

SENATE AMENDMENT 1 TO hb1295.

deleting lines 29 through 36 of page 12 and lines 1 and 2 of page 13 and substituting the following:

"(a) Beginning, July 1, 1998, the department shall not provide financial assistance to a family that includes an adult recipient who has received financial assistance for more than twenty-four (24) months, except as provided in subsection (c) of this section. The number of months need not be consecutive and shall include the time a recipient receives financial assistance from another state. The department may by regulation establish other limitations on the receipt of financial assistance not inconsistent with state or federal law.

(b) The department shall certify to the Governor and the House and Senate Committees on Public Health, Welfare and Labor when the support services necessary for TEA recipients to obtain employment or participate in allowable work activities are available. The department may certify subsets of TEA recipients, including, but not limited to, TEA recipients in a certain geographical area or employment opportunity district, or TEA recipients with a high school diploma or G.E.D. Prior to implementing the twenty-four (24) month cumulative limit on financial assistance, the department shall notify TEA recipients by direct mail or contact and by other means reasonably calculated to reach to current and potential TEA recipients, including but not limited to, the posting of notices in county offices.

(c) The department shall establish criteria to exempt or temporarily defer the following persons from the twenty-four (24) month cumulative limit on financial assistance:

(1) an individual, as determined by a department case manager, who cooperated and participated in activities, but was unable to obtain employment because of extraordinary circumstances or barriers beyond his or her control;

(2) child-only cases;

(3) an individual unable to obtain employment because of the lack of support services necessary to overcome barriers to employment;

(4) a parent or caregiver over sixty (60) years of age;

(5) a parent or caregiver who is caring for a disabled child relative or disabled adult relative, based upon criteria set forth in the department s regulations;

(6) a disabled parent or caregiver, based upon criteria set forth in the department s regulations;

(7) a parent less than eighteen (18) years old who resides in the home of a parent or in an approved adult-supervised setting, and who participates in full-time education or training;

(8) an individual, who as determined by a department case manager, is unable

to obtain employment due directly to the effects of domestic violence. All case manager determinations made under this subsection shall be reviewed by a supervisor within five (5) days of such determination;

(9) other individuals as determined by the department, including, but not limited to, a child when necessary to protect the child from risk of neglect, as defined by A.C.A. § 12-12-503(6).

(d) A recipient who was eligible for Medicaid that loses his or her financial assistance due to earnings whose income remains below one hundred eighty-five percent (185%) of the federal poverty level shall remain eligible for transitional Medicaid and child care assistance without reapplication during the immediately succeeding twelve (12) month period if private medical insurance is unavailable from the employer. Twenty-four (24) additional months of child care assistance shall be provided on a sliding fee scale or other cost-sharing arrangement as determined by the department.

(1) The department shall deny Medicaid and child care assistance during the twelve (12) month period for any month in which the recipient's family does not include a dependent child.

(2) The department shall notify the recipient of transitional Medicaid and child care assistance when the recipient is notified of the termination of cash assistance. The notice shall include a description of the circumstances in which the transitional Medicaid and child care assistance may be terminated.

(e) (1) In order to assist current and former TEA recipients in continuing training and upgrading skills, transitional education or training may be provided to a recipient for up to one (1) years after the recipient is no longer eligible to participate in the TEA program due to employment earnings.

(2) Education or training resources available in the community at no additional cost to the department shall be used whenever possible.

(3) Transitional education or training shall be employment-related, and may include education or training to improve a recipient's job skills in the recipient's existing area of employment or may include education or training to prepare a recipient for employment in another occupation.

(4) The department may enter into an agreement with an employer to share the costs relating to upgrading the skills of recipients hired by the employer.

(f) Other extended support services may be available to recipients no longer eligible for financial assistance under TEA.

(g) By January 1, 1998 the department, in conjunction with the Department of Health, shall present a plan for the consideration of the Governor and the House and Senate Committees on Public Health, Welfare and Labor to monitor and protect the safety and well-being of the children within a family whose temporary assistance is terminated for any reason other than the family's successful transition to economic self-sufficiency. Such actions may include, but not necessarily be limited to, one (1) or more in-home

visits with such children within thirty (30) days of the termination of such temporary assistance."

AND

by inserting on line 8 of page 19 the following new subsections:

"(c) (1) If a parent is sanctioned for noncompliance with TEA program requirements, financial assistance for the child or children in a family who are under age sixteen (16) may be continued. The department shall develop procedures in such instances to ensure the well-being of the child or children. Such procedures may include, but not be limited to, reduced assistance to the parent, designation of a protective payee, referral to the Division of Children and Family Services as a dependent-neglect case, or any other procedures necessary to protect the child or children from risk of neglect, as defined in A.C.A. § 12-12-503(6).

(2) When appropriate, protective payees may be designated by the department and may include:

(A) A relative or other individual who is interested in or concerned with the welfare of the child or children and agrees in writing to utilize the assistance in the best interests of the child or children;

(B) A member of the community affiliated with a religious, community, neighborhood, or charitable organization who agrees in writing to utilize the assistance in the best interests of the child or children; or

(C) A volunteer or member of an organization who agrees in writing to utilize the assistance in the best interests of the child or children.

(3) If it is in the best interest of the child or children, as determined by the department, for the staff member of a private agency, a public agency, the department, or any other appropriate organization to serve as a protective payee, such designation may be made, except that a protective payee must not be any individual involved in determining eligibility for assistance for the family, staff handling any fiscal pressures related to the issuance of assistance, or landlords, grocers, or vendors of goods, services, or items dealing directly with the recipient."