SENATE FILE 2366
BY COMMITTEE ON LABOR AND
BUSINESS RELATIONS

(SUCCESSOR TO SSB 3158)

(As Amended and Passed by the Senate March 3, 2020)
_____ and [= New Language by the Senate

A BILL FOR

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. Is volunteering twenty hours or more per week.

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

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

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

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

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

b. Is pregnant.

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

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

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

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

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

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

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

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

period.

Sec. 5. ADMINISTRATION PROVISIONS.

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

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

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

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

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

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

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

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