

S-3/14/96/Huron

MAR 5 1996
Place On Calendar

HOUSE FILE 2443
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 742)

Passed House, ^(P.740) Date 3-14-96 Passed Senate, Date _____
Vote: Ayes 69 Nays 29 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to children's provisions involving child support,
2 the family investment program, and related human services
3 programs by establishing additional eligibility and assistance
4 provisions and requiring the department of human services to
5 apply for federal waivers and providing an applicability
6 provision and effective dates.

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

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HF 2443

1 Section 1. Section 598.21, subsection 4, paragraph e,
2 subparagraph (2), unnumbered paragraph 2, Code Supplement
3 1995, is amended to read as follows:

4 Failure to provide proof of compliance under this
5 subparagraph or proof of compliance under section 598.21A is
6 grounds for modification of the support order using the
7 uniform child support guidelines and imputing an income to the
8 parent equal to a forty-hour work week at the state minimum
9 wage, unless the parent's education, experience, or actual
10 earnings justify a higher income.

11 Sec. 2. NEW SECTION. 598.21A MINOR PARENT -- PARENTING
12 CLASSES.

13 In any order or judgment entered under chapter 234, 252A,
14 252C, 252F, 598, or 600B or under any other chapter which
15 provides for temporary or permanent support payments, if the
16 parent ordered to pay support is less than eighteen years of
17 age, one of the following shall apply:

18 1. If the child support recovery unit is providing
19 services pursuant to chapter 252B, the court, or the
20 administrator as defined in section 252C.1, shall order the
21 parent ordered to pay support to attend parenting classes
22 which are approved by the department of human services.

23 2. If the child support recovery unit is not providing
24 services pursuant to chapter 252B, the court may order the
25 parent ordered to pay support to attend parenting classes
26 which are approved by the court.

27 Sec. 3. WELFARE REFORM.

28 1. The department of human services shall submit a waiver
29 request or requests to the United States department of health
30 and human services as necessary to implement the changes in
31 the family investment program under chapter 239 and the job
32 opportunities and basic skills program under chapter 249C, as
33 provided by this section.

34 2. For the purposes of this section unless the context
35 otherwise requires:

1 a. "Applicant" means an individual who has applied to be a
2 recipient of public assistance.

3 b. "Minor parent" means an applicant or recipient parent
4 who is less than eighteen years of age and has never been
5 married.

6 c. "Public assistance" means the family investment program
7 assistance under chapter 239.

8 d. "Recipient" means the same as provided in chapter 239
9 and includes individuals whose income is considered by the
10 department of human services.

11 3. The department of human services shall apply for
12 federal waivers to implement the following provisions for
13 applicants for and recipients of public assistance:

14 a. To promote healthy families, the department shall
15 require current immunizations for children who are preschool
16 age as a condition of receipt for public assistance. The
17 requirement shall conform to the rules for immunization of
18 children adopted by the Iowa department of public health under
19 section 139.9, and is subject to health and religious
20 exceptions under section 139.9, subsection 4. The rules shall
21 specify the types of immunizations required, age groupings,
22 and other provisions, and shall provide additional exemptions
23 to the requirement for good cause or for factors beyond the
24 control of the child's parent, guardian, or custodian. Unless
25 exempt by rule, the department shall deny or cancel public
26 assistance if a recipient family is not in compliance with the
27 immunization requirement, until the recipient family complies
28 with the immunization requirement.

29 b. To promote self-sufficient families, the department
30 shall require school attendance of children ages six through
31 eleven and children who are age five and attending school as a
32 condition of receipt of public assistance. If an applicant or
33 recipient fails to cooperate with this requirement, the
34 department shall deny or cancel the public assistance until
35 the recipient family complies with the requirement.

1 Sec. 4. WAIVER -- TRANSFER. The waiver request or
2 requests submitted by the department of human services
3 pursuant to section 3 of this Act to the United States
4 department of health and human services shall be to apply
5 statewide the provisions of section 3, as enacted by this Act.
6 If federal waiver approval of a provision of section 3 of this
7 Act is granted, the department of human services shall
8 implement the provision in accordance with the federal
9 approval. If a provision of this Act is in conflict with a
10 provision of chapter 239 or 249C, the provisions of this Act
11 shall be implemented and the department shall propose an
12 amendment to chapter 239 or 249C to resolve the conflict. The
13 proposed amendment shall be submitted in accordance with the
14 provisions of section 2.16 to the Seventy-seventh General
15 Assembly. If a waiver provision is denied by the federal
16 government, the department may transfer moneys appropriated
17 for the waiver provision to another appropriation as deemed
18 necessary by the department.

19 Sec. 5. RULES. The department of human services shall
20 adopt administrative rules pursuant to chapter 17A to
21 implement the provisions of section 3 of this Act. If
22 necessary to conform with federal waiver terms and conditions
23 or to efficiently administer the provisions, the rules may
24 apply additional policies and procedures which are consistent
25 with the provisions of section 3 of this Act.

26 Sec. 6. APPLICABILITY -- EFFECTIVE DATES.

27 1. Sections 1 and 2 of this Act take effect July 1, 1997.

28 2. The effective date of each waiver provision in section
29 3 of this Act granted by the federal government shall be set
30 by rule. However, none of the waiver provisions shall be
31 implemented before July 1, 1997. If federal law is amended to
32 permit this state to initiate any of the provisions of section
33 3 without a federal waiver, the department of human services
34 shall proceed to implement the provision on the date required
35 by this subsection.

EXPLANATION

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2 This bill relates to children's provisions involving child
3 support, the family investment program, and related human
4 services programs by establishing additional eligibility and
5 assistance provisions and requiring the department of human
6 services to apply for federal waivers.

7 The bill amends section 598.21 and includes new section
8 598.21A to add an additional requirement for a child support
9 obligor who is age 18 or less. The additional requirement is
10 for the parent to attend parenting classes. Failure to comply
11 with the requirement is grounds to apply a modification of the
12 obligor's child support order. These provisions take effect
13 July 1, 1997.

14 Section 3 provides additional family investment program
15 requirements to program applicants and recipients to the
16 extent authorized under federal law or waivers. The
17 requirements apply additional eligibility conditions requiring
18 immunizations of preschool children and requiring school
19 attendance of recipient children ages six through 11 and
20 children who are age five and attending school.

21 The bill directs the department of human services to submit
22 waiver requests to the United States department of health and
23 human services as necessary to implement the changes to the
24 family investment program under the bill. The waiver request
25 is to apply the changes statewide. Implementation of the
26 provision is to conform with federal approval. If the
27 provisions in section 3 are in conflict with a provision of
28 chapter 239 or 249C, the department is to propose a conforming
29 amendment to the statutes for the 1997 or 1998 legislative
30 session. The department is not to apply any of the waiver
31 provisions prior to July 1, 1997.

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HSB 742

HUMAN RESOURCES

Succeeded By

SENATE/HOUSE FILE SE/HF 2443
BY (PROPOSED GOVERNOR'S BILL)

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Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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21 specify the types of immunizations required, age groupings,
22 and other provisions, and shall provide additional exemptions
23 to the requirement for good cause or for factors beyond the
24 control of the child's parent, guardian, or custodian. Unless
25 exempt by rule, the department shall deny or cancel public
26 assistance if a recipient family is not in compliance with the
27 immunization requirement, until the recipient family complies
28 with the immunization requirement.

29 b. To promote self-sufficient families, the department
30 shall require school attendance of children ages six through
31 eleven as a condition of receipt of public assistance. If an
32 applicant or recipient fails to cooperate with this
33 requirement, the department shall deny or cancel the public
34 assistance until the recipient family complies with the
35 requirement.

1 c. To set a clear expectation that the decision to expand
2 a family already on public assistance is one that must be
3 borne financially by the family and not by the taxpayers, the
4 department shall limit eligibility for public assistance to a
5 certain number of children as provided in this paragraph. For
6 the purposes of this paragraph, "effective date" means the
7 date on or after March 1, 1997, as authorized by a federal
8 waiver approving implementation of the provisions of this
9 paragraph, and specified in administrative rules adopted by
10 the department.

11 (1) If a family is a recipient on the effective date, the
12 recipient family's children eligible for public assistance
13 shall be limited to those children living in the recipient
14 family's household on the effective date and children born
15 into the recipient family's household within ten months of the
16 effective date.

17 (2) If a family is not a recipient as of the effective
18 date, in any period as a recipient following the effective
19 date, the recipient family's children eligible for public
20 assistance shall be limited to those children living in the
21 recipient family's household on the date the recipient
22 family's eligibility for the public assistance is first
23 approved following the effective date and to children born
24 within ten months of the date the applicant was first approved
25 as a recipient.

26 (3) For the purposes of subparagraphs (1) and (2),
27 children considered to be living in a recipient family's
28 household shall include children for whom the household is the
29 children's primary residence and children who are temporarily
30 absent from the household but for whom the household would
31 otherwise be the children's primary residence.

32 (4) Denial of benefits pursuant to this paragraph shall
33 not apply until ten months after the effective date.

34 Sec. 4. WAIVER -- TRANSFER. The waiver request or
35 requests submitted by the department of human services

1 pursuant to section 3 of this Act to the United States
2 department of health and human services shall be to apply
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25 1. Sections 1 and 2 of this Act take effect July 1, 1997.

26 2. Except as otherwise provided in section 3 of this Act,
27 the effective date of each waiver provision in section 3 of
28 this Act granted by the federal government shall be set by
29 rule. However, none of the waiver provisions shall be
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10 with the requirement is grounds to apply a modification of the
11 obligor's child support order. These provisions take effect
12 July 1, 1997.

13 Section 3 provides additional family investment program
14 requirements to program applicants and recipients to the
15 extent authorized under federal law or waivers. The
16 requirements apply additional eligibility conditions requiring
17 immunizations of preschool children, require school attendance
18 of recipient children ages six through 11, and cap the size of
19 a recipient family as of a certain date in terms of
20 eligibility for the program.

21 The bill directs the department of human services to submit
22 waiver requests to the United States department of health and
23 human services as necessary to implement the changes to the
24 family investment program under the bill. The waiver request
25 is to apply the changes statewide. Implementation of the
26 provision is to conform with federal approval. If the
27 provisions in section 3 are in conflict with a provision of
28 chapter 239 or 249C, the department is to propose a conforming
29 amendment to the statutes for the 1997 or 1998 legislative
30 session. The department is not to apply any of the waiver
31 provisions prior to July 1, 1997, except that the provision
32 limiting the amount of assistance for additional children is
33 not to apply before March 1, 1997, and a denial of benefits
34 for an additional child shall not apply until 10 months after
35 the date the provision is initiated.