

House Study Bill 163

Bill Text

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1 1 Section 1. NEW SECTION. 239.5A FAMILY SIZE LIMITATION ON
1 2 AMOUNT OF ASSISTANCE.

1 3 1. If a family is a recipient on March 1, 1998, the
1 4 recipient family's children eligible for assistance shall be
1 5 limited to those children who were family members on or before
1 6 March 1, 1998, and any children who become family members
1 7 during the period beginning March 1, 1998, and ending December
1 8 31, 1998.

1 9 2. If a family is not a recipient as of March 1, 1998, as
1 10 a recipient in any period following March 1, 1998, the
1 11 recipient family's children eligible for assistance shall be
1 12 limited to those children who were family members on or before
1 13 the date the family's eligibility for the assistance is first
1 14 approved and to any children who become family members within
1 15 ten months of the date the applicant was first approved as a
1 16 recipient.

1 17 3. Except as provided in subsection 4, the eligibility
1 18 limitations on a recipient family under this section shall
1 19 remain applicable during any subsequent period of eligibility
1 20 for assistance.

1 21 4. If necessary to provide for a child to live with a
1 22 nonparent relative, the department may allow for a good cause
1 23 exemption to the eligibility limitations of this section.

1 24 Sec. 2. Section [239.10](#), Code 1997, is amended to read as
1 25 follows:

1 26 239.10 IMMUNIZATION.

1 27 1. a.

~~To the extent feasible, the~~

~~The department shall~~

1 28

~~determine the immunization status of~~

~~require immunizations of~~

1 29 children who are preschool age and are a member of a family

1 30 applying for or receiving assistance under this chapter.

~~The~~

1 31

~~status shall be determined~~

~~The department shall adopt rules~~

1 32 setting forth the immunization requirements which shall be in

1 33 accordance with the immunization recommendations adopted by

1 34 the Iowa department of public health under section 139.9,

1 35 including the exemption provisions in section 139.9,

2 1 subsection 4.

~~If the department determines a child is not in~~

2 2

~~compliance with the immunization recommendations, the~~

2 3

~~department shall refer the child's parent or guardian to a~~

2 4

~~local public health agency for immunization services for the~~

2 5

~~child and other members of the child's family.~~

~~The rules~~

2 6 shall specify the types of immunizations required, the age
2 7 groupings to which the requirements apply, and other
2 8 provisions. The rules shall also include exemptions for good
2 9 cause or for factors beyond the control of the child's parent,
2 10 guardian, or custodian. The exemptions shall be in addition
2 11 to those established by the Iowa department of public health.

2 12 b. Unless exempt by rule, an applicant or recipient family
2 13 which is not in compliance with an immunization requirement
2 14 shall be subject to sanction. The sanction shall be a
2 15 deduction from cash benefit assistance payable to the child's
2 16 family in an amount equivalent to twenty-five percent of the
2 17 applicable family investment program payment standard. The
2 18 sanction shall apply until the family complies with the
2 19 immunization requirement.

2 20 2. The department of human services shall cooperate with
2 21 the Iowa department of public health to establish an
2 22 interagency agreement allowing the sharing of pertinent client
2 23 data, as permitted under federal law and regulation, for the
2 24 purposes of determining immunization rates of

~~recipients of~~

2 25 persons applying for or receiving assistance, evaluating
2 26 family investment program efforts to

~~encourage~~

~~require~~

2 27 immunizations, and developing strategies to further encourage
2 28 immunization of

~~recipients of~~

~~persons applying for or~~

2 29 receiving assistance.

2 30 Sec. 3. EFFECTIVE DATE. Section 2 of this Act, amending
2 31 Code section 239.10, takes effect July 1, 1998.

2 32 EXPLANATION

2 33 This bill relates to applicant and recipient requirements
2 34 under the family investment program.

2 35 New Code section 239.5A is created to apply a limitation on
3 1 the amount of assistance provided to recipient families under
3 2 the family investment program. If a family is a recipient as
3 3 of March 1, 1998, the family's level of assistance will always
3 4 be based upon the number of children who are family members as
3 5 of March 1, 1998, and any children who become family members
3 6 during the period beginning March 1, 1998, and ending December
3 7 31, 1998. For a family who is not a recipient as of March 1,
3 8 1998, the family's level of assistance will always be based
3 9 upon the number of children who are family members as of the
3 10 date the family's eligibility for assistance is first approved
3 11 and any children who become family members within the 10
3 12 months following the approval date. The department may
3 13 provide for a good cause exemption if necessary for a child to
3 14 live with a nonparent relative.

3 15 Code section 239.10, relating to immunization of children
3 16 applying for or receiving assistance under the family
3 17 investment program, is amended to require immunization as a

3 18 condition of the family receiving assistance. The department
3 19 of human services is directed to provide in rule exemptions to
3 20 the requirement for good cause and for factors beyond the
3 21 parent's control. The department is to sanction families who
3 22 do not comply with the immunization requirements. The
3 23 sanction is a deduction from cash benefits payable to the
3 24 family until the family complies. Current law is stricken
3 25 which directs the department to make a referral of a recipient
3 26 family who does not comply with the immunization provisions to
3 27 a local public health agency. This section takes effect July
3 28 1, 1998.
3 29 LSB 2344HC 77
3 30 jp/jj/8