

SECOND REGULAR SESSION

SENATE BILL NO. 980

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CURLS.

Read 1st time February 26, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S4011.01I

AN ACT

To repeal section 208.070, RSMo 1994, relating to public assistance accountability, and to enact in lieu thereof two new sections relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 208.070, RSMo 1994, is repealed and two new sections enacted in lieu thereof, to be known as sections 208.070 and 1, to read as follows:

208.070. **1. The department shall permit any individual who wants to apply for assistance pursuant to the temporary assistance or any other public assistance program administered or supervised by the department to so apply. Each applicant shall be assessed for any public assistance program administered or supervised by the state. Such public assistance shall be furnished with reasonable promptness in accordance with statute and rules of the department. The department or division shall consider a request for assistance to be an application for any category of public assistance for which the applicant or applicant's dependents may be eligible.**

2. A request for assistance may be made at a county office of the division of family services in person, by telephone or by mail.

3. Whenever the [county office] division receives [an application for benefits] a request for assistance an investigation and record shall be promptly made of the circumstances of the applicant by the [county office] division in order to ascertain the facts supporting the application. Upon the completion of such investigation the director of the division of family services, or someone designated by [him] the director, shall decide whether the applicant is eligible for benefits and if entitled to benefits determine the amount thereof and the date on which

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

such benefits shall begin. The [director of county welfare] **division** shall notify the applicant of the decision.

4. During the investigation of any application or recertification of assistance, the division shall:

(1) At the time of each application, provide each applicant household with a clear written statement explaining what acts the member of the household shall perform to cooperate in verifying and otherwise completing the application process;

(2) Assist each applicant household in obtaining appropriate verification and completing the application process;

(3) Not require any household to submit additional proof of a matter on which the division already has current verification, unless the division has reason to believe that such information is inaccurate, incomplete, or insufficient; and

(4) Not deny any application for assistance solely because of the failure of a person outside the household to cooperate in providing information.

5. The division shall complete the investigation within the time allowed by federal law or state statute. If no time limit is otherwise specified by federal law or state statute, benefits shall be provided not later than forty-five days following the filing of an application. Benefits shall be paid retroactively to the date of application.

6. The division shall explain to the applicant the nature of all categories of public assistance, benefits and services for which the applicant household may be eligible and may be given, and the consequences of accepting temporary assistance to needy families benefits, including, but not limited to, lifetime limits and work requirements. The applicant may refuse all or any part of the public assistance, benefits, or services offered; provided, however, that any state work-first program recipient may not refuse any public assistance, benefit or services offered which the department deems essential to the success of the recipient's overall self-sufficiency pact.

Section 1. 1. The department shall make an individualized assessment of the skills, prior work experience, and employability of each recipient of assistance under the program who:

(1) Has attained eighteen years of age; and

(2) Has not completed high school or obtained a certificate of high school equivalency, and is not attending secondary school.

2. No participant may be assigned to any education, training or employment component of the state's welfare-to-work programs prior to an individualized assessment. The assessment shall include the collection of information on the individual's background, proficiencies, skills deficiencies, education level, work history, employment goals, marketable skills, interests, aptitudes, and employment preference, as well as factors affecting employability or ability to meet participation requirements

(e.g., health, physical or mental limitations, child care, transportation, family circumstances, homelessness, domestic violence, medical needs, substance abuse, and special needs of any child of the individual.

3. As part of the assessment process, clients and department staff shall work together to identify any supportive service needs required to enable the client to participate and meet the objectives of his or her self-sufficiency pact. The initial assessment may be conducted through various methods such as interviews, testing, counseling, and self-assessment instruments. The assessment process shall include standard literacy testing and a determination for English language proficiency for those who display a potential need for literacy or language services. Recipients determined to be exempt from work requirements may volunteer to participate in work activities. Exempt recipients who volunteer for work activities must also be assessed pursuant to this section.

4. The assessment shall include a determination of whether the recipient meets the requirements for an exemption from participation in work activities and whether the recipient has any barriers to participation that would limit the recipient's ability to move from welfare to work. Before requiring participation in work activity, the department shall first determine whether applicants need to resolve barriers such as alcohol/substance abuse, domestic violence, homelessness, family problems, or illiteracy before the recipient is ready to move from welfare to work.

5. The assessment process shall include questions that screen for domestic violence issues. If the individual indicates that he or she is the victim of domestic violence and indicates a need to address domestic violence issues in order to reach self-sufficiency, any self-sufficiency plan for such individuals shall take this factor into account in determining appropriate services and activities, including referral to an available domestic violence program.

6. On the basis of the assessment made under this section, with respect to any nonexempt individual, the department may, in consultation with the individual, develop a self-sufficiency pact consistent with the requirements of section 208.325. Non-exempt individuals who face severe barriers to participation in work activities as identified by the above mentioned assessment process shall be placed in a separate program in which they shall receive services that are consistent with their capabilities and which are designed to remove those barriers to self-sufficiency. These individuals shall receive assistance from state maintenance of effort funds instead of federal temporary assistance to needy families funds.