

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
4

As Engrossed: H3/8/07
A Bill

HOUSE BILL 2212

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
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10 **For An Act To Be Entitled**

11 AN ACT TO CREATE A GRANDPARENT PREVENTIVE CARE
12 SUBSIDY PROGRAM IN THE DEPARTMENT OF HEALTH AND
13 HUMAN SERVICES TO PROVIDE INCREASED MONTHLY
14 ASSISTANCE AND SERVICES TO FAMILIES IN WHICH A
15 GRANDPARENT CAREGIVER HAS LEGAL CUSTODY OR
16 GUARDIANSHIP OF A GRANDCHILD UNDER THE
17 TRANSITIONAL EMPLOYMENT ASSISTANCE PROGRAM; AND
18 FOR OTHER PURPOSES.
19

20 **Subtitle**

21 TO CREATE A GRANDPARENT PREVENTIVE CARE
22 SUBSIDY PROGRAM IN THE DEPARTMENT OF
23 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;



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

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

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

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

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

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

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

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

- 31 (i) Resides in the state at the time of application;
- 32 (ii) Possesses legal custody or guardianship of a
33 grandchild who is included in a TEA child-only case and is living in the
34 grandparent caregiver's home;
- 35 (iii) Has an annual income at or below two hundred
36 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.

7 (7) The subsidy provided under this subsection (e) shall be
8 limited to total expenditures of five million, two hundred sixty-five
9 thousand, six hundred dollars (\$5,265,600) during the 2007-2009 biennium
10 based on the availability of federal Temporary Assistance to Needy Families
11 (TANF) funds.

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13 /s/ S. Dobbins, et al
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