

House Study Bill 694

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN RIGHTS/COMMUNITY
ACTION AGENCIES DIVISION
BILL)

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

A BILL FOR

1 An Act relating to services associated with the family investment
2 program by moving the family development and self-sufficiency
3 council and grant program to the department of human rights
4 and revising confidentiality provisions involving the
5 programs.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 5486DP 82
8 jp/nh/8

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1 1 Section 1. NEW SECTION. 216A.107 FAMILY DEVELOPMENT AND
1 2 SELF=SUFFICIENCY == COUNCIL AND GRANT PROGRAM.
1 3 1. A family development and self-sufficiency council is
1 4 established within the department of human rights. The
1 5 council shall consist of the following persons:
1 6 a. The director of the department of human services or the
1 7 director's designee.
1 8 b. The director of the department of public health or the
1 9 director's designee.
1 10 c. The administrator of the division of community action
1 11 agencies of the department of human rights or the
1 12 administrator's designee.
1 13 d. The director of the school of social work at the
1 14 university of Iowa or the director's designee.
1 15 e. The dean of the college of human sciences at Iowa state
1 16 university or the dean's designee.
1 17 f. Two recipients or former recipients of the family
1 18 investment program, selected by the other members of the
1 19 council.
1 20 g. The head of the department of design, textiles,
1 21 gerontology, and family studies at the university of northern
1 22 Iowa or that person's designee.
1 23 h. The director of the department of education or the
1 24 director's designee.
1 25 i. The director of the department of workforce development
1 26 or the director's designee.
1 27 j. Two persons representing the business community,
1 28 selected by the other members of the council.
1 29 k. Two members from each chamber of the general assembly
1 30 serving as ex officio, nonvoting members. The two members of
1 31 the senate shall be appointed one each by the majority leader
1 32 and the minority leader of the senate. The two members of the
1 33 house of representatives shall be appointed one each by the
1 34 speaker and the minority leader of the house of
1 35 representatives.
2 1 2. Unless otherwise provided by law, terms of members,
2 2 election of officers, and other procedural matters shall be as
2 3 determined by the council.
2 4 3. The family development and self-sufficiency council
2 5 shall do all of the following:
2 6 a. Identify the factors and conditions that place Iowa
2 7 families at risk of dependency upon the family investment
2 8 program. The council shall seek to use relevant research
2 9 findings and national and Iowa-specific data on the family
2 10 investment program.
2 11 b. Identify the factors and conditions that place Iowa
2 12 families at risk of family instability. The council shall
2 13 seek to use relevant research findings and national and
2 14 Iowa-specific data on family stability issues.

2 15 c. Subject to the availability of funds for this purpose,
2 16 award grants to public or private organizations for provision
2 17 of family development services to families at risk of
2 18 dependency on the family investment program or of family
2 19 instability. Not more than five percent of any funds
2 20 appropriated by the general assembly for the purposes of this
2 21 lettered paragraph may be used for staffing and administration
2 22 of the grants. Grant proposals for the family development and
2 23 self-sufficiency grant program shall include the following
2 24 elements:

2 25 (1) Designation of families to be served that meet one or
2 26 more criteria for being at risk of dependency on the family
2 27 investment program or of family instability, and agreement to
2 28 serve clients that are referred by the department of human
2 29 services from the family investment program which meet the
2 30 criteria. The criteria may include but are not limited to
2 31 factors such as educational level, work history, family
2 32 structure, age of the youngest child in the family, previous
2 33 length of stay on the family investment program, and
2 34 participation in the family investment program or the foster
2 35 care program while the head of a household was a child. Grant
3 1 proposals shall also establish the number of families to be
3 2 served under the grant.

3 3 (2) Designation of the services to be provided for the
3 4 families served, including assistance regarding job-seeking
3 5 skills, family budgeting, nutrition, self-esteem,
3 6 methamphetamine education, health and hygiene, child rearing,
3 7 child education preparation, and goal setting. Grant
3 8 proposals shall indicate the support groups and support
3 9 systems to be developed for the families served during the
3 10 transition between the need for assistance and
3 11 self-sufficiency.

3 12 (3) Designation of the manner in which other needs of the
3 13 families will be provided for, including but not limited to
3 14 child care assistance, transportation, substance abuse
3 15 treatment, support group counseling, food, clothing, and
3 16 housing.

3 17 (4) Designation of the process for training of the staff
3 18 which provides services, and the appropriateness of the
3 19 training for the purposes of meeting family development and
3 20 self-sufficiency goals of the families being served.

3 21 (5) Designation of the support available within the
3 22 community for the program and for meeting subsequent needs of
3 23 the clients, and the manner in which community resources will
3 24 be made available to the families being served.

3 25 (6) Designation of the manner in which the program will be
3 26 subject to audit and to evaluation.

3 27 (7) Designation of agreement provisions for tracking and
3 28 reporting performance measures developed pursuant to paragraph
3 29 "d".

3 30 d. Develop appropriate performance measures for the grant
3 31 program to demonstrate how the program helps families achieve
3 32 self-sufficiency.

3 33 e. Seek to enlist research support from the Iowa research
3 34 community in meeting the duties outlined in paragraphs "a"
3 35 through "d".

4 1 f. Seek additional support for the funding of grants under
4 2 the program, including but not limited to funds available
4 3 through the federal government in serving families at risk of
4 4 long-term welfare dependency, and private foundation grants.

4 5 g. Make recommendations to the governor and the general
4 6 assembly on the effectiveness of programs in Iowa and
4 7 throughout the country that provide family development
4 8 services that lead to self-sufficiency for families at risk of
4 9 welfare dependency.

4 10 4. a. The division shall administer the family
4 11 development and self-sufficiency grant program. The
4 12 department of human services shall disclose to the division
4 13 confidential information pertaining to individuals receiving
4 14 services under the grant program, as authorized under section
4 15 217.30. The division and the department of human services
4 16 shall share information and data necessary for tracking
4 17 performance measures of the family development and
4 18 self-sufficiency grant program, for referring families
4 19 participating in the promoting independence and
4 20 self-sufficiency through employment job opportunities and
4 21 basic skills (PROMISE JOBS) program under section 239B.17 and
4 22 related activities and programs to the grant program, and for
4 23 meeting federal reporting requirements. The shared
4 24 information shall include but is not limited to all of the
4 25 following:

4 26 (1) Family enrollments and exits to and from each of the
4 27 programs.
4 28 (2) Monthly reports of individual participant activity in
4 29 PROMISE JOBS components that are countable work activities
4 30 according to federal guidelines applicable to those
4 31 components.

4 32 (3) Aggregate grant program participant activity in all
4 33 PROMISE JOBS program components.

4 34 (4) Work participation rates for grant program
4 35 participants who were active family investment program
5 1 participants.

5 2 (5) The average hourly wage of grant program participants
5 3 who left the family investment program.

5 4 (6) The percentage of grant program participants who
5 5 exited from the grant program at or after the time family
5 6 investment program participation ended and did not reenroll in
5 7 the family investment program for at least one year.

5 8 b. The division shall develop a memorandum of agreement
5 9 with the department of human services to coordinate referrals
5 10 and delivery of services to participants in the family
5 11 investment program under chapter 239B and the grant program
5 12 and other shared clients and shall provide the department of
5 13 human services with information necessary for compliance with
5 14 federal temporary assistance for needy families block grant
5 15 state plan and reporting requirements, including but not
5 16 limited to financial and data reports.

5 17 c. To the extent that the family development and
5 18 self-sufficiency grant program is funded by the federal
5 19 temporary assistance for needy families block grant and by the
5 20 state maintenance of efforts funds appropriated in connection
5 21 with the block grant, the division shall comply with all
5 22 federal requirements for the block grant. The division is
5 23 responsible for payment of any federal penalty imposed that is
5 24 attributable to the grant program and shall receive any
5 25 federal bonus payment attributable to the grant program.

5 26 d. The division shall ensure that expenditures of moneys
5 27 appropriated to the department of human services from the
5 28 general fund of the state for the family development and
5 29 self-sufficiency grant program are eligible to be considered
5 30 as state maintenance of effort expenditures under federal
5 31 temporary assistance for needy families block grant
5 32 requirements.

5 33 e. The commission shall consider the recommendations of
5 34 the council in adopting rules pertaining to the grant program.

5 35 f. The division shall submit to the governor and general
6 1 assembly on or before November 30 following the end of each
6 2 state fiscal year, a report detailing performance measure and
6 3 outcome data evaluating the family development and
6 4 self-sufficiency grant program for the fiscal year that just
6 5 ended.

6 6 Sec. 2. Section 217.30, subsection 4, paragraph d, Code
6 7 2007, is amended to read as follows:

6 8 d. ~~The If approved by the director of human services or~~
6 9 ~~the director's designee pursuant to a written request, the~~

6 10 department ~~may shall~~ disclose information described in
6 11 subsection 1 to other state agencies or to any other person
6 12 who is not subject to the provisions of chapter 17A and is
6 13 providing services to recipients under chapter 239B who are
6 14 participating in the promoting independence and
6 15 self-sufficiency through employment job opportunities and
6 16 basic skills program, if necessary for the recipients to
6 17 receive the services.

6 18 Sec. 3. Section 232.69, subsection 1, paragraph b,
6 19 subparagraph (5), Code Supplement 2007, is amended to read as
6 20 follows:

6 21 (5) An employee or operator of a licensed child care
6 22 center, registered child development home, head start program,
6 23 family development and self-sufficiency grant program under
6 24 section ~~217.12~~ 216A.107, or healthy opportunities for parents
6 25 to experience success=healthy families Iowa program under
6 26 section 135.106.

6 27 Sec. 4. Section 239B.8, subsection 2, paragraph e, Code
6 28 Supplement 2007, is amended to read as follows:

6 29 e. FAMILY DEVELOPMENT. Participation in a family
6 30 development and self-sufficiency grant program under section
6 31 ~~217.12~~ 216A.107 or other family development program.

6 32 Sec. 5. Section 239B.8, subsection 6, Code Supplement
6 33 2007, is amended to read as follows:

6 34 6. CONFIDENTIAL INFORMATION DISCLOSURE. ~~The If approved~~
6 35 ~~by the director of human services or the director's designee~~
7 1 ~~pursuant to a written request, the department may shall~~

7 2 disclose confidential information described in section 217.30,
7 3 subsection 1, to other state agencies or to any other entity
7 4 which is not subject to the provisions of chapter 17A and is
7 5 providing services to a participant family who is subject to a
7 6 family investment agreement, if necessary in order for the
7 7 participant family to receive the services. The department
7 8 shall adopt rules establishing standards for disclosure of
7 9 confidential information if disclosure is necessary in order
7 10 for a participant to receive services.

7 11 Sec. 6. Section 217.11, Code 2007, and section 217.12,
7 12 Code Supplement 2007, are repealed.

7 13 Sec. 7. CONTINUATION OF COUNCIL AND GRANT PROGRAM.

7 14 1. The membership of the family development and
7 15 self=sufficiency council established pursuant to section
7 16 217.11, Code 2007, as of June 30, 2008, shall continue on and
7 17 after that date until revised by the council in accordance
7 18 with section 216A.107, as enacted by this Act.

7 19 2. The family development and self=sufficiency grants
7 20 issued pursuant to sections 217.11 and 217.12 and 441 IAC ch.
7 21 165, in effect as of June 30, 2008, shall continue as provided
7 22 by the terms of the grants.

7 23 3. The division of community action agencies shall
7 24 administer the family development and self=sufficiency grant
7 25 program in accordance with the administrative rules pertaining
7 26 to the grant program in 441 IAC ch. 165, in place of the
7 27 department of human services until replacement administrative
7 28 rules are adopted. The commission on community action
7 29 agencies may adopt emergency rules under section 17A.4,
7 30 subsection 2, and section 17A.5, subsection 2, paragraph "b",
7 31 to implement the provisions of this Act and the rules shall be
7 32 effective immediately upon filing unless a later date is
7 33 specified in the rules. Any rules adopted in accordance with
7 34 this subsection shall also be published as a notice of
7 35 intended action as provided in section 17A.4.

8 1 EXPLANATION

8 2 This bill relates to services associated with the family
8 3 investment program (FIP) by moving the responsibility for and
8 4 Code provisions relating to the family development and
8 5 self=sufficiency (FADSS) council and grant program from the
8 6 department of human services (DHS) to the community action
8 7 agencies division of the department of human rights and
8 8 revising confidentiality requirements involving FADSS and FIP.

8 9 The council is established in current law in Code section
8 10 217.11. The bill moves the council to new Code section
8 11 216A.107. The membership is the same as in current law with
8 12 the following exceptions: the membership slot for the DHS
8 13 child and family services division administrator is replaced
8 14 with a slot for the director of the school of social work at
8 15 the university of Iowa, the slot for the public policy center
8 16 at the university of Iowa is eliminated, the names of a
8 17 college within Iowa state university and a department within
8 18 the university of northern Iowa are corrected, and two slots
8 19 each are added for members of the senate and the house of
8 20 representatives. The council is authorized to determine
8 21 procedural matters.

8 22 Currently, the duties of the council are in Code section
8 23 217.12. These duties are also moved by the bill to Code
8 24 section 216A.107. The duties are the same with the following
8 25 changes: the council is no longer required to identify
8 26 factors and conditions regarding families at risk for foster
8 27 care placement and is required to focus on FIP dependency and
8 28 family instability in place of long=term welfare dependency.
8 29 The responsibility to evaluate various programs and services
8 30 associated with the family investment program is eliminated.
8 31 The grant proposals are no longer required to designate staff
8 32 recruitment.

8 33 The division is directed to administer the grant program.
8 34 The division and DHS are authorized to disclose information
8 35 and share data in accordance with Code section 217.30, which
9 1 outlines how DHS handles confidential information concerning
9 2 DHS clients. The division and DHS are required to develop a
9 3 memorandum of understanding to coordinate referrals and share
9 4 information concerning shared clients. The division is
9 5 required to comply with federal block grant requirements
9 6 concerning the federal and state funding for the grant program
9 7 and the division is responsible for any federal penalty
9 8 imposed and will receive any bonus attributable to the grant
9 9 program. The division is required to ensure that state funds
9 10 for the grant program are expended in a manner to qualify as
9 11 state maintenance of effort funding for the federal block
9 12 grant. The commission on community action agencies is

9 13 required to consider the recommendations of the council in
9 14 adopting rules for the grant program. An annual report to the
9 15 governor and general assembly is required concerning the grant
9 16 program outcomes.

9 17 The bill includes a section providing for continuation of
9 18 the council membership as it existed on June 30, 2008, of the
9 19 grants in effect as of June 30, 2008, and of the
9 20 administrative rules adopted by the department of human
9 21 services until replacement rules are adopted. The commission
9 22 on community action agencies is authorized to adopt rules
9 23 using emergency procedures.

9 24 Code sections 217.11 and 217.12, housing the family
9 25 development and self-sufficiency grant program under the
9 26 purview of DHS, are repealed. Code references to the grant
9 27 program and its employees are amended to reflect the repeal
9 28 and change of responsibility to the division in Code section
9 29 232.69, relating to mandatory child abuse reporting, and Code
9 30 section 239B.8, relating to activities authorized under a
9 31 family investment agreement.

9 32 Code section 217.30, relating to confidentiality of records
9 33 on individuals receiving services from the department of human
9 34 services, is amended pertaining to disclosure to other state
9 35 agencies and nongovernmental agencies of information regarding
10 1 FIP recipients who are participating in the promoting
10 2 independence and self-sufficiency through employment job
10 3 opportunities and basic skills (PROMISE JOBS) program.
10 4 Current law authorizes the disclosure and, together with
10 5 related authority in Code section 239B.8, provides for
10 6 adoption of rules for such disclosure. The bill amends both
10 7 sections to require the disclosure, provided it is requested
10 8 in writing and is approved by the director of human services
10 9 or the director's designee.

10 10 LSB 5486DP 82
10 11 jp/nh/8.1