

HCS HB 343 -- PUBLIC ASSISTANCE BENEFITS (Guernsey)

COMMITTEE OF ORIGIN: Committee on Children, Families, and Persons with Disabilities

This substitute changes the laws regarding public assistance benefits. In its main provisions, the substitute:

- (1) Requires the Division of Family Services within the Department of Social Services, when determining eligibility and the amount of public assistance benefits to be granted pursuant to federal aided programs, to take into account the income and resources of all relatives, members of the household, and any other individuals who are 21 years of age or older and living in the home;
- (2) Requires the Division of Family Services within the department, when determining eligibility and the amount of public assistance benefits to be granted pursuant to federal aided programs, to take into account the income and resources of all relatives, members of the household, and any other individuals who are 21 years of age or older and living in the home;
- (3) Requires retail establishments accepting electronic benefit cards for payment to verify that the photograph on the card matches the identity of the person presenting the card;
- (4) Requires the department to give case workers the ultimate discretion in determining if reasonable cause exists to believe an applicant or recipient engages in the illegal use of a controlled substance;
- (5) Subjects a department employee to termination of employment if he or she prohibits the drug testing of an applicant or recipient when the case worker has reasonable cause to believe that the applicant or recipient is engaging in the illegal use of a controlled substance;
- (6) Specifies that a recipient of Temporary Assistance for Need Families (TANF) benefits who is found to have made a cash withdrawal at any casino, gambling casino, or gaming establishment with an electronic benefit transfer transaction, after an administrative hearing conducted by the department, must be declared ineligible for benefits for three years from the date of the administrative hearing decision. Other members of the household who remain eligible must continue to receive TANF benefits as protective or vendor payments to a third-party payee. Any person who, in good faith, reports a suspected violation cannot be held civilly or criminally liable for reporting the suspected violation;

(7) Requires the department to implement and maintain policies and practices in accordance with specified federal regulations that prevent a TANF electronic benefit transaction in any liquor store, casino, gambling casino, gambling establishment, or any retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. A casino, gambling casino, or gaming establishment is not required to enforce or monitor these provisions;

(8) Requires the department to ensure that recipients of TANF have access to using or withdrawing TANF benefits with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and charges that apply to electronic benefit transactions involving TANF benefits and that the information is made publicly available;

(9) Specifies that on or before December 31, 2014, the department must submit a report to the Governor and the General Assembly detailing the policies and practices implemented in accordance with these provisions and specified federal requirements. The department must report Missouri's implementation of the policies and practices to the United States Secretary of Health and Human Services as required under federal rule within two years of the enactment of the federal law;

(10) Requires each recipient of TANF benefits 16 years of age or older to participate in work activities in accordance with federal regulation. The department must determine the standards and procedures for the referral of individuals for work activities;

(11) Requires all recipients of TANF benefits to provide proof that all dependent children who are eligible for enrollment in a public school are enrolled and attending school, whether public, private or home school, regularly;

(12) Requires the MO HealthNet division within the department to screen all recipients of MO HealthNet benefits to determine the recipient's eligibility to participate in the Health Insurance Premium Payment Program (HIPP) within the department. Eligible recipients must participate in the HIPP program if it is cost effective for the division;

(13) Requires the department to imprint on all electronic benefit cards distributed to food stamp recipients a photograph of the recipient. The cards must expire and be subject to renewal after three years;

(14) Requires the department to establish rules and regulations

that ensure compliance with federal law and take into account individuals and households with special needs as well as ensuring that all appropriate household members or authorized representatives are able to access benefits as necessary;

(15) Specifies that any person who knowingly and intentionally commits fraud in obtaining public assistance benefits must lose eligibility for the benefits permanently;

(16) Specifies the requirements a public assistance benefits fraud investigation must meet to be sufficient;

(17) Authorizes the department to terminate the employment of any fraud investigator who fails to comply with the requirements of a public assistance benefits fraud investigation;

(18) Requires the department to establish and implement a welfare-to-work program that requires all recipients of TANF benefits to make at least 20 job contacts per week. Recipients must be allowed to work as unpaid interns for a governmental entity, and those working as interns are only required to make 10 job contacts per week. After the first month of making job contacts, any recipient of TANF benefits that has not obtained employment that provides on average twenty hours per week of employment must be required to work as an unpaid intern for a governmental entity and must only be required to make at least ten job contacts per week. Any county, city or other political subdivision must be allowed to submit available intern positions to the department for the placement of TANF recipients. These provisions do not apply to any recipient under the age of nineteen who is enrolled in high school full-time; and

(19) Requires all recipients of TANF, food stamps, child care assistance, supplemental nutrition assistance, or any other similar governmental assistance program who are at least 18 years of age to possess a high school diploma or a general education development degree (GED). Any recipient who does not possess a high school diploma or GED as required has two years from the date of the application for assistance to obtain a high school diploma.