

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

As Engrossed: H3/23/01

# A Bill

Act 1264 of 2001  
HOUSE BILL 2527

5 By: Representatives T. Steele, Biggs, Bradford, Creekmore, Goss, C. Johnson, Judy, White, Dees,  
6 Lendall, Altes, Bledsoe

7 By: Senators B. Walker, Critcher, Fitch, Gullett  
8  
9

## For An Act To Be Entitled

11 AN ACT TO AMEND VARIOUS SECTIONS OF THE  
12 TRANSITIONAL EMPLOYMENT ASSISTANCE PROGRAM; TO  
13 CLARIFY AND IMPROVE REPORTING OF PERFORMANCE  
14 STANDARDS; TO PROVIDE FOR PRE-TERMINATION REVIEW;  
15 TO CLARIFY AND IMPROVE MONITORING; AND FOR OTHER  
16 PURPOSES.

## Subtitle

19 AN ACT TO AMEND VARIOUS SECTIONS OF THE  
20 TRANSITIONAL EMPLOYMENT ASSISTANCE  
21 PROGRAM.  
22  
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
25

26 *SECTION 1. Arkansas Code 20-76-105(c) and (d), concerning the creation*  
27 *of the Arkansas Transitional Employment Board, are amended to read as*  
28 *follows:*

29 (c)(1)(A) The appointed members of the board shall serve four-year  
30 staggered terms.

31 (B) Initial appointed members of the board shall draw lots  
32 to determine the length of their terms.

33 (C) The Director of the Department of Human Services shall  
34 call the first meeting of the board within thirty (30) calendar days of their  
35 appointment, and the Governor, in consultation with the chairs of the House  
36 and Senate Committees on Public Health, Welfare, and Labor, shall select a

1 chairperson from among the appointed members.

2 (D) ~~Ten (10)~~ Five (5) members of the board shall  
3 constitute a quorum.

4 (E) ~~Only the nine (9) appointed members and the six (6)~~  
5 ~~agency directors will~~ shall serve as voting members.

6 (F) No member may authorize a designee to vote in his or  
7 her behalf.

8 (G) The board shall meet with the Governor every six (6)  
9 months or as frequently as it deems necessary upon request of the  
10 chairperson.

11 (H) A majority of the appointed members shall be citizens  
12 with no direct fiduciary interest in programs involved with the Transitional  
13 Employment Assistance Program.

14 (d) The board shall:

15 (1) Review, recommend, and approve transitional employment  
16 assistance regulations developed by the Department of Human Services;

17 (2) Oversee the operation of the program and progress toward the  
18 program outcomes, including the activities of the local transitional  
19 employment assistance coalitions and all state agencies involved in the  
20 program;

21 (3) Coordinate the activities of all state agencies involved in  
22 the program, including moderating disagreements among those state agencies  
23 about their respective responsibilities in the program and facilitating their  
24 active collaboration;

25 (4) Employ necessary staff to assist with the range and  
26 diversity of its charge;

27 (5) Review, recommend, and approve annually updates of the  
28 state's transitional employment assistance plan by December 1 of each year  
29 for the next year and report on the updated plan to the Governor and the  
30 House and Senate Committees on Public Health, Welfare, and Labor;

31 (6) Review, recommend, and approve charters, recharters, or  
32 dissolutions of local coalitions recommended by the department;

33 (7) Review, recommend, and approve department guidelines to  
34 local coalitions regarding annual plan development;

35 (8) Review, recommend, and approve guidelines for the funding of  
36 local coalitions;

1 (9) Review, recommend, and approve all requests for proposals  
2 using program moneys and state-controlled welfare-to-work moneys;

3 (10) Initiate activities to foster multi county collaboration,  
4 including establishing incentives for local coalitions with small caseloads  
5 to combine and become multi county coalitions;

6 (11) Respond to and report on citizens' concerns about the  
7 implementation and administration of the program;

8 (12) Review, recommend, and approve standards of eligibility for  
9 assistance developed by the department;

10 (13) Review the department's plan for bonus awards and employee  
11 incentives focused on achieving program outcomes;

12 (14) Submit biannual reports to the House and Senate Committees  
13 on Public Health, Welfare, and Labor and to the Governor;

14 (15) Require that, prior to approval, each local transitional  
15 employment assistance implementation plan describe a method by which the  
16 corresponding regional workforce investment board will support the local  
17 transitional employment assistance implementation plan;

18 (16) Contract for an independent evaluation of the program;

19 (17) Review, recommend, and approve a plan developed by the  
20 department for home visits to check on the safety and well-being of children  
21 in families that have lost transitional employment assistance cash assistance  
22 for any reason other than employment;

23 (18) Provide guidance and oversight to the Governor's  
24 Partnership Council on Children and Families, which is a collaborative  
25 partnership with the Department of Health, the Department of Education, and  
26 the Department of Human Services;

27 (19) Review, recommend, and approve a plan developed by the  
28 department to provide services and information to former program recipients  
29 to help them stay employed and achieve progressively higher wages and  
30 earnings; ~~and~~

31 (20) Review, recommend, and approve a plan developed by the  
32 department for pilot projects to provide employment training, job search  
33 services, and parenting education to noncustodial parents of children in  
34 transitional employment assistance families that cannot pay child support  
35 because of unemployment or low earnings-;

36 (21) The Arkansas Transitional Employment Board shall utilize

1 the expertise of the Arkansas Workforce Investment Board to jointly:

2 (A) Develop a plan for contracting with state agencies,  
3 two-year technical institutions, local governments, or private or community  
4 organizations to establish, using available Temporary Assistance for Needy  
5 Families funds, at least three (3) demonstration projects, to develop job  
6 training certificate programs.

7 (B) The job training certificate programs shall provide  
8 short-term training designed to prepare low-income parents and others for  
9 jobs that pay significantly more than minimum wage and that are available in  
10 the area.

11 (C) The projects shall be designed in consultation with  
12 local employers, Temporary Employment Assistance Coalitions and workforce  
13 boards to identify appropriate job opportunities and need skills and  
14 training.

15 (D) Contracts shall include performance-based payments  
16 keyed to enrollments, completion, job placement, and job retention.

17 (E) Temporary Assistance for Needy Families may be combined  
18 with other state and federal funds in ways consistent with federal laws and  
19 rules; and

20 (22)(A) Oversee the operation of Transitional Employment  
21 Assistance child care and transition child care with the goals of maintaining  
22 the current provision of child care to families receiving transitional  
23 employment assistance and families who have left transitional employment  
24 assistance, to maximize child care available to low-income families and to  
25 avoid overspending the biennial budget for child care.

26 (B) The board may authorize an increase in the spending  
27 cap on low-income child care if the board certifies to the Governor and the  
28 Chief Fiscal officer of the state that the additional expenditure of funds  
29 will not result in shortfalls in the Transitional Employment Assistance child  
30 care or transitional child care budgets under existing conditions.

31 (C) The board may authorize one (1) or more of the  
32 following actions if the board certifies to the Governor and the Chief Fiscal  
33 Officer of the State, and notifies the Legislative Council and the House and  
34 Senate Interim Committees on Public Health Welfare, and Labor that the action  
35 is necessary to avoid overspending the biennial budget for child care:

36 (i) An increase in the copayment schedule for

1 transitional child care;

2 (ii) An allocation of further Temporary Assistance  
3 to Needy Families funds;

4 (iii) A reduction of a total of twenty-four (24)  
5 months in the transitional child care assistance available to temporary  
6 employment assistance recipients who leave assistance after the reduction; or

7 (vi) A reduction in the spending cap for low income  
8 child care.

9 (23)(A) Oversee and coordinate the operation of the local  
10 transitional employment assistance coalitions with the goals of continuing  
11 their strong contributions to the success of transitional employment  
12 assistance recipients, former transitional employment assistance recipients  
13 and the transitional employment assistance program, including recruiting new  
14 members, arranging training so that coalition officers and members can  
15 understand the resources and services available to further their mission,  
16 fostering collaboration with workforce investment boards, and assisting  
17 transitional employment assistance coalitions to obtain available funding  
18 from state, local, private and non-profit sources to support their  
19 activities.

20 (B) The board shall distribute any state funds available  
21 to the transitional employment assistance coalitions on a competitive basis.

22  
23 SECTION 2. Arkansas Code 20-76-105(1), concerning outcomes for the TEA  
24 program, is amended to read as follows:

25 (1) The administration of the program shall focus on promoting the  
26 following outcomes for program recipients and poor families in Arkansas:

27 (1) Increase the percentage of needy families that receive  
28 transitional employment assistance;

29 (2) Decrease the number of families who need transitional  
30 employment assistance cash assistance;

31 (3) Decrease spending on transitional employment assistance cash  
32 assistance;

33 (4) Increase the percentage of families receiving transitional  
34 employment assistance cash assistance who participate in work activities for  
35 the required number of hours;

36 (5) Increase the percentage of program recipients who receive

1 services necessary for them to participate in work activities, including  
2 education and training, child care, and transportation, and to move toward  
3 self-sufficiency;

4 (6) Increase the percentage of program recipients facing  
5 barriers of substance abuse, domestic violence, physical or mental  
6 disabilities, or limited education and work experience who receive services  
7 necessary for them to participate in work activities and to move toward self-  
8 sufficiency;

9 (7) Increase the number of families who leave transitional  
10 employment assistance for work;

11 (8) Increase the hourly wages and monthly earnings of families  
12 that leave transitional employment assistance for work;

13 (9) Decrease the number of families who leave transitional  
14 employment assistance and face hardship or deprivation;

15 (10) Increase the percentage of families who leave transitional  
16 employment assistance for work who stay employed;

17 (11) Increase the percentage of families who leave transitional  
18 employment assistance for work who achieve progressively higher wages and  
19 earnings; ~~and~~

20 (12) Increase the percentage of families who leave transitional  
21 employment assistance cash assistance who move out of poverty- ; and

22 (13) Increase the percentage of transitional employment  
23 assistance families who leave for work and obtain job-related benefits  
24 provided by the employer.

25  
26 SECTION 3. Arkansas Code 20-76-105, concerning the creation of the  
27 Arkansas Transitional Employment Board, is amended by adding the following  
28 new subsections:

29 (n) The Department of Human Services shall develop and maintain the  
30 indicators for the program outcomes subject to review and approval by the  
31 board.

32 (o)(1) The Department of Human Services shall develop proper targets  
33 for each program outcomes by July 1 of each year. Beginning with July 1,  
34 2002, subject to review and approval by the board.

35 (2) The board shall adopt the targets at the first meeting after  
36 July 1 of each year.

1           (3) The board shall review and report on progress in achieving  
2 the targets by December 10 and June 10 of each year.

3           (4)(A) Reports shall be submitted to the Governor and to the  
4 House and Senate Interim Committees on Public Health, Welfare, and Labor.

5           (B) The report shall include comments from the department  
6 and other relevant state agencies about their activities and progress toward  
7 the program outcome targets.

8           (p) Minutes of the board's meetings, including attendance records,  
9 shall be submitted to the Governor and to the chairs of the House and Senate  
10 Interim Committees on Public Health, Welfare, and Labor after each meeting of  
11 the board.

12  
13           SECTION 4. Arkansas Code 20-76-106(a)-(c) is amended to read as  
14 follows:

15           (a) The Arkansas Transitional Employment Board shall:

16                   (1) Review, recommend, and approve a statewide implementation  
17 plan for ensuring the cooperation of state agencies and local agencies and  
18 encouraging the cooperation of private entities, especially those receiving  
19 state funds, in the coordination and implementation of the Transitional  
20 Employment Assistance Program and achievement of the goals; and

21                   (2) Ensure that program recipients throughout the state,  
22 including those in rural areas, have comparable access to transitional  
23 employment assistance benefits.

24           (b) At a minimum, the transitional employment assistance  
25 implementation plan shall include:

26                   (1) Performance standards and measurement criteria for state and  
27 county offices of the Department of Human Services and all service providers  
28 under the program;

29                   (2) Contract guidelines for contract service providers under the  
30 program;

31                   (3) Guidelines for training transitional employment assistance  
32 service providers, whether state employees or contract providers;

33                   (4) Functions to be performed by each state agency in helping  
34 recipients make the transition from welfare to work;

35                   (5) Guidelines for clarifying or, if necessary, modifying the  
36 rules of the state agencies charged with implementing the program so that all

1 unnecessary duplication is eliminated;

2 ~~(6) Guidelines for establishing joint transitional employment~~  
3 ~~assistance benefit and employment offices in every county of the state, which~~  
4 ~~shall function as common service centers for the delivery of program services~~  
5 ~~to applicants and recipients of food stamps and transitional employment~~  
6 ~~assistance benefits;~~

7 ~~(7)(6)~~ Guidelines for modifying compensation and incentive  
8 programs for state employees in order to achieve the performance outcomes  
9 necessary for successful implementation of the program;

10 ~~(8)(7)~~ Guidelines for timely assessments for each participant,  
11 which lead to an individual personal responsibility agreement that identifies  
12 the strengths of the participant and the barriers faced in obtaining a job  
13 and reaching self-sufficiency, and the services to be provided to assist the  
14 participant in finding and keeping work and in moving toward self-  
15 sufficiency;

16 ~~(9)(8)~~ Guidelines for timely provision of needed support  
17 services as specified in the individual personal responsibility agreement.  
18 These guidelines shall include procedures for evaluating the quality and  
19 value of assessments and the provision of support services;

20 ~~(10)(9)~~ Guidelines governing job search requirements for  
21 transitional employment assistance applicants;

22 ~~(11)(10)~~ Guidelines governing the provision of support services  
23 to transitional employment assistance participants and former transitional  
24 employment assistance participants to assist them in retaining employment and  
25 earning higher wages and career advancement;

26 ~~(12)(11)~~ Guidelines governing the combining of work with  
27 education and training;

28 ~~(13)(12)~~ Guidelines for the independent evaluation of all cases  
29 closed due to sanctions or time limits;

30 ~~(14)(13)~~ A micro-lending program and an individual development  
31 trust account demonstration project for program recipients;

32 ~~(15) One (1) or more employment opportunity districts and job~~  
33 ~~development, child care, and transportation strategies for each district;~~

34 ~~(16)(14)~~ Application guidelines and requirements for chartering  
35 local coalitions to plan and coordinate the delivery of services under the  
36 program at the local level;



1           ~~(17)~~(15) Criteria for relocation of program recipients which  
2 take into account factors including, but not limited to, job availability,  
3 availability of support services, and proximity of relocation area to current  
4 residence;

5           ~~(18)~~(16) Criteria for the approval of the implementation plans  
6 submitted by local coalitions;

7           ~~(19)~~(17) Criteria for allocating program resources to local  
8 coalitions;

9           ~~(20)~~(18) Criteria for prioritizing work activities of program  
10 recipients in the event that funds are projected to be insufficient to  
11 support full-time work activities of program recipients. The criteria may  
12 include, but not be limited to, priorities based on the following:

13                   (A) At least one (1) adult in each two-parent family shall  
14 be assigned priority for full-time work activities;

15                   (B) Among single-parent families, a family that has older  
16 preschool children or school-age children shall be assigned priority for work  
17 activities;

18                   (C) A recipient who has access to nonsubsidized child care  
19 may be assigned priority for work activities; and

20                   (D) Priority may be assigned based on the amount of time  
21 remaining until the recipient reaches the applicable time limit for program  
22 participation or may be based on requirements of a personal responsibility  
23 agreement; and

24           ~~(21)~~(19) The development of a performance-based payment  
25 structure to be used for all program services which takes into account the  
26 degree of difficulty associated with placing a program recipient in a job,  
27 the quality of placement with regard to salary, benefits, and opportunities  
28 for advancement, and the recipient's retention of the placement. The payment  
29 structure should, if appropriate, provide bonus payments to providers that  
30 experience notable success in achieving long-term job retention with program  
31 recipients.

32           (c) The department shall prepare an annual transitional employment  
33 assistance implementation plan. The plan shall be subject to review,  
34 recommendation, and approval by the board. The board shall submit quarterly  
35 progress reports to the Governor and the House and Senate Committees on  
36 Public Health, Welfare, and Labor. The annual updated plan shall contain

1 proposals for measuring and making progress toward the transitional  
 2 employment assistance outcomes during the succeeding three-year period. The  
 3 quarterly progress reports to the Governor and the House and Senate  
 4 Committees on Public Health, Welfare, and Labor shall include all information  
 5 which the board deems necessary for determining progress in achieving the  
 6 outcomes. Information shall be provided for the state, each employment  
 7 opportunity district, and each county. The report shall also include all  
 8 information requested by resolution of the House and Senate Committees on  
 9 Public Health, Welfare, and Labor. This report shall include a copy of all  
 10 federal monthly, quarterly, and annual reports submitted by the Department of  
 11 Human Services regarding the Temporary Assistance for Needy Families program.

12 ~~The report shall include the following:-~~

13 ~~(1) Total number of cases;-~~

14 ~~(2) Number of program recipients who signed the personal-~~  
 15 ~~responsibility agreement;-~~

16 ~~(3) Number of persons getting a diversion from assistance;-~~

17 ~~(4) Number of program dropouts, and to the extent possible, the~~  
 18 ~~reason they have dropped out, where they are living, if they are working, and~~  
 19 ~~any other pertinent information;-~~

20 ~~(5) Number of persons who reapplied for and received~~  
 21 ~~transitional employment assistance benefits after having dropped out;-~~

22 ~~(6) Types of assistance and support services utilized by program~~  
 23 ~~recipients;-~~

24 ~~(7) Number of births to program recipients;-~~

25 ~~(8) Percentage of program children complying with compulsory~~  
 26 ~~school attendance;-~~

27 ~~(9) Percentage of children immunized;-~~

28 ~~(10) Number of reported child abuse and neglect cases among~~  
 29 ~~program recipients and program dropouts;-~~

30 ~~(11) Number of cases deferred from transitional employment~~  
 31 ~~assistance work requirements and time limitations and the number and reasons~~  
 32 ~~for all exemptions and deferrals;-~~

33 ~~(12) Types and percentages of child care placements;-~~

34 ~~(13) Percentage of program recipients in allowable work~~  
 35 ~~activities;-~~

36 ~~(14) Number of program recipients in each allowable work~~

- 1 activity;-
- 2           (15) ~~Length of time program recipients have spent in each~~
- 3 allowable work activity;-
- 4           (16) ~~Number of program recipients employed by state agencies and~~
- 5 contract service providers compared to the ten percent (10%) target goal;-
- 6           (17) ~~Occupation types of program recipients;-~~
- 7           (18) ~~Estimated earnings for employed program recipients;-~~
- 8           (19) ~~Number of hours worked by program recipients;-~~
- 9           (20) ~~Percent of transitional employment assistance employed~~
- 10 persons with continued employment continuing into the next quarter;-
- 11           (21) ~~The number of transitional employment assistance case~~
- 12 closures by reasons for case closure;-
- 13           (22) ~~The number of transitional employment assistance~~
- 14 applications, the number denied, and the reasons for the applications denial;-
- 15           (23) ~~The amount of state and federal funds budgeted for program-~~
- 16 related activities by purpose or activity type and actual program
- 17 expenditures by purpose or activity type;-
- 18           (24) ~~Education levels of families, including highest grade~~
- 19 completed and educational credentials, and functional math and reading levels
- 20 by number of participants;-
- 21           (25) ~~Work related skills levels of families by type of skill and~~
- 22 number of participants;-
- 23           (26) ~~Work experience levels by number of participants and type~~
- 24 of work experience;-
- 25           (27) ~~Health and disability levels of families by type and number~~
- 26 of participants;-
- 27           (28) ~~Transportation needs and availability by number of~~
- 28 participants and by type;-
- 29           (29) ~~Child care needs and availability by number of participants~~
- 30 and by type;-
- 31           (30) ~~Other barriers to work and self-sufficiency, including~~
- 32 domestic violence, inadequate housing, substance abuse, parental skills, and
- 33 budgeting and home management;-
- 34           (31) ~~Participants' characteristics by age, race, and sex;-~~
- 35           (32) ~~Number of families diverted from transitional employment~~
- 36 assistance who receive food stamps and Medicaid;-

1           ~~(33) Number of closed transitional employment assistance cases~~  
2 ~~which continue to receive food stamps and Medicaid; and~~

3           ~~(34) Any other data agreed to by the department, the board, and~~  
4 ~~the House and Senate Committees on Public Health, Welfare, and Labor.~~

5  
6           SECTION 5. Arkansas Code 20-76-107(a) is amended to read as follows:

7           (a) By ~~September 1, 1999~~ September 1, 2001, the Arkansas Transitional  
8 Employment Board shall contract with a professional consultant for an ongoing  
9 independent evaluation of the Transitional Employment Assistance Program and  
10 program development. The independent evaluator shall submit biannual reports  
11 to the Governor and the House and Senate Committees on Public Health,  
12 Welfare, and Labor which assess:

13           (1) How effective the Transitional Employment Assistance Program  
14 is in addressing ~~program outcomes~~ each of the transitional employment  
15 assistance outcomes as specified in § 20-76-105(l) and progressing toward  
16 each of the annual targets set for those outcomes and any measures that might  
17 be taken to improve its performance;

18           (2) How effectively performance standards and measurement  
19 criteria in the statewide implementation plan are being met;

20           (3) How effectively state agencies are cooperating in the  
21 implementation of the program;

22           (4) How effectively various funding sources are being integrated  
23 into the support of the program;

24           ~~(5) How effectively local coalitions are serving the needs of~~  
25 ~~their local transitional employment assistance population;~~

26           ~~(6)~~(5) The effects of the program on recipients and their  
27 children, to include at least the following:

28           (A) Changes in family income and child poverty;

29           (B) Impact on child welfare;

30           (C) Impact on child hunger;

31           (D) Impact on housing conditions, family living  
32 arrangements, and homelessness;

33           (E) Impact on the health care coverage and the health  
34 status of children;

35           (F) Changes in family expenditure patterns;

36           (G) Births to unwed parents, teen pregnancies, and changes

1 in family structure;

2 (H) Impact on child care patterns and youth supervision;

3 (I) The work history and employment patterns of adults,

4 including whether they are working, the types of employment held, job

5 retention, and their wages or earnings;

6 (J) Impact on substance abuse and substance abuse

7 treatment; and

8 (K) Educational and skill attainment.

9 ~~(7)(6)~~ Effectiveness of training received by program recipients;

10 ~~(8) Effectiveness of incentives designed to promote business~~

11 ~~participation in the program;~~

12 ~~(9)(7)~~ How effectively transitional employment assistance

13 supportive services are being delivered and the extent to which they meet

14 client needs in making the transition from welfare to work and achieving

15 long-term economic self-sufficiency;

16 ~~(10)(8)~~ Transitional employment assistance client usage of other

17 forms of public assistance, including at least, food stamps, Medicaid and

18 ARKids First, and usage of nongovernmental forms of community services; ~~and~~

19 ~~(11)(9)~~ Any other information deemed by the independent

20 evaluator or the board to be helpful in assisting the Governor and the

21 General Assembly in evaluating the impact and effectiveness of the program;

22 and

23 (10) To the extent allowed by available funds, the evaluation

24 shall include separate analyses for the following groups:

25 (A) Cases closed because of noncompliance;

26 (B) Cases closed because of earnings and employment;

27 (C) Cases closed because of reaching the twenty-four (24)

28 month lifetime limit on cash assistance.

29

30 SECTION 6. Arkansas Code 20-76-201 is amended to read as follows:

31 20-76-201. Department of Human Services - Powers and duties.

32 The Department of Human Services shall:

33 (1) Administer all forms of public assistance, supervise

34 agencies and institutions caring for dependent or mentally or physically

35 disabled or aged adults, and administer other welfare activities or services

36 that may be vested in it;

1 (2) Administer or supervise all child welfare activities in  
2 accordance with the rules and regulations of the department, including:

3 (A) The licensing and supervision of private and public  
4 child care agencies and institutions;

5 (B) The care of dependent, neglected, and delinquent  
6 children and children with mental or physical disabilities in foster family  
7 homes or in institutions; and

8 (C) The care and supervision of children placed for  
9 adoption;

10 (3) Enter into reciprocal agreements with public welfare  
11 agencies in other states relative to the provisions of relief and assistance  
12 to transients and nonresidents and cooperate with other state departments and  
13 with the federal government in studying labor, health, and public assistance  
14 problems involved in transiency;

15 (4) Administer and make effective the rules and regulations  
16 governing personnel administration, including the preparation and  
17 administration of classification and compensation plans and the method of  
18 selection for positions in the department:

19 (A) Develop and implement ~~a~~ an internal training program  
20 to educate caseworkers and managers on the requirements of an effective  
21 Transitional Employment Assistance Program and the skills and knowledge  
22 required by their positions; and

23 (B) Develop performance standards and bonus awards for all  
24 positions in the program focused on achieving the outcomes; and

25 (C) Remove or transfer employees from the program to other  
26 responsibilities within the department if they do not meet performance  
27 standards;

28 (5) Carry on research and compile statistics relative to public  
29 welfare programs throughout the state, including all phases of dependency,  
30 defectiveness, delinquency, and related problems and develop plans in  
31 cooperation with other public and private agencies for the prevention as well  
32 as the treatment of conditions giving rise to public welfare problems;

33 (6) Assist other departments, agencies, and institutions of the  
34 state and federal governments, when so requested, by performing services in  
35 conformity with the purposes of this chapter;

36 (7) Cooperate with the federal government in matters of mutual

1 concern pertaining to federally funded programs within the department's  
2 purview;

3 (8) Make any and all contracts and grants that may be necessary  
4 to carry out the purposes of this chapter and in accordance with rules and  
5 regulations developed by the department and subject to review,  
6 recommendation, and approval by the Arkansas Transitional Employment Board  
7 and subject to termination by the department as may be directed by the board;

8 (9) Make reports in the form and containing the information as  
9 the federal government from time to time may require and comply with  
10 provisions as the federal government from time to time may find necessary to  
11 assure the correctness and veracity of the reports;

12 (10) Allocate funds for the purposes and in accordance with the  
13 provisions of this chapter and rules and regulations as may be prescribed by  
14 the department and subject to review, recommendation, and approval by the  
15 board;

16 (11) Establish standards of eligibility for assistance developed  
17 by the department and subject to review, recommendation, and approval by the  
18 board;

19 (12) Receive, administer, disburse, dispose, and account for  
20 funds, commodities, equipment, supplies, and any kind of property given,  
21 granted, loaned, or advanced to the State of Arkansas for public assistance,  
22 public welfare, social security, or any other similar purposes;

23 (13) Make rules and regulations and take actions as are  
24 necessary or desirable to carry out the provisions of this chapter and which  
25 are not inconsistent therewith;

26 (14) Solicit participation of private organizations, nonprofit  
27 organizations, charitable organizations, and institutions of education in the  
28 delivery of services and in the enactment and revision of rules and  
29 regulations;

30 (15) Employ attorneys to represent the interests of the  
31 department;

32 (16)(A) The department shall develop a statewide transitional  
33 employment assistance transportation policy that emphasizes cost-effective,  
34 long-term solutions for the transportation challenges that face program  
35 recipients, former program recipients, and other poor Arkansas families.

36 (B) Transportation services under this policy shall

1 include subsidized public transit, van-pooling, and subsidized vehicle  
2 purchase and maintenance plans among others.

3 (C) The department shall coordinate with various planning  
4 organizations that receive federal assistance under the Job Access and  
5 Reverse Commute Program.

6 (D) The department shall provide technical assistance to  
7 local coalitions to help them develop local transportation plans; and

8 (17) Develop and implement automated statewide benefit delivery  
9 and information systems to achieve the purposes of this chapter.

10

11 *SECTION 7. Arkansas Code 20-76-404(e), concerning the duration of*  
12 *transitional employment assistance, is amended to read as follows:*

13 *(e)(1) A recipient who was eligible for Medicaid and loses his or her*  
14 *financial assistance due to earnings and whose income remains below one*  
15 *hundred eighty-five percent (185%) of the federal poverty level shall remain*  
16 *eligible for transitional Medicaid ~~and child care assistance~~ without*  
17 *reapplication during the immediately succeeding twelve-month period if*  
18 *private medical insurance is unavailable from the employer.*

19 *(2) A recipient who loses his or her financial assistance due to*  
20 *earnings and who is employed shall be eligible for:*

21 *(A) Child care assistance at no cost and without*  
22 *reapplication for a cumulative period of twelve (12) months; and*

23 *(B) Twenty-four (24) additional months of child care*  
24 *assistance shall be provided on a sliding fee scale or other cost-sharing*  
25 *arrangement as determined by the ~~department~~ board.*

26 *(3) The board may reduce the period of transitional child care*  
27 *to a total of twenty-four (24) months for recipients who lose assistance at a*  
28 *specified date after the board's decision to limit the assistance, if the*  
29 *board certifies to the Governor and the Chief fiscal Officer of the State*  
30 *that the reduction is necessary to avoid overspending the biennial budget for*  
31 *child care.*

32 *(4) The transitional child care assistance available to former*  
33 *recipients shall not exceed the cumulative number of months provided under*  
34 *subdivisions (e)(2) and (3) of this subsection, regardless of whether the*  
35 *former recipient re-enters the transitional employment assistance program.*"

36



1           SECTION 8. Arkansas Code 20-76-404(i), concerning home visits to  
2 families whose TEA assistance is terminated, are repealed:

3           ~~(i) By January 1 of each year, the department and the Department of~~  
4 ~~Health shall present a plan to the board to monitor and protect the safety~~  
5 ~~and well-being of the children within a family whose temporary assistance is~~  
6 ~~terminated for any reason other than the family's successful transition to~~  
7 ~~economic self-sufficiency. Such actions shall include, but not necessarily be~~  
8 ~~limited to, at least three (3) home visits with such children, the first of~~  
9 ~~which shall occur within thirty (30) days of the termination of cash~~  
10 ~~assistance, the second visit three (3) months after termination of cash~~  
11 ~~assistance, and the third visit six (6) months after termination of cash~~  
12 ~~assistance.~~

13           (1) By August 1, 2001, the department shall develop a plan,  
14 subject to review and approval by the board, to monitor and protect the  
15 safety and well-being of the children within a family whose temporary  
16 assistance is terminated for any reason other than the family's successful  
17 transition to economic self-sufficiency.

18           (2)(A) Actions required by the plan shall include at least one  
19 (1) home visit with the parents and children.

20           (B) Every reasonable effort shall be made to make contact  
21 with all families, including visits during evenings and on weekends.

22           (C) The first home visit shall occur within six (6) months  
23 after the termination of cash assistance.

24           (D) The purposes of the home visits shall include checking  
25 on the well-being of children in those families and determining if the  
26 families need available services.

27           (3) The department may contract with other state agencies,  
28 private companies, or local government agencies, or community organizations  
29 for the conducting of these visits.

30           (4) The board shall submit a report to the Governor and the  
31 chairs of the house and Senate interim Committees on Public Health, Welfare,  
32 and Labor that reports on the outcomes of the home visits and provides  
33 separate information for families who left transitional assistance due to  
34 non-compliance and time limits.

35           SECTION 9. Arkansas Code 20-76-410(c)(1) is amended to read as  
36 follows:

1           (c)(1) ~~If a parent is sanctioned for noncompliance with the~~  
2 ~~Transitional Employment Assistance Program requirements, financial assistance~~  
3 ~~for the child or children in a family who are under age eighteen (18) shall~~  
4 ~~may be continued. The Department of Human Services shall develop procedures~~  
5 ~~in such instances to ensure the well-being of the child or children. Such~~  
6 ~~procedures may include, but not be limited to, reduced assistance to the~~  
7 ~~parent, designation of a protective payee, referral to the Division of~~  
8 ~~Children and Family Services of the Department of Human Services as a~~  
9 ~~dependent neglect case, or any other procedures necessary to protect the~~  
10 ~~child or children from risk of neglect, as defined in § 12-12-503(6).~~

11                   (A)(i) After making reasonable efforts to determine that  
12 the transitional employment assistance recipient understands the requirement  
13 and does not face unknown barriers to compliance, the department may withhold  
14 the family's financial assistance for one (1) month.

15                           (ii) If the parent comes into compliance within  
16 thirty (30) days and maintains compliance for two (2) weeks, the full  
17 financial assistance shall be paid to the parent.

18                           (iii) During the thirty (30) days, the department  
19 shall arrange a home visit to the family to determine the well-being of the  
20 child or children, to determine if additional services are required to  
21 protect the well-being of the children and to ensure that the parent  
22 understands the requirement and the consequences of non-compliance.

23                   (B) If the parent fails to come into compliance in thirty  
24 (30) days, the family's financial assistance may be reduced:

25                           (i) By up to twenty-five percent (25%) for the  
26 second and third months of noncompliance;

27                           (ii) By up to fifty percent (50%) in the fourth  
28 through six months of noncompliance; and

29                           (iii) By up to one hundred percent (100%) after the  
30 sixth month of noncompliance.

31                   (C) The department shall arrange a home visit with the  
32 family after the sixth month of noncompliance to determine the well-being of  
33 the child or children and to determine if additional services are required to  
34 protect the well-being of the children.

35                   (D) Medicaid and food stamp benefits shall be continued  
36 without need for re-application if the family is being sanctioned and for as

1 long as the family remains eligible under the requirements of those programs.

2 (E) Department staff may conduct home visits to sanctioned  
 3 families or they may contract with other state agencies, transitional  
 4 employment assistance coalitions or appropriate community organizations to  
 5 perform this function.

6 (F) The department shall submit biannual reports,  
 7 beginning January 1, 2002, on the families sanctioned and the outcomes of the  
 8 home visits to the Governor and the House and Senate Interim Committees on  
 9 Public Health, Welfare, and Labor.

10  
 11 SECTION 10. Arkansas Code 20-76-440 is repealed:

12 ~~20-76-440. Transitional employment assistance monitoring system and~~  
 13 ~~supportive services.~~

14 ~~(a)(1) The Department of Human Services shall establish a transitional~~  
 15 ~~employment assistance monitoring system to ensure that participants receive~~  
 16 ~~the supportive services needed to become job ready, find employment, maintain~~  
 17 ~~employment, and increase their long term earning and employment prospects.~~

18 ~~(2) The monitoring system shall include procedures to review and~~  
 19 ~~report on issues regarding process measures, outcome measures, and financial~~  
 20 ~~activities. Those procedures shall be subject to review and approval by the~~  
 21 ~~Arkansas Transitional Employment Board.~~

22 ~~(b) The department shall submit biannual reports to the board, or more~~  
 23 ~~frequently if requested by the board. The first report shall be due no later~~  
 24 ~~than December 30, 1999.~~

25 ~~(c) Each report shall address the extent to which participants receive~~  
 26 ~~the supportive services needed to become job ready, find employment, maintain~~  
 27 ~~employment, and increase their long term earning and employment prospects.~~

28  
 29 SECTION 11. Arkansas Code Title 20, Subchapter 76 is amended by adding  
 30 the following section:

31 (a) At the end of each cost allocation close-out period following the  
 32 end of each federal fiscal year, the Department of Human Services and the  
 33 Transitional Employment Board shall take all steps necessary to maximize the  
 34 availability and use of any unspent federal Temporary Assistance to Needy  
 35 Families funds to spend on subsidized child care for transitional employment  
 36 assistance and other low-income families during the next federal fiscal year.

