

Senate File 2366 - Reprinted

SENATE FILE 2366
BY COMMITTEE ON LABOR AND
BUSINESS RELATIONS

(SUCCESSOR TO SSB 3158)

(As Amended and Passed by the Senate March 3, 2020)

A BILL FOR

1 An Act relating to eligibility, work, and employment and
2 training requirements for public assistance programs,
3 including eligibility for child care assistance and
4 community engagement activity requirements under the Iowa
5 health and wellness plan, and including effective date and
6 implementation provisions.

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

1 Section 1. NEW SECTION. 234.12C Work requirement waivers.

2 Unless expressly required by federal law, the department
3 of human services shall not seek, apply for, accept, or renew
4 any waiver of work requirements for supplemental nutrition
5 assistance program benefits as established under 7 U.S.C.
6 §2015(o).

7 Sec. 2. NEW SECTION. 234.12D Employment and training
8 assignment in food assistance.

9 The department of human services shall assign individuals
10 receiving food assistance program benefits subject to
11 requirements established under 7 U.S.C. §2015(d)(1) who are not
12 otherwise exempt under 7 U.S.C. §2015(o), to an employment and
13 training program as defined in 7 U.S.C. §2015(d)(4) when and
14 where services and funding are available.

15 Sec. 3. NEW SECTION. 237A.14 Child care assistance —
16 graduated eligibility phase-out.

17 1. At the time of a twelve-month eligibility
18 redetermination for a family receiving state child care
19 assistance, the family shall remain eligible to receive
20 child care assistance, subject to the graduated eligibility
21 phase-out program as specified in subsection 2, if either of
22 the following conditions are met:

23 a. The family's nonexempt gross monthly income is determined
24 to be at least one hundred eighty-five percent but less than
25 two hundred twenty-five percent of the federal poverty level
26 applicable to the family size for children needing basic care.

27 b. The family's nonexempt gross monthly income is determined
28 to be at least two hundred percent but less than two hundred
29 fifty percent of the federal poverty level applicable to the
30 family size for children needing special needs care.

31 2. a. A family with an income at two hundred twenty-five
32 percent of the federal poverty level applicable to the
33 family size for children needing basic care or at two hundred
34 fifty percent of the federal poverty level applicable to the
35 family size for children needing special needs care shall

1 be responsible for payment of fifty percent of the cost of
2 all children in the family participating in the child care
3 assistance program.

4 *b.* A family with an income of at least one hundred
5 eighty-five percent but less than two hundred twenty-five
6 percent of the federal poverty level applicable to the family
7 size for children needing basic care or at least two hundred
8 percent but less than two hundred fifty percent of the federal
9 poverty level applicable to the family size for children
10 needing special needs care shall contribute to the costs of
11 child care in accordance with a sliding fee schedule to be
12 established by the department.

13 3. Child care provider reimbursement rates under the
14 graduated eligibility phase-out program shall be the same rates
15 as the child care provider reimbursement rates in effect on
16 July 1, 2020.

17 4. The department of human services shall adopt rules
18 pursuant to chapter 17A in accordance with this section.

19 Sec. 4. NEW SECTION. **249N.9 Member community engagement**
20 **requirements.**

21 1. Unless exempt pursuant to subsection 2, an individual
22 shall not participate in the Iowa health and wellness plan
23 unless the individual meets one or a combination of the
24 following community engagement requirements, as determined by
25 the department:

26 *a.* Is employed or self-employed and receiving gross weekly
27 earnings at least equal to the state minimum wage multiplied by
28 twenty hours.

29 *b.* Is participating in and complying with the requirements
30 of a work program.

31 *c.* Is volunteering twenty hours or more per week.

32 *d.* Is participating in and complying with the promoting
33 independence and self-sufficiency through employment job
34 opportunities and basic skills (PROMISE JOBS) program under
35 section 239B.17.

1 e. Is participating in a program established under the
2 future ready Iowa Act, 2018 Iowa Acts, chapter 1067.

3 f. Is participating in other activities identified by the
4 department.

5 2. Subsection 1 shall not apply to an individual who meets
6 any of the following conditions:

7 a. Is confirmed by the department to be medically exempt.

8 b. Is pregnant.

9 c. Is a parent or caretaker responsible for the care of a
10 dependent child under six years of age.

11 d. Is a parent or caretaker personally providing the care
12 for a dependent child who has been determined by the federal
13 social security administration to be disabled based on federal
14 supplemental security income criteria.

15 e. Is receiving unemployment compensation and complying
16 with work requirements that are part of the federal-state
17 unemployment compensation system.

18 f. Is participating in a drug addiction or alcoholic
19 treatment and rehabilitation program.

20 g. Is enrolled full-time in an educational institution.

21 h. Is the parent of a child to whom the parent provides
22 private instruction pursuant to chapter 299A.

23 i. Is an individual who is a caregiver for an elderly
24 person or an adult who has been determined by the federal
25 social security administration to be disabled based on federal
26 supplemental security income criteria.

27 3. If an individual does not comply with the community
28 engagement requirements during the initial six months of the
29 individual's eligibility period, the department shall provide
30 thirty days' notice to the individual prior to terminating the
31 individual's eligibility for the remainder of the individual's
32 eligibility period. However, following such termination of
33 eligibility, if the individual subsequently complies with the
34 community engagement requirements, the individual may reenroll
35 during the remainder of the individual's prior eligibility

1 period.

2 Sec. 5. ADMINISTRATION PROVISIONS.

3 The department of human services shall do all of the
4 following:

5 1. Submit any state plan amendment or waiver needed to
6 implement the provisions of this Act no later than January 1,
7 2021.

8 2. Adopt rules pursuant to chapter 17A as necessary to
9 administer this Act.

10 3. As determined appropriate by the department of human
11 services, consult and cooperate with the department of
12 workforce development in implementing and administering the
13 provisions of this Act.

14 Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate
15 importance, takes effect upon enactment.

16 Sec. 7. IMPLEMENTATION. Implementation of the provisions
17 of this Act shall be in accordance with the following:

18 1. If a provision does not require federal approval, the
19 provision shall be implemented beginning January 1, 2021.

20 2. If a provision requires federal approval, the provision
21 shall only be implemented upon receipt by the department of
22 human services of such federal approval.