as codified in 42 U.S.C. § 602
6 et seq., but their public assistance shall not be paid to the
7 disqualified person and shall be paid in a manner which will
8 not permit the disqualified person to have access to the
9 assistance funds. A person shall not be disqualified for
10 public assistance if it is impossible to arrange suitable work
11 or training for the person.

359412 Sec. 8. Section 249C.18, Code 1991, is amended to read as
13 follows:

14 249C.18 EDUCATIONAL INCENTIVES PARTICIPATION REQUIREMENTS.

14-3650 15 A An eligible person who receives assistance under chapter
16 239 may participate or cooperate in a program to attain a
17 certificate of general educational development, high school
18 diploma, or adult basic literacy where the person has not
19 previously received such certification. The participation
20 shall be optional unless required under the federal Family
21 Support Act of 1988, Title II, Pub. L. No. 100-485, as
22 codified in 42 U.S.C. § 602 et seq. The department shall
23 provide incentives to encourage such optional participation.

24 EXPLANATION

25 This bill relates to federal-state public assistance
26 programs. The provisions affect persons who are or have been
27 recipients of the aid to dependent children program under
28 chapter 239.

29 In 1988 the federal government enacted the Family Support
30 Act which revised work and training programs directed to
31 recipients of aid to dependent children. These programs are
32 referred to in the bill as the "job opportunities and basic
33 skills training program" consistent with the federal Act.
34 Iowa law denying eligibility for the aid to dependent children
35 to certain persons who do not participate in the job

1 opportunities program is stricken. The bill also deletes
2 citations to obsolete federal law and contains a number of new
3 citations to the federal Family Support Act. The director of
4 human services is authorized to adopt rules relating to the
5 definition of "eligible person" which must be consistent with
6 the requirements of the federal Act. Iowa law providing for
7 optional participation in the job opportunities program is
8 amended to require participation if it is mandated by the
9 federal Act. The required participation of state
10 supplementary assistance recipients is deleted.

11 Iowa law providing eligibility for former aid to dependent
12 children recipients to receive transitional child care
13 assistance is made more specific in accordance with the
14 federal Act.

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LUMA, CH.
SZYMONIAK
RITTMER

SSB 165
HUMAN RESOURCES

SENATE/HOUSE FILE 470
BY (PROPOSED DEPARTMENT OF HUMAN
SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to federal-state public assistance programs.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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7 The department of human services ~~shall be authorized to~~ may
8 transfer ~~such of the~~ aid to dependent children funds in its
9 control to any other department or agency of the state ~~of Iowa~~
10 for the purpose of providing funds to carry out the work
11 incentive job opportunities and basic skills training program
12 created by ~~Public Law 90-248, 81 Stat. 821, Title II, section~~
13 ~~204, the Social Security Amendments of 1967 to the Social~~
14 ~~Security Act, and nothing in the laws of the state of Iowa~~
15 ~~shall be construed as limiting the authority granted by that~~
16 Act the federal Family Support Act of 1988, Title II, Pub. L.
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20 239.21 TRANSITIONAL CHILD CARE ASSISTANCE.

21 A recipient who loses eligibility for assistance under this
22 chapter because of an increase in earned income, increased
23 hours of employment, or loss of the earned income disregards
24 is eligible to receive transitional child care assistance, in
25 accordance with the provisions of the federal Family Support
26 Act of 1988, Title III, Pub. L. No. 100-485, as codified in 42
27 U.S.C. § 602 et seq., for a period of twelve months following
28 the loss of assistance. The department shall deliver the
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30 payment or purchase of service system which requires the
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32 accordance with a sliding-scale fee established by rule.

33 Sec. 4. Section 249C.1, subsection 4, Code 1991, is
34 amended to read as follows:

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1 under chapter 239 or-249.

2 Sec. 5. Section 249C.1, subsection 5, Code 1991, is
3 amended by adding the following new paragraph:

4 NEW PARAGRAPH. g. A person who is not an eligible person
5 pursuant to rules adopted by the director and as required by
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16 the department of economic development, and all state, county,
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18 vocational rehabilitation, adult education, or vocational or
19 technical training shall assist and co-operate in the program.
20 They shall make agreements and arrangements for maximum co-
21 operation and use of all available resources in the program.
22 By mutual agreement the director may delegate any of the
23 director's powers and duties under this chapter to the
24 division of job service of the department of employment
25 services or to the division of job training of the department
26 of economic development.

27 Sec. 7. Section 249C.6, Code 1991, is amended to read as
28 follows:

29 249C.6 PARTICIPATION REQUIRED.

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31 the work and training program, to co-operate fully in the
32 program, and to accept any reasonably suitable employment,
33 training, or education offered to the person in connection
34 with the program, as a condition of receiving public
35 assistance. If the person fails or refuses to do so, the

1 person shall not receive public assistance. The person's
2 disqualification shall not disqualify other members of the
3 person's family who are entitled to public assistance, except
4 as required under the federal Family Support Act of 1988,
5 Title II, Pub. L. No. 100-485, as codified in 42 U.S.C. § 602
6 et seq., but their public assistance shall not be paid to the
7 disqualified person and shall be paid in a manner which will
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12 Sec. 8. Section 249C.18, Code 1991, is amended to read as
13 follows:

14 249C.18 EDUCATIONAL INCENTIVES PARTICIPATION REQUIREMENTS.

15 A An eligible person who receives assistance under chapter
16 239 may participate or cooperate in a program to attain a
17 certificate of general educational development, high school
18 diploma, or adult basic literacy where the person has not
19 previously received such certification. The participation
20 shall be optional unless required under the federal Family
21 Support Act of 1988, Title II, Pub. L. No. 100-485, as
22 codified in 42 U.S.C. § 602 et seq. The department shall
23 provide incentives to encourage such optional participation.

24 EXPLANATION

25 This bill relates to federal-state public assistance
26 programs. The provisions affect persons who are or have been
27 recipients of the aid to dependent children program under
28 chapter 239.

29 In 1988 the federal government enacted the Family Support
30 Act which revised work and training programs directed to
31 recipients of aid to dependent children. These programs are
32 referred to in the bill as the "job opportunities and basic
33 skills training program" consistent with the federal Act.
34 Iowa law denying eligibility for the aid to dependent children
35 to certain persons who do not participate in the job

1 opportunities program is stricken. The bill also deletes
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4 human services is authorized to adopt rules relating to the
5 definition of "eligible person" which must be consistent with
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7 optional participation in the job opportunities program is
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9 federal Act. The required participation of state
10 supplementary assistance recipients is deleted.

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12 children recipients to receive transitional child care
13 assistance is made more specific in accordance with the
14 federal Act.

15 BACKGROUND STATEMENT

16 SUBMITTED BY THE AGENCY

17 Title II of the federal Family Support Act of 1988, (P.L.
18 No. 100-485, Section 201), requires that states have a job
19 opportunities and basic skills (JOBS) program under a plan ap-
20 proved by the secretary of the United States department of
21 health and human services no later than October 1, 1990, or at
22 United States state option, as early as July 1, 1989.

23 Sections 202(a) and 204 of the federal Act provide for the
24 repeal of the work incentive (WIN) and WIN demonstration pro-
25 grams upon state implementation of the JOBS program.
26 Implementation of the JOBS program occurred in Iowa on July 1,
27 1989. As a result, the Iowa Code does not reflect the
28 requirements of the Family Support Act of 1988 and should be
29 amended to do so.

30 Title III of the Family Support Act of 1988 (P.L. No. 100-
31 485), requires that states guarantee child care for 12 months
32 for certain individuals who have lost aid to dependent
33 children (ADC) program eligibility due to increased earnings,
34 increased hours of work, or loss of the earned income
35 disregards (an eligibility criteria which is time limited),

1 effective April 1990.

2 The Iowa Code does not reflect the requirements of the
3 Family Support Act of 1988 and should be amended to do so.

4 Under Title III of the Family Support Act of 1988, 12
5 months of child care (transitional child care) is guaranteed
6 for former recipients who received ADC in three of the six
7 months prior to the loss of ADC as a result of increased hours
8 of work, increased earnings, or the loss of the earned income
9 disregards. Continued receipt of transitional child care is
10 conditioned upon there being at least one child in the
11 household who is deprived. The family is ineligible for any
12 month beginning after the caretaker relative who is a member
13 of the family either terminates earned income or fails to
14 cooperate in establishing or enforcing the relative's child
15 support obligations. Child care fees (to partially offset the
16 costs) must be charged on a sliding scale based on the
17 family's ability to pay. To bring the Iowa Code into
18 compliance with the Family Support Act of 1988, an addition
19 regarding increased hours of employment, loss of earned income
20 disregards and a citation to Title III of the Family Support
21 Act of 1988 should be added.

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SENATE FILE 470

AN ACT

RELATING TO FEDERAL-STATE PUBLIC ASSISTANCE PROGRAMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 239.2, subsection 3, paragraph e, Code 1991, is amended by striking the paragraph.

Sec. 2. Section 239.19, Code 1991, is amended to read as follows:

239.19 TRANSFER AID FUNDS TO OTHER WORK INCENTIVE PROGRAMS.

~~The department of human services shall be authorized to may transfer such of the aid to dependent children funds in its control to any other department or agency of the state of Iowa for the purpose of providing funds to carry out the work incentive job opportunities and basic skills training program created by Public Law 92-248, 81 Stat. 821, Title II, section 204, the Social Security Amendments of 1967 to the Social Security Act; and nothing in the laws of the state of Iowa shall be construed as limiting the authority granted by that Act the federal Family Support Act of 1988, Title II, Pub. L. No. 100-485, as codified in 42 U.S.C. § 602 et seq.~~

Sec. 3. Section 239.21, Code 1991, is amended to read as follows:

239.21 TRANSITIONAL CHILD CARE ASSISTANCE.

A recipient who loses eligibility for assistance under this chapter because of an increase in earned income, increased hours of employment, or loss of the earned income disregards is eligible to receive transitional child care assistance, in accordance with the provisions of the federal Family Support Act of 1988, Title III, Pub. L. No. 100-485, as codified in 42 U.S.C. § 602 et seq. for a period of twelve months following the loss of assistance. The department shall deliver the transitional child care assistance through a vendor voucher payment or purchase of service system which requires the recipient to contribute to the cost of the assistance in accordance with a sliding-scale fee established by rule.

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NEW PARAGRAPH. g. A person who is not an eligible person pursuant to rules adopted by the director and as required by the federal Family Support Act of 1988, Title II, Pub. L. No. 100-485, as codified in 42 U.S.C. § 602 et seq.

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operation and use of all available resources in the program. By mutual agreement the director may delegate any of the director's powers and duties under this chapter to the division of job service of the department of employment services or to the division of job training of the department of economic development.

Sec. 7. Section 249C.6, Code 1991, is amended to read as follows:

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Sec. 8. Section 249C.18, Code 1991, is amended to read as follows:

249C.18 EDUCATIONAL INCENTIVES PARTICIPATION REQUIREMENTS.

A person who receives assistance under chapter 239 may participate or cooperate in a program to attain a certificate of general educational development, high school diploma, or adult basic literacy where the person has not previously received such certification. The participation shall be optional unless required under the federal Family

Support Act of 1988, Title II, Pub. L. No. 100-485, as codified in 42 U.S.C. § 602 et seq. The department shall provide incentives to encourage such optional participation.

JOE J. WELSH
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 470, Seventy-fourth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved May 15, 1991

GERRY E. BRANSTAD
Governor