

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 2212

4
5 By: Representatives S. Dobbins, Allen, T. Baker, Blount, E. Brown, Chesterfield, Davis, Flowers, Hardy,
6 W. Lewellen, Rainey
7 By: Senators Wilkins, Brown, Crumbly, Steele

For An Act To Be Entitled

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9
10 AN ACT TO CREATE A GRANDPARENT PREVENTIVE CARE
11 SUBSIDY PROGRAM IN THE DEPARTMENT OF HEALTH AND
12 HUMAN SERVICES TO PROVIDE INCREASED MONTHLY
13 ASSISTANCE AND SERVICES TO FAMILIES IN WHICH A
14 GRANDPARENT CAREGIVER HAS LEGAL CUSTODY OR
15 GUARDIANSHIP OF A GRANDCHILD UNDER THE
16 TRANSITIONAL EMPLOYMENT ASSISTANCE PROGRAM; AND
17 FOR OTHER PURPOSES.
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Subtitle

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20 TO CREATE A GRANDPARENT PREVENTIVE CARE
21 SUBSIDY PROGRAM IN THE DEPARTMENT OF
22 HEALTH AND HUMAN SERVICES.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 20-76-401, concerning eligibility under the
29 Transitional Employment Assistance Program, is amended to add the following
30 new subsection:

31 (e)(1) The General Assembly finds that:

32 (A) A child often enters the foster care system as a
33 result of:

34 (i) A grandparent caregiver's illness;

35 (ii) A parent's death;

36 (iii) A parent's incarceration;



- (iv) Abandonment;
- (v) Inadequate housing;
- (vi) Neglect;
- (vii) Physical abuse;
- (viii) Sexual abuse; and
- (ix) The child's disability.

(B) Grandparent care provides a child with a dependable and recognizable foundation during traumatic life episodes;

(C) Raising a grandchild differs from when the grandparents raised his or her own children;

(D) Caring for a grandchild often places additional financial, social, and psychological strain on a grandparent with a fixed income;

(E) Different parenting skills are necessary for raising a grandchild, and a grandparent caregiver cannot always afford access to the services necessary to obtain such skills; and

(F) A grandparent, like a nonrelative foster parent, needs a support structure, including counseling for the grandchild and grandparent caregiver, respite care, transportation assistance, and child care.

(2) The purpose of this subsection is to provide a mechanism through the Transitional Employment Assistance Program, § 20-76-401, to support a family in which a grandparent caregiver who has legal custody or guardianship of a grandchild who does not have appropriate parental protection, guidance, and supervision.

(3)(A) Except as provided under subdivision (f)(3)(B) of this section, the Department of Health and Human Services and the Department of Workforce Services shall provide a grandparent caregiver with services and supplement the monthly assistance payments through the Transitional Employment Assistance Program, § 20-76-401, to a TEA child-only household if the grandparent caregiver:

- (i) Resides in the state at the time of application;
- (ii) Possesses legal custody or guardianship of a grandchild who is included in a TEA child-only case and is living in the grandparent caregiver's home;
- (iii) Has an annual income at or below two hundred percent (200%) of the federal poverty guideline for the size of the family

1 applying for the subsidy as determined by the United States Department of
 2 Health and Human Services under 42 U.S.C. § 9902(2) in effect on January 1 of
 3 the year in which the application for benefits has been made;

4 (iv) Applies for the child-only supplement through
 5 the Transitional Employment Assistance Program, § 20-76-401; and

6 (v) Agrees to pursue the enforcement of child
 7 support obligations against a parent of a grandchild with the assistance of
 8 the Office of Child Support Enforcement of the Revenue Division of the
 9 Department of Finance and Administration in accordance with applicable law.

10 (B) If either parent of the grandchild resides in the
 11 applicant grandparent caregiver’s household, the child-only case is
 12 disqualified from receiving supplemented payments and the applicant
 13 grandparent caregiver is disqualified from receiving services under this
 14 subsection.

15 (4) The TEA child-only case that meets these standards shall
 16 receive:

17 (A) A monthly subsidy payment of two hundred dollars
 18 (\$200) for one (1) grandchild;

19 (B) An additional monthly subsidy payment of one hundred
 20 dollars (\$100) for each additional grandchild;

21 (C) Grandparent caregiver services provided by the
 22 Department of Health and Human Services to support their ability to care for
 23 and nurture the grandchildren in their care, including:

24 (i) Parenting skills training and support;

25 (ii) Counseling and participation in grandparent caregiver
 26 peer groups;

27 (iii) Respite care; and

28 (iv) Assistance with housing and transportation needs
 29 involved in the care of their grandchildren.

30 (D) The additional one-hundred-dollar (\$100) subsidy
 31 payment is limited to four (4) additional grandchildren.

32 (5) The Department of Health and Human Services and the Arkansas
 33 Transitional Employment Board shall promulgate rules and regulations to:

34 (A) Provide for any other eligibility requirements that
 35 are reasonably necessary to administer the Grandparent Subsidy Program in
 36 accordance with this subsection and any federal requirements;

1 (B) Establish procedures for reconsideration of
2 eligibility of applicants no less than annually.

3 (6) The subsidy provided for in this subsection shall be
4 administered by the Department of Health and Human Services and the Arkansas
5 Transitional Employment Board and funded through the Temporary Assistance for
6 Needy Families (TANF) block grant.

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