1 State of Arkansas   *As Engrossed: H3/8/07 H3/13/07*

2 86th General Assembly   **A Bill**

3 Regular Session, 2007   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

8

9

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.

24

25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

27

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; and*

21   *(C)* The additional one-hundred-dollar ($100) subsidy

22 payment is limited to four (4) additional grandchildren.

23   (5) The Department of Health and Human Services and the Arkansas

24 Transitional Employment Board shall promulgate rules and regulations to:

25   (A) Provide for any other eligibility requirements that

26 are reasonably necessary to administer the Grandparent Subsidy Program in

27 accordance with this subsection and any federal requirements;

28   (B) Establish procedures for reconsideration of

29 eligibility of applicants no less than annually.

30   (6) The subsidy provided for in this subsection shall be

31 administered by the Department of Health and Human Services and the Arkansas

32 Transitional Employment Board and funded through the Temporary Assistance for

33 *Needy Families (TANF) block grant.*

34   *(7) The subsidy provided under this subsection (e) shall be*

35 *limited to total expenditures of five million, two hundred sixty-five*

36 *thousand, six hundred dollars ($5,265,600) during the 2007-2009 biennium*

1   *based solely on the availability of federal Temporary Assistance to Needy*

2   *Families (TANF) funds.*

3

4   */s/ S. Dobbins, et al*

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36