

4/10/95 Referred to Human Resources

MAR 21 1995

Place On Calendar

HOUSE FILE 502

BY COMMITTEE ON HUMAN RESOURCES

WITHDRAWN  
4-10-95

(SUCCESSOR TO HSB 210)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the family investment program and related  
2 human services programs by requiring the department of human  
3 services to apply for certain federal waivers and providing  
4 applicability provisions.

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

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

WITHDRAWN

HF 502

1 Section 1. WELFARE REFORM.

2 1. The department of human services shall submit a waiver  
3 request or requests to the United States department of health  
4 and human services as necessary to implement the changes in  
5 the family investment program under chapter 239 and the job  
6 opportunities and basic skills program under chapter 249C, as  
7 provided by this section. In addition, the department may  
8 submit additional waiver requests to the United States  
9 department of agriculture to make changes in the federal food  
10 stamp program and to the United States department of health  
11 and human services to make changes to the medical assistance  
12 program under chapter 249A, as necessary to revise these  
13 programs in accordance with any waiver provision implemented  
14 pursuant to this section.

15 2. For the purposes of this section unless the context  
16 otherwise requires:

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

19 b. "Minor parent" means an applicant or recipient parent  
20 who is less than eighteen years of age and has never been  
21 married.

22 c. "Public assistance" means the family investment program  
23 under chapter 239 and job opportunities and basic skills or  
24 JOBS program under chapter 249C.

25 d. "Recipient" means the same as provided in chapter 239  
26 and includes individuals whose income is considered by the  
27 department.

28 3. The department of human services shall apply for  
29 federal waivers to implement the following provisions for  
30 applicants for and recipients of public assistance:

31 a. To promote responsibility and strengthen family values,  
32 the department shall require the following of minor parents,  
33 and recipient parents who are 19 years of age or less, as  
34 indicated:

35 (1) Unless any of the following conditions apply, a minor

1 parent shall be required to live with their parent or legal  
2 guardian:

3 (a) The parent or guardian of the minor parent is  
4 deceased, missing, or living in another state.

5 (b) The minor parent's health or safety would be  
6 jeopardized if the minor parent is required to live with the  
7 parent or guardian.

8 (c) The minor parent is in foster care.

9 (d) The minor parent is participating in the job corps  
10 solo parent program or independent living program.

11 (e) Other good cause exists which is identified in rules  
12 adopted by the department for this purpose for the minor  
13 parent to receive public assistance while living apart from  
14 the minor parent's parent or guardian.

15 (2) A minor parent who is a recipient and is not required  
16 to live with the minor parent's parent or guardian pursuant to  
17 subparagraph (1) shall be required to participate in a family  
18 development program identified in rules adopted by the  
19 department.

20 (3) Minor parents who are recipients and recipient parents  
21 who are 19 years of age or less shall be required to attend  
22 parenting classes.

23 b. To focus on the educational needs of minor parents, the  
24 department shall require that a minor parent must either have  
25 graduated from high school or have received a high school  
26 equivalency diploma, or be engaged full-time in completing  
27 high school graduation or equivalency requirements.

28 c. To encourage the development of a strong work ethic, in  
29 calculating public assistance eligibility and the amount of  
30 assistance, the department shall disregard earnings of an  
31 applicant or a recipient who is 19 years of age or younger who  
32 is engaged full-time in completing high school graduation or  
33 equivalency requirements.

34 d. To strengthen measures addressing welfare fraud and  
35 abuse, the department shall strengthen sanctions to disqualify

1 recipients who defraud or abuse public assistance. In  
2 establishing sanctions pursuant to this paragraph, the  
3 department shall establish the same or similar penalties for  
4 the family investment program and for the food stamp program.

5 e. To remove incentives for parent and caretaker relative  
6 applicants who received public assistance in another state and  
7 move to Iowa to seek public assistance, the department shall  
8 limit public assistance payment amounts to the lesser of  
9 Iowa's standard of payment or the standard of payment of the  
10 person's previous state of residence. If such an applicant  
11 received aid to families with dependent children in another  
12 state within one year of applying for public assistance in  
13 this state, the requirements of this paragraph shall apply for  
14 the period of one year from the date of applying for public  
15 assistance in this state. The department shall determine the  
16 applicant's eligibility for public assistance in this state  
17 using the eligibility requirements of this state. If eligible  
18 in this state, based upon the family size used to determine  
19 eligibility, the department shall compare the standard grant  
20 amount the applicant would receive in this state with the  
21 standard grant amount in the other state. The applicant's  
22 standard grant amount when receiving public assistance shall  
23 be the lesser of the two amounts. For the one-year period,  
24 the department shall apply this state's policies in  
25 determining the applicant's amount of net income and the  
26 resulting amount shall be subtracted from the applicant's  
27 applicable standard grant. The provisions of this paragraph  
28 shall not apply to an applicant who was previously a resident  
29 of this state before living in another state and receiving aid  
30 to families with dependent children or to an applicant who has  
31 moved to this state to be near the applicant's parent or  
32 sibling.

33 f. To encourage responsible decision making by families  
34 receiving public assistance, the department shall do all of  
35 the following with newly eligible and existing recipient

1 parents:

2 (1) Discuss orally and in writing the financial  
3 implications of newly born children on the recipient's family.

4 (2) Discuss orally and in writing the available family  
5 planning resources.

6 (3) Include family planning counseling as an optional  
7 component of the job opportunities and basic skills program.

8 (4) Include the recipient's family planning objectives in  
9 the family investment agreement.

10 g. To encourage responsible decision making by families  
11 receiving public assistance, the department shall limit  
12 eligibility for the family investment program to a certain  
13 number of children as follows:

14 (1) If a family is a recipient on the effective date of  
15 the waiver, in any period of eligibility on or after the  
16 waiver's initial effective date the family's eligible children  
17 shall be limited to those children living in the recipient's  
18 household on the waiver's initial effective date and children  
19 born into the recipient's household within ten months of the  
20 waiver's initial effective date.

21 (2) If a family is not a recipient as of the waiver's  
22 initial effective date, in any period of eligibility following  
23 the waiver's initial effective date the family's eligible  
24 children shall be limited to those children living in the  
25 recipient's household on the date the family's eligibility for  
26 public assistance is first approved following the waiver's  
27 initial effective date and to children born within 10 months  
28 of the date first approved for eligibility.

29 (3) For the purposes of this paragraph, children  
30 considered to be living in the recipient's household shall  
31 include children for whom the household is the children's  
32 primary residence and children who are temporarily absent from  
33 the household but for whom the household would otherwise be  
34 the children's primary residence.

35 Sec. 2. CONTINGENCY PROVISION -- TRANSFER. The waiver

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

16 Sec. 3. RULES. The department of human services shall  
17 adopt administrative rules pursuant to chapter 17A to  
18 implement the provisions of section 1 of this Act. If  
19 necessary to conform with federal waiver terms and conditions  
20 or to efficiently administer the provisions, the rules may  
21 apply additional policies and procedures which are consistent  
22 with the provisions of section 1 of this Act.

23 Sec. 4. APPLICABILITY. The effective date of each waiver  
24 provision in section 1 of this Act granted by the federal  
25 government shall be set by rule. However, provisions of  
26 section 1, subsection 3, paragraphs "a" through "f", of this  
27 Act, shall not be implemented before July 1, 1996, and  
28 provisions of section 1, subsection 3, paragraph "g", of this  
29 Act, shall not be implemented before January 1, 1997. If  
30 federal law is amended to permit this state to initiate any of  
31 the provisions of section 1 of this Act without a federal  
32 waiver, the department of human services shall proceed to  
33 implement the provisions within the time period required by  
34 this section.

35

EXPLANATION

1 This bill relates to the family investment program and  
2 related human services programs by requiring the department of  
3 human services to apply for certain federal waivers and  
4 providing applicability provisions.

5 The bill describes provisions of waivers involving the  
6 family investment program (formerly aid to families with  
7 dependent children now referred to as FIP) and the federal-  
8 state job opportunities and basic skills (JOBS) program (a  
9 work and training program for recipients under FIP). In  
10 addition, the department may apply for federal waivers under  
11 the federal food stamp program and medical assistance program  
12 for any changes to coordinate with waivers approved for FIP  
13 and JOBS.

14 The bill requires the department to apply for waivers to  
15 implement the following provisions: require minor parents to  
16 live with their parent or guardian except under certain  
17 exceptions, require those who do not live with their parent or  
18 guardian to participate in a family development program, and  
19 require any recipient parent who is 19 years of age or less to  
20 attend parenting classes; require that a minor parent must  
21 either have graduated from high school or have completed an  
22 equivalent, or be engaged full-time in completing high school  
23 graduation or equivalency requirements; for a family with a  
24 recipient who is less than 20 years of age and engaged full-  
25 time in completing high school graduation or equivalency  
26 requirements, the department is required to disregard that  
27 recipient's earnings in calculating eligibility and amount of  
28 assistance for the family; adopt measures to strengthen  
29 sanctions to disqualify recipients who defraud or abuse public  
30 assistance; for one year, with certain exceptions for former  
31 residents of this state or for recipients with family in this  
32 state, require reduction of the FIP grant amount for those  
33 recipients who received aid to families with dependent  
34 children in another state which is less than paid in this  
35 state; provide for the department to address various family

1 planning issues with recipients; and require a limitation in  
2 the FIP grant amount so that after the implementation date  
3 specified in the waiver if a recipient's family size  
4 increases, the children born after that date are not eligible  
5 for assistance.

6 A contingency provision requires the department to request  
7 approval of the waiver provisions statewide and authorizes  
8 implementation of a federally approved waiver in accordance  
9 with the approval. In addition, if any of the waiver  
10 provisions are in conflict with a state law in the FIP or JOBS  
11 chapters, the provision is still to be implemented and the  
12 department is directed to propose an amendment to resolve the  
13 conflict. If moneys are appropriated for a waiver provision  
14 that is later denied, the department may transfer the  
15 appropriation to another appropriation, as deemed necessary by  
16 the department.

17 The department is directed to adopt rules through the  
18 regular rulemaking procedures to implement approved waiver  
19 provisions. All of the waiver provisions except for the  
20 limitation in the family size are not to be implemented until  
21 July 1, 1996. The family size waiver is not to be implemented  
22 until January 1, 1997. If federal law changes so that a  
23 waiver is not necessary to implement any of the provisions in  
24 the bill, the same start date restrictions apply.

25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

**HOUSE FILE 502  
FISCAL NOTE**

A fiscal note for **House File 502** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 502 requires the Department of Human Services to apply for waivers to:

1. Require minor parents to live with their parent and guardian except under certain conditions.
2. Require participation in a family development program for those minor parents not living with their parents.
3. Require attendance at parent classes for those parents 19 years of age and younger who are on public assistance.
4. Disregard of earnings for those recipients with a family member less than 20 years of age who is in the process of completing high school or an equivalent degree.
5. Increased sanctions for fraud and abuse.
6. Reduced benefits for one year for those recipients who received assistance in another state.
7. Incorporation of various family planning provisions into the Family Investment Program.
8. Limits the number of children eligible for assistance to the number of children at the time of initial receipt of assistance.

Fiscal Effect:

The fiscal effect of HF 502 is a net State General Fund cost of \$41,417 in FY 1996 and \$112,012 in FY 1997.

Listed below are the various costs of each component:

|  | FY 1996<br>----- | FY 1997<br>----- |
|--|------------------|------------------|
| <u>Costs:</u>  |                  |                  |
| Salaries - 1.0 FTE position in FY 1996 and<br>3.0 FTE positions in FY 1997 | \$ 39,405        | \$ 109,014       |
| Support  | 9,500            | 8,155            |
| Data Processing  | 33,930           | 9,450            |
| Parenting Classes/Promise Jobs   |                  | 300,000          |
| Birth Control Supplies   |                  | 12,380           |
| Family Planning Services   |                  | 636,727          |
| Reduced Aid to Individuals   |                  | -818,817         |
|  | -----            | -----            |
| Total Cost   | 73,685           | 256,909          |
|  | -----            | -----            |

Revenues:

-2-

Additional Federal Funds

41,418

144,897

Net Cost

            
\$ 36,842  
          

            
\$ 112,012  
          

Source: Department of Human Services

(LSB 1603hv, LCS)

FILED MARCH 27, 1995

BY DENNIS PROUTY, FISCAL DIRECTOR

## HOUSE FILE 502

H-3469

1 Amend House File 502 as follows:

2 1. Page 4, by inserting after line 34 the  
3 following:

4 "h. To strengthen the interaction between a  
5 recipient and the community, the department shall  
6 develop and implement a voluntary welfare replacement  
7 initiative. The general assembly finds that this  
8 initiative is a first step in an effort to return to a  
9 system of public assistance in which churches and  
10 other charitable organizations reassume responsibility  
11 for public assistance, are highly involved with  
12 families in need of assistance, and work as partners  
13 with families' efforts to end dependency and become  
14 stronger contributors to the success of their  
15 communities. The initiative shall include the  
16 provisions described in this paragraph and the  
17 department shall implement those provisions which do  
18 not require a federal waiver prior to the approval or  
19 denial of the provisions which require a federal  
20 waiver.

21 (1) For the purposes of this paragraph unless the  
22 context otherwise requires:

23 (a) "Nonprofit organization" means a church or  
24 other organization described in the Internal Revenue  
25 Code, 26 U.S.C. § 501(c)(3), which is exempt from  
26 income taxation under 26 U.S.C. § 501(a).

27 (b) "Voluntary welfare replacement initiative" or  
28 "initiative" means the voluntary replacement  
29 initiative created pursuant to this paragraph.

30 (2) The department shall publicize the initiative  
31 to nonprofit organizations and recipients. The  
32 department shall develop the initiative by matching  
33 willing nonprofit organizations wishing to support a  
34 recipient family with recipient families who have an  
35 interest in receiving support through the initiative.  
36 A nonprofit organization may be matched with a  
37 recipient family who is a member of the nonprofit  
38 organization. The department shall provide a  
39 nonprofit organization participating in the initiative  
40 with a nonidentifying profile of recipient families  
41 which have expressed a desire to participate in the  
42 initiative. If desired by the organization or the  
43 recipient family, the department shall seek to match  
44 organizations and families which are geographically  
45 located close to one another. The department shall  
46 develop the initiative in a manner which enables a  
47 recipient or a nonprofit organization to withdraw from  
48 the initiative in a manner which is acceptable to both  
49 the recipient and the organization.

50 (3) A nonprofit organization which is matched with

H-3469

H-3469

Page 2

1 a recipient family under the initiative may support  
2 the family in any manner, including but not limited to  
3 any of the following:

4 (a) Assistance in locating employment, including  
5 job training and job search assistance.

6 (b) Financial support or in-kind assistance.

7 Financial support may include the nonprofit  
8 organization paying all or part of the recipient's  
9 cash assistance under the family investment program.

10 In-kind assistance may include providing food,  
11 clothing, housing repair or remodeling, children's  
12 playthings, child day care, and transportation.

13 (c) Personal support, including emotional and  
14 spiritual support and counseling.

15 (d) Parenting classes.

16 (4) The department shall modify the family  
17 investment agreement provisions applicable to a  
18 recipient family participating in the initiative to  
19 reflect the involvement of the nonprofit organization  
20 with the family and assistance provided. The  
21 modifications may include involving the nonprofit  
22 organization as part of the agreement. The department  
23 shall periodically survey recipients and nonprofit  
24 organizations participating in the initiative to gauge  
25 satisfaction with the initiative. The department  
26 shall designate the employee who develops a  
27 recipient's family investment agreement or other  
28 suitable individual to monitor the efficacy of the  
29 recipient's involvement under the initiative. The  
30 types and dollar amounts of a nonprofit organization's  
31 assistance to an individual recipient under the  
32 initiative shall be enumerated in writing and provided  
33 to the recipient, the department of human services,  
34 the nonprofit organization, and the department of  
35 revenue and finance.

36 (5) The department of human services shall work  
37 with the department of revenue and finance in  
38 developing forms necessary to implement the tax credit  
39 provisions of section 422.12, subsection 4, as enacted  
40 by this Act, which provides a state tax credit for  
41 individual contributions to a nonprofit organization  
42 for the purposes of the initiative. The department of  
43 human services and the department of revenue and  
44 finance shall develop provisions for a nonprofit  
45 organization to deposit moneys contributed for the  
46 initiative in a trust fund to be known as an  
47 alternative compassion trust fund. The nonprofit  
48 organization shall deposit into the alternative  
49 compassion trust fund the contributed moneys in the  
50 amount agreed to in writing by the organization under

H-3469

H-3469

Page 3

1 subparagraph (4). Moneys deposited into the trust  
2 fund shall be used for the costs of assistance  
3 provided to a recipient as agreed to by the nonprofit  
4 organization. Moneys contributed to the trust fund  
5 are eligible for the voluntary welfare replacement  
6 initiative credit under section 422.12. The  
7 department of revenue and finance and the charitable  
8 organization shall establish the total amount of  
9 contributions made to the charitable organization  
10 which will be eligible for the credit for the tax  
11 year.

12 (6) In addition to assistance provided from the  
13 alternative compassion trust fund, the nonprofit  
14 organization may provide the recipient with additional  
15 cash assistance. Subject to the maximum amount  
16 specified in this subparagraph, the department shall  
17 disregard such additional assistance received by the  
18 recipient. The maximum amount which shall be  
19 disregarded is an amount equal to ten percent of the  
20 annual amount of cash assistance the nonprofit  
21 organization has agreed to provide to the recipient  
22 under subparagraph (4).

23 (7) Following the federal government's review of  
24 the waiver provisions submitted pursuant to this  
25 lettered paragraph, and the department's revision of  
26 the provisions in accordance with the federal  
27 government's approval requirements, the department  
28 shall report to the members of the committees on human  
29 resources of the house and senate and the joint  
30 appropriations subcommittee on human services  
31 concerning the department's implementation plans.

32 Sec. 101. Section 422.12, Code 1995, is amended by  
33 adding the following new subsection:

34 NEW SUBSECTION. 4. A voluntary welfare  
35 replacement initiative credit in the amount the  
36 taxpayer contributed to a nonprofit organization for  
37 purposes of the voluntary welfare replacement  
38 initiative for recipients of the family investment  
39 program under chapter 239. Any amount taken as a  
40 credit under this subsection shall not be deducted as  
41 a charitable contribution under section 422.9,  
42 subsection 2."

43 2. Page 5, line 27, by striking the word "and".

44 3. Page 5, line 29, by inserting after the figure  
45 "1997" the following: ", and provisions of section 1,  
46 subsection 3, paragraph "h", of this Act, which do not  
47 require a federal waiver, shall be implemented  
48 beginning January 1, 1997, and those provisions which  
49 require a federal waiver shall be implemented in  
50 accordance with the federal waiver".

H-3469

-3-

**H-3469**

Page 4

- 1 4. Page 5, by inserting after line 34 the  
2 following:  
3 "Sec. \_\_\_\_ . EFFECTIVE DATE AND APPLICABILITY.  
4 Section 101 of this Act takes effect January 1, 1997,  
5 and is applicable to tax years beginning on or after  
6 January 1, 1997."  
7 5. Title page, line 3, by striking the words "and  
8 providing" and inserting the following: ", creating a  
9 voluntary welfare replacement initiative and tax  
10 credit, and providing an effective date and".

By BODDICKER of Cedar  
HURLEY of Fayette  
CARROLL of Poweshiek

**H-3469 FILED MARCH 27, 1995****HOUSE FILE 502****H-3429**

- 1 Amend House File 502 as follows:  
2 1. Page 4, by striking lines 10 through 34.  
3 2. Page 5, line 27, by striking the figure and  
4 word "1996, and" and inserting the following: "1996."  
5 3. Page 5, by striking lines 28 and 29 and  
6 inserting the following: "If".

By BRAND of Benton

**H-3429 FILED MARCH 23, 1995****HOUSE FILE 502****H-3455**

- 1 Amend House File 502 as follows:  
2 1. Page 3, line 14, by striking the words "one  
3 year" and inserting the following: "six months".  
4 2. Page 3, line 23, by striking the words "one-  
5 year" and inserting the following: "six-month".

By FALLON of Polk

**H-3455 FILED MARCH 23, 1995****HOUSE FILE 502****H-3456**

- 1 Amend House File 502 as follows:  
2 1. Page 3, by striking lines 5 through 32.  
3 2. Page 5, line 26, by striking the letter "'f'"  
4 and inserting the following: "'e'".  
5 3. Page 5, line 28, by striking the letter "'g'"  
6 and inserting the following: "'f'".

By FALLON of Polk

**H-3456 FILED MARCH 23, 1995**

## HOUSE FILE 502

H-3512

1 Amend House File 502 as follows:

2 1. Page 4, by inserting after line 34 the  
3 following:

4 "Sec. \_\_\_\_ . SELF-HELP-FARE PROGRAM. The department  
5 of human services shall create a self-help-fare  
6 program available to recipients of public assistance  
7 under chapter 239 and their families in accordance  
8 with the following provisions:

9 1. For the purposes of this paragraph unless the  
10 context otherwise requires:

11 a. "Nonprofit organization" means a church,  
12 housing group, neighborhood association, or other  
13 organization described in the Internal Revenue Code,  
14 26 U.S.C. § 501(c)(3), which is exempt from income  
15 taxation under 26 U.S.C. § 501(a) and serves a  
16 particular geographic area, holds regular meetings,  
17 and was established prior to July 1, 1995.

18 b. "Self-help-fare program" or "program" means the  
19 self-help-fare program created pursuant to this  
20 section.

21 2. The department shall publicize the program and  
22 solicit the involvement of nonprofit organizations in  
23 developing a list of approximately 100 nonprofit  
24 organizations to be matched with recipients enrolled  
25 in the program. A nonprofit organization may assist a  
26 family matched with the organization in any manner  
27 deemed appropriate by the organization and the family.

28 3. The department shall screen and select the  
29 recipient families deemed to be appropriate for the  
30 program. Not more than 100 recipient families may  
31 participate over the course of the program. A  
32 recipient's decision to participate in the program  
33 shall be completely voluntary. The program shall  
34 provide a guaranteed annual income to participating  
35 families in lieu of a grant or other benefits under  
36 the family investment program and other programs for  
37 which the family investment program provides  
38 eligibility, including but not limited to medical  
39 assistance and emergency assistance. The amount of  
40 the guaranteed annual income shall be not more than  
41 \$8,000 for one adult and \$3,000 for each child up to a  
42 maximum of two children. The guaranteed annual income  
43 amount for a family participating in the program shall  
44 be reduced to reflect 50 percent of the family's  
45 earned income. A participant in the program shall  
46 automatically be eligible for an individual  
47 development account under chapter 541A.

48 4. The program shall operate for the two-year  
49 period beginning September 1, 1995, and ending August  
50 31, 1997. A participant in the program shall not be

H-3512

**H-3512**

Page 2

1 eligible for the family investment program for a  
2 period of two years following the end of participation  
3 in the self-help-fare program.

4 5. The department shall convene a committee and  
5 provide staffing to assist the committee in assessing  
6 the success of the program. The committee shall  
7 include but is not limited to participants in the  
8 program, nonprofit organizations participating in the  
9 program, the department, and members of the general  
10 assembly. The committee's assessment shall be  
11 submitted to the governor and the general assembly on  
12 or before December 15, 1997.

13 6. Implementation of the program is subject to  
14 enactment of an appropriation for the program."

15 2. By renumbering as necessary.

By FALLON of Polk

**H-3512 FILED MARCH 27, 1995**

---

**HOUSE FILE 502****H-3799**

1 Amend House File 502 as follows:

2 1. Page 2, line 24, by inserting after the word  
3 "require" the following: ", subject to the  
4 availability of child care for a minor parent's  
5 children,".

By BRAND of Benton

**H-3799 FILED APRIL 6, 1995**

HUMAN RESOURCES

Succeeded

SENATE/HOUSE FILE 502  
BY (PROPOSED GOVERNOR'S BILL)

*Boddicker, Chr.  
Hurley  
Harrison  
Brand  
Fallon*

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the family investment program and related  
2 human services programs by requiring the department of human  
3 services to apply for certain federal waivers and providing  
4 applicability provisions.

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

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

2/1/72  
Succeeded By

1 Section 1. WELFARE REFORM.

2 1. The department of human services shall submit a waiver  
3 request or requests to the United States department of health  
4 and human services as necessary to implement the changes in  
5 the family investment program under chapter 239 and the job  
6 opportunities and basic skills program under chapter 249C, as  
7 provided by this section. In addition, the department may  
8 submit additional waiver requests to the United States  
9 department of agriculture to make changes in the federal food  
10 stamp program and to the United States department of health  
11 and human services to make changes to the medical assistance  
12 program under chapter 249A, as necessary to revise these  
13 programs in accordance with any waiver provision implemented  
14 pursuant to this section.

15 2. For the purposes of this section unless the context  
16 otherwise requires:

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

19 b. "Minor parent" means an applicant or recipient parent  
20 who is less than eighteen years of age and has never been  
21 married.

22 c. "Public assistance" means the family investment program  
23 under chapter 239 and job opportunities and basic skills or  
24 JOBS program under chapter 249C.

25 d. "Recipient" means the same as provided in chapter 239  
26 and includes individuals whose income is considered by the  
27 department.

28 3. The department of human services shall apply for  
29 federal waivers to implement the following provisions for  
30 applicants for and recipients of public assistance:

31 a. To promote responsibility and strengthen family values,  
32 the department shall require the following of minor parents,  
33 and recipient parents who are 19 years of age or less, as  
34 indicated:

35 (1) Unless any of the following conditions apply, a minor

1 parent shall be required to live with their parent or legal  
2 guardian:

3 (a) The parent or guardian of the minor parent is  
4 deceased, missing, or living in another state.

5 (b) The minor parent's health or safety would be  
6 jeopardized if the minor parent is required to live with the  
7 parent or guardian.

8 (c) The minor parent is in foster care.

9 (d) The minor parent is participating in the job corps  
10 solo parent program or independent living program.

11 (e) Other good cause exists which is identified in rules  
12 adopted by the department for this purpose for the minor  
13 parent to receive public assistance while living apart from  
14 the minor parent's parent or guardian.

15 (2) A minor parent who is a recipient and is not required  
16 to live with the minor parent's parent or guardian pursuant to  
17 subparagraph (1) shall be required to participate in a family  
18 development program identified in rules adopted by the  
19 department.

20 (3) Minor parents who are recipients and recipient parents  
21 who are 19 years of age or less shall be required to attend  
22 parenting classes.

23 b. To focus on the educational needs of minor parents, the  
24 department shall require that a minor parent must either have  
25 graduated from high school or have received a high school  
26 equivalency diploma, or be engaged full-time in completing  
27 high school graduation or equivalency requirements.

28 c. To encourage the development of a strong work ethic, in  
29 calculating public assistance eligibility and the amount of  
30 assistance, the department shall disregard earnings of an  
31 applicant or a recipient who is 19 years of age or younger who  
32 is engaged full-time in completing high school graduation or  
33 equivalency requirements.

34 d. To strengthen measures addressing welfare fraud and  
35 abuse, the department shall strengthen sanctions to disqualify

1 recipients who defraud or abuse public assistance. In  
2 establishing sanctions pursuant to this paragraph, the  
3 department shall establish the same or similar penalties for  
4 the family investment program and for the food stamp program.

5 e. To make expectations of recipients consistent with  
6 practices in the private sector, the department shall revise  
7 the JOBS program exemption for recipient parents with young  
8 children to be limited to parents with children who are less  
9 than three months of age.

10 f. To remove incentives for parent and caretaker relative  
11 applicants who received public assistance in another state and  
12 move to Iowa to seek public assistance, the department shall  
13 limit public assistance payment amounts to the lesser of  
14 Iowa's standard of payment or the standard of payment of the  
15 person's previous state of residence. If such an applicant  
16 received aid to families with dependent children in another  
17 state within one year of applying for public assistance in  
18 this state, the requirements of this paragraph shall apply.  
19 The department shall determine the applicant's eligibility for  
20 public assistance in this state using the eligibility  
21 requirements of this state. If eligible in this state, based  
22 upon the family size used to determine eligibility, the  
23 department shall compare the standard grant amount the  
24 applicant would receive in this state with the standard grant  
25 amount in the other state. The applicant's standard grant  
26 amount when receiving public assistance shall be the lesser of  
27 the two amounts. The department shall apply this state's  
28 policies in determining the applicant's amount of net income  
29 and the resulting amount shall be subtracted from the  
30 applicant's applicable standard grant.

31 g. To encourage responsible decision making by families  
32 receiving public assistance, the department shall limit  
33 eligibility for the family investment program to a certain  
34 number of children as follows:

35 (1) If a family is a recipient on the effective date of

1 the waiver, in any period of eligibility on or after the  
2 waiver's initial effective date the family's eligible children  
3 shall be limited to those children living in the recipient's  
4 household on the waiver's initial effective date and children  
5 born into the recipient's household within ten months of the  
6 waiver's initial effective date.

7 (2) If a family is not a recipient as of the waiver's  
8 initial effective date, in any period of eligibility following  
9 the waiver's initial effective date the family's eligible  
10 children shall be limited to those children living in the  
11 recipient's household on the date the family's eligibility for  
12 public assistance is first approved following the waiver's  
13 initial effective date and to children born within 10 months  
14 of the date first approved for eligibility.

15 (3) For the purposes of this paragraph, children  
16 considered to be living in the recipient's household shall  
17 include children for whom the household is the children's  
18 primary residence and children who are temporarily absent from  
19 the household but for whom the household would otherwise be  
20 the children's primary residence.

21 Sec. 2. CONTINGENCY PROVISION -- TRANSFER. The waiver  
22 request or requests submitted by the department of human  
23 services pursuant to section 1 of this Act to the United  
24 States department of health and human services shall be to  
25 apply the provisions of section 1 statewide. If federal  
26 waiver approval of a provision of section 1 of this Act is  
27 granted, the department of human services shall implement the  
28 provision in accordance with the federal approval. If a  
29 provision of this Act is in conflict with a provision of  
30 chapter 239 or 249C, notwithstanding that provision in chapter  
31 239 or 249C, the provision of this Act shall be implemented  
32 and the department shall propose an amendment to chapter 239  
33 or 249C to resolve the conflict. The department may transfer  
34 moneys appropriated for a waiver provision to another  
35 appropriation as deemed necessary by the department if the



1 implement the following provisions: require minor parents to  
2 live with their parent or guardian except under certain  
3 exceptions, require those who do not live with their parent or  
4 guardian to participate in a family development program, and  
5 require any recipient parent who is 19 years of age or less to  
6 attend parenting classes; require that a minor parent must  
7 either have graduated from high school or have completed an  
8 equivalent, or be engaged full-time in completing high school  
9 graduation or equivalency requirements; for a family with a  
10 recipient who is less than 20 years of age and engaged full-  
11 time in completing high school graduation or equivalency  
12 requirements, the department is required to disregard that  
13 recipient's earnings in calculating eligibility and amount of  
14 assistance for the family; adopt measures to strengthen  
15 sanctions to disqualify recipients who defraud or abuse public  
16 assistance; revise the JOBS program participation exemption  
17 for recipients with young children to only apply the exemption  
18 to parents with children who are less than three months of  
19 age; require reduction of the FIP grant amount for those  
20 recipients who received aid to families with dependent  
21 children in another state which is less than paid in this  
22 state; and require a limitation in the FIP grant amount so  
23 that after the implementation date specified in the waiver if  
24 a recipient's family size increases, the children born after  
25 that date are not eligible for assistance.

26 A contingency provision requires the department to request  
27 approval of the waiver provisions statewide and authorize  
28 implementation of a federally approved waiver in accordance  
29 with the approval. In addition, if any of the waiver  
30 provisions are in conflict with a state law in the FIP or JOBS  
31 chapters, the provision is still to be implemented and the  
32 department is directed to propose an amendment to resolve the  
33 conflict. If moneys are appropriated for a waiver provision  
34 that is later denied, the department may transfer the  
35 appropriation to another appropriation, as deemed necessary by

1 the department.

2 The department is directed to adopt rules through the  
3 regular rulemaking procedures to implement approved waiver  
4 provisions. All of the waiver provisions except for the  
5 limitation in the family size are not to be implemented until  
6 July 1, 1996. The family size waiver is not to be implemented  
7 until January 1, 1997. If federal law changes so that a  
8 waiver is not necessary to implement any of the provisions in  
9 the bill, the same start date restrictions apply.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35