

## CHAPTER 164

## AID FOR DEPENDENT CHILDREN

## H. F. 222

AN ACT relating to the designation of a person who may apply for and receive aid for dependent children.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section two hundred thirty-nine point three (239.3), Code  
2 1966, as amended by section two hundred eighty-seven (287), chapter two  
3 hundred nine (209), Acts of the Sixty-second General Assembly, is hereby  
4 further amended by inserting in line nine (9) after the word "person" the  
5 words "or a person eighteen years of age or older".

1 SEC. 2. Section two hundred thirty-nine point five (239.5), Code 1966,  
2 as amended by section two hundred eighty-eight (288), chapter two hundred  
3 nine (209), Acts of the Sixty-second General Assembly, is hereby further  
4 amended by inserting in line forty-six (46) after the word "person" the  
5 words "or a person eighteen years of age or older".

1 SEC. 3. Section two hundred thirty-nine point five (239.5), Code 1966,  
2 as amended by section two hundred eighty-eight (288), chapter two hun-  
3 dred nine (209), Acts of the Sixty-second General Assembly, is hereby fur-  
4 ther amended by substituting a comma for the period at the end of line  
5 fifty (50) and adding the following:

6 "except that the county board may order the assistance payments made  
7 to another individual who is interested in or concerned with the welfare  
8 of the child or the person with whom the child is living when it has been  
9 demonstrated that the person with whom the child is living is unable to  
10 manage the assistance payments in the best interest of the child. Such pro-  
11 tective payments shall not be made beyond one year and shall otherwise  
12 conform to the regulations established under the provisions of Title IV of  
13 the Social Security Act as amended by Public Law 90-248."

Approved June 16, 1969.

## CHAPTER 165

## WORK AND TRAINING PROGRAMS

## H. F. 68

AN ACT relating to allowance of assistance for families of dependent children, disabled persons, and elderly persons; incentives for such persons to become self-supporting; and a work and training program for such persons.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section two hundred thirty-nine point five (239.5), Code  
2 1966, as amended by chapter two hundred nine (209), section two hundred  
3 eighty-eight (288), Acts of the Sixty-second General Assembly, is amended  
4 by striking lines twenty-eight (28) through forty-three (43) and all of line  
5 forty-four (44) through the period, and inserting in lieu thereof the follow-  
6 ing:

7 "The county board, in accordance with rules and standards established  
8 by the state department of social services, shall fix the amount of assistance  
9 necessary for any dependent child. In determining the amount of assist-  
10 ance, the county board shall take into consideration the income and re-  
11 sources of any child or relative claiming assistance under this chapter.  
12 However, in fixing the amount of assistance for any child or family, the  
13 county board, in accordance with rules established by the state department  
14 of social services, may disregard a reasonable amount of the income of the  
15 child or the family, in order to encourage the family or any of its members  
16 to become self-supporting. The term 'income' as used herein means income  
17 remaining after deduction of expenses reasonably attributable to the earn-  
18 ing or securing of that income.

19 The county board, under the supervision of the state department of  
20 social services, shall establish services to help families and persons receiv-  
21 ing assistance under this chapter to become self-supporting; shall partici-  
22 pate in the work and training program established by this Act; and shall  
23 cooperate with other public agencies and with private agencies to secure  
24 employment, education, and vocational training for members of such fam-  
25 ilies."

1 SEC. 2. Section two hundred forty-one A point three (241A.3), Code  
2 1966, as amended by chapter two hundred nine (209), section three hun-  
3 dred sixteen (316), Acts of the Sixty-second General Assembly, is amended  
4 by adding the following:

5 "In fixing the amount of assistance, the county board, in accordance  
6 with rules established by the state department of social services, may dis-  
7 regard a reasonable amount of a person's earnings in order to encourage  
8 the person to become self-supporting.

9 The county board, under the supervision of the state department of so-  
10 cial services, shall establish services to help persons receiving assistance  
11 under this chapter to become self-supporting; shall participate in the work  
12 and training program established by this Act; and shall cooperate with other  
13 public agencies and with private agencies to secure employment, education,  
14 and vocational training for such persons and their families."

1 SEC. 3. Section two hundred forty-nine point six (249.6), subsection  
2 eight (8), Code 1966, as amended by chapter two hundred nine (209), sec-  
3 tion three hundred ninety (390), subsection two (2), Acts of the Sixty-second  
4 General Assembly, is repealed and the following enacted in lieu thereof:

5 "Has not sufficient income or other resources to provide a reasonable sub-  
6 sistence, because of age, infirmity or inability to procure suitable employ-  
7 ment."

1 SEC. 4. Section two hundred forty-nine point seven (249.7), Code 1966,  
2 as amended by chapter two hundred twenty-two (222), section one (1), and  
3 chapter two hundred nine (209), section three hundred ninety-one (391),  
4 Acts of the Sixty-second General Assembly, is repealed and the following  
5 enacted in lieu thereof:

6 "The amount of assistance which any person shall receive under this  
7 chapter shall be determined with due regard to the resources and necessary  
8 expenditures of the individual and the conditions in such cases, and in ac-  
9 cordance with rules established by the state department of social services;  
10 and shall be sufficient, when added to all other income and support of the  
11 recipient, to provide such person with a reasonable subsistence. In fixing the

12 amount of assistance, a reasonable amount of the earnings of the person  
13 may be disregarded in order to encourage the person to contribute to his  
14 own support.

15 The county board, under the supervision of the state department of  
16 social services, shall establish services to help persons receiving assistance  
17 under this chapter to contribute to their own support; shall participate  
18 in the work and training program established by this Act; and shall cooper-  
19 ate with other public agencies and with private agencies to secure, where  
20 appropriate, employment, education, and vocational training for such persons  
21 and their families."

1 SEC. 5. Section two hundred forty-nine point nine (249.9), Code 1966,  
2 is amended by adding the following paragraph:

3 "Notwithstanding any provision of this section, no person shall be de-  
4 nied assistance because of the fact that the person has made prior arrange-  
5 ments for funeral expenses in an amount not exceeding seven hundred  
6 fifty dollars."

1 SEC. 6. For the purposes of sections six (6) through twenty-two (22)  
2 of this Act:

3 1. "Commissioner" means the commissioner of social services, or his des-  
4 ignee.

5 2. "Department" means the department of social services.

6 3. "Training" includes appropriate education.

7 4. "Public assistance" means aid or assistance under chapter two hun-  
8 dred thirty-nine (239), two hundred forty-one A (241A), or two hundred  
9 forty-nine (249) of the Code.

10 5. "Eligible person" includes each person who is receiving public assist-  
11 ance or who lives in the same household as a recipient of public assistance  
12 and whose needs are taken into account in determining the assistance pay-  
13 ment. However, the following are not "eligible persons" unless they volun-  
14 tarily request to be included:

15 a. A person who is under the age of sixteen years.

16 b. A person who has attained the age of sixty-five years.

17 c. A person whose health or disability does not permit any kind of work  
18 or training.

19 d. A person who is already engaged in an adequate full-time program of  
20 work, training, or school.

21 e. A person who is required to be present and is actually present in the  
22 home on a substantially continuous basis because of the illness or incapac-  
23 ity of another member of the household.

24 f. A person who is required to be present and is actually present in the  
25 home on a substantially continuous basis for the purpose of child care.

1 SEC. 7. It is the policy of this state that public assistance programs  
2 shall, to the maximum possible extent, be programs of rehabilitation rather  
3 than mere support. Persons and members of families receiving public as-  
4 sistance shall be helped to become self-supporting, and shall be required  
5 to engage in work and training to the extent provided in this Act. This Act  
6 shall be interpreted and administered to carry out this policy.

1 SEC. 8. The commissioner shall establish a work and training program  
2 for persons and members of families receiving public assistance. The em-  
3 ployment security commission, the Iowa state employment service, all  
4 county boards and departments of social welfare, and all state, county,

5 and public educational agencies and institutions providing vocational  
6 rehabilitation, adult education, or vocational or technical training shall as-  
7 sist and cooperate in the program. They shall make agreements and ar-  
8 rangements for maximum cooperation and use of all available resources  
9 in the program. By mutual agreement the commissioner may delegate  
10 any of his powers and duties under this Act to the employment security  
11 commission or the Iowa state employment service.

1 SEC. 9. The program shall provide for maximum cooperation with and  
2 participation in federal programs having similar purposes, but the state  
3 work and training program shall continue whether or not federal programs  
4 and federal funds are available.

1 SEC. 10. The program shall include, but not be limited to:

- 2 1. Placing eligible persons in employment and on-the-job training.
- 3 2. Institutional and work experience training for eligible persons for  
4 whom such training is likely to lead to regular employment.
- 5 3. Special work projects for eligible persons for whom a job in the regular  
6 economy cannot be found.
- 7 4. Incentives, opportunities, and services to aid eligible persons.

1 SEC. 11. Each eligible person shall be required to participate in the  
2 work and training program, to cooperate fully in the program, and to  
3 accept any reasonably suitable employment, training, or education offered  
4 to him in connection with the program, as a condition of receiving public  
5 assistance. If he fails or refuses to do so, he shall not receive public assist-  
6 ance. His disqualification shall not disqualify other members of his family  
7 who are entitled to public assistance, but their public assistance shall not  
8 be paid to the disqualified person and shall be paid in a manner which will  
9 not permit the disqualified person to have access to the assistance funds. A  
10 person shall not be disqualified for public assistance if it is impossible to  
11 arrange suitable work or training for him.

1 SEC. 12. Work or training may be furnished by public or private agen-  
2 cies, organizations, or companies, under rules adopted by the commissioner.

1 SEC. 13. The commissioner shall establish and maintain reasonable  
2 standards for health, safety, and other conditions under the work and  
3 training program.

1 SEC. 14. Each eligible person, with respect to work performed under  
2 this Act, shall be covered by the workmen's compensation law or shall  
3 otherwise be provided with comparable protection.

1 SEC. 15. If earnings are received by an eligible person for work under  
2 the program, all or part of the earnings may be applied to reduce the cost  
3 of public assistance to the person or his family, under rules adopted by the  
4 commissioner. However, the commissioner may permit the eligible person  
5 to retain a reasonable part of his earnings as an incentive payment, without  
6 reduction of public assistance.

1 SEC. 16. In determining needs for public assistance, expenses and  
2 needs reasonably related to work or training under the program shall be  
3 taken into account.

1 SEC. 17. When needed, arrangements shall be made for the care of  
2 children during the absence from the home of a person participating in work  
3 or training under the program.

1 SEC. 18. Eligible persons and their families shall be offered other  
2 social services which the commissioner deems advisable.

1 SEC. 19. For the purposes of the work and training program, the com-  
2 missioner may use or transfer to any other agency any of the funds appro-  
3 priated for public assistance and any other funds lawfully available. State  
4 and federal funds allocated to the program by the commissioner and the  
5 employment security commission shall be at least equal to five percent of  
6 the total state and federal funds available to the department for assistance  
7 under chapter two hundred thirty-nine (239) of the Code, unless the com-  
8 missioner determines that a lesser amount is sufficient to provide an ade-  
9 quate work and training program for all eligible persons.

1 SEC. 20. The commissioner shall adopt rules to implement this Act  
2 and achieve its purposes.

1 SEC. 21. No eligible person shall be deemed to be an employee of the  
2 state or any of its subdivisions by reason of his participation in the work  
3 and training program. However, this section shall not prevent him from  
4 having the status of an employee for the purposes of workmen's compensa-  
5 tion.

1 SEC. 22. If it is finally determined that any provision of this Act  
2 would cause the work and training program to be ineligible for federal fi-  
3 nancial assistance which the state would otherwise receive, such provision  
4 may be suspended or modified to the extent which is essential to obtain  
5 such assistance.

1 SEC. 23. Each county shall participate in federal commodity or food  
2 stamp program.

Approved June 21, 1969.

## CHAPTER 166

### WELFARE APPLICANTS AND RECIPIENTS

#### H. F. 238

AN ACT relating to the appeal procedure for welfare applicants and recipients.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section two hundred thirty-nine point seven (239.7), Code  
2 1966, as amended by chapter two hundred nine (209), section two hundred  
3 ninety (290), Acts of the Sixty-second General Assembly, is hereby repealed  
4 and the following enacted in lieu thereof:

5 "If an application is not acted upon within a reasonable time, if it is  
6 denied in whole or in part, or if any award of assistance is modified, sus-  
7 pended, or canceled under any provision of this chapter, the applicant or  
8 recipient may appeal to the department of social services. The department  
9 shall give the appellant reasonable notice and opportunity for a fair hear-