

## Chapter 476

## (House Bill 1066)

AN ACT concerning

**Family Investment Program – ~~Transitional Assistance for Education Pilot Program~~ Work Activity Requirement – Authorized Activities and Report**

FOR the purpose of ~~establishing the Transitional Assistance for Education Pilot Program within the Family Investment Program in the Department of Human Services; exempting the Pilot Program from a requirement that certain transitional assistance be paid to a certain third party payee; establishing the purpose of the Pilot Program; requiring the Department to establish the Pilot Program in certain counties; specifying certain eligibility requirements for participation in the Pilot Program; requiring the transitional assistance provided to a certain recipient under the Pilot Program to equal a certain benefit; authorizing a certain recipient to reapply for a certain benefit and requiring the benefit to be provided in a certain manner; expressing the intent of the General Assembly that any general funds appropriated for the Pilot Program shall supplement, and not supplant, funds otherwise appropriated for the Department; requiring the Department, in consultation with the University of Maryland School of Social Work, to collect and report certain information to certain committees of the General Assembly on or before a certain date each year; requiring the Secretary of Human Services to adopt certain regulations; defining a certain term; providing for the termination of this Act; and generally relating to the Transitional Assistance for Education Pilot Program~~ requiring the Department of Human Services to allow a certain applicant for or recipient of assistance under the Family Investment Program to meet a certain work activity requirement by participating in certain *vocational education or education or vocational training* programs in a certain manner for a certain maximum time period; authorizing the Department to suspend the application of certain provisions of law under certain circumstances; requiring the Department to report certain information to the General Assembly on or before a certain date each year; defining certain terms; providing for a delayed effective date; and generally relating to work activity requirements under the Family Investment Program.

BY repealing and reenacting, without amendments,

Article – Human Services

Section 5–301(a), (b), (d), (e), and ~~(g) and 5–312(f)(1)~~ (h)

Annotated Code of Maryland

(2007 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section ~~5–312(f)(2)~~ 5–308(a)

Annotated Code of Maryland

(2007 Volume and 2018 Supplement)

BY adding to

Article – Human Services  
 Section ~~5-312.1~~ 5-322  
 Annotated Code of Maryland  
 (2007 Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 That the Laws of Maryland read as follows:

**Article – Human Services**

5-301.

(a) In this subtitle the following words have the meanings indicated.

(b) “FIP” means the Family Investment Program.

(d) “Recipient” means each individual in a FIP case,

(e) “Temporary cash assistance” means the cash assistance component of the FIP that is funded wholly or partly through Title IV, Part A, of the Social Security Act.

~~(g) “Transitional assistance” means assistance provided to a recipient whose temporary cash assistance has been terminated for noncompliance with FIP requirements.~~

(h) “Work activity” means:

(1) job search activity;

(2) subsidized employment in either the public or private sector;

(3) work experience;

(4) on-the-job training;

(5) community service;

(6) training directly related to employment; or

(7) education directly related to employment.

5-308.

(a) (1) **(1) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(II) “TARGET WORK RATE” MEANS THE RATE ESTABLISHED FOR THE STATE BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES BASED ON THE STATE’S CASELOAD REDUCTION CREDIT UNDER THE FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM, 42 U.S.C. 22-601 ET SEQ.**

**(III) “WORK PARTICIPATION RATE” MEANS THE FEDERAL WORK PARTICIPATION RATE ESTABLISHED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES UNDER THE FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM, 42 U.S.C. 22-601 ET SEQ.**

**(2)** A family may be eligible for assistance under this subtitle only if the family includes:

(i) a minor child who resides with a custodial parent or other adult caretaker who is a relative of the child; or

(ii) a pregnant individual.

**[(2)] (3)** Assistance shall be provided to an applicant or recipient under this subtitle only if the applicant or recipient:

(i) resides in the State at the time of application for assistance;

(ii) if applicable:

1. has applied for child support services with the appropriate local child support enforcement office at the time of application for assistance; and

2. complies with the requirements of the local child support enforcement office;

(iii) has engaged in job search activities as requested by the Department;

(iv) participates in work activity under this subtitle; and

(v) meets all other FIP requirements that the Secretary establishes by regulation.

**(4) SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, THE DEPARTMENT SHALL ALLOW AN APPLICANT OR A RECIPIENT TO MEET THE WORK ACTIVITY REQUIREMENT FOR A MAXIMUM OF 24 MONTHS BY ENGAGING IN:**

(I) A MINIMUM OF 20 HOURS PER WEEK OF VOCATIONAL EDUCATIONAL TRAINING THAT IS DIRECTLY RELATED TO EMPLOYMENT AND EDUCATION THAT LEADS TO AN ASSOCIATE DEGREE, A DIPLOMA, OR A CERTIFICATE; OR

(II) AN AVERAGE OF AT LEAST 20 HOURS PER WEEK OF EDUCATION DIRECTLY RELATED TO EMPLOYMENT, WHICH MAY INCLUDE:

1. AN ADULT BASIC EDUCATION PROGRAM;
2. AN ENGLISH AS A SECOND LANGUAGE PROGRAM; OR
3. A GED PROGRAM.

(5) IF THE WORK PARTICIPATION RATE DOES NOT EXCEED THE TARGET WORK RATE BY 10% IN ANY MONTH, THE DEPARTMENT, AFTER PROVIDING AT LEAST 30 DAYS PRIOR NOTICE TO THE SENATE ~~BUDGET AND TAXATION~~ FINANCE COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE, MAY SUSPEND THE APPLICATION OF PARAGRAPH (4) OF THIS SUBSECTION TO NEW APPLICANTS UNTIL THE WORK PARTICIPATION RATE EXCEEDS THE TARGET WORK RATE BY 10% FOR 3 CONSECUTIVE MONTHS.

5-322.

(A) ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE FOLLOWING INFORMATION FOR THE PRECEDING YEAR:

(1) THE NUMBER OF RECIPIENTS WHO ENGAGED IN ~~EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING~~ VOCATIONAL EDUCATION OR EDUCATION DIRECTLY RELATED TO EMPLOYMENT;

(2) THE NUMBER OF RECIPIENTS WHO COMPLETED ~~EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING~~ VOCATIONAL EDUCATION OR EDUCATION DIRECTLY RELATED TO EMPLOYMENT;

(3) THE NUMBER OF RECIPIENTS WHO OBTAINED OR MAINTAINED EMPLOYMENT FOR 6 MONTHS, 12 MONTHS, 18 MONTHS, AND 24 MONTHS AFTER COMPLETING ~~EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING~~ VOCATIONAL EDUCATION OR EDUCATION DIRECTLY RELATED TO EMPLOYMENT; AND

(4) THE AVERAGE EARNINGS OF RECIPIENTS WHO OBTAINED OR MAINTAINED EMPLOYMENT FOR 6 MONTHS, 12 MONTHS, 18 MONTHS, AND 24 MONTHS AFTER COMPLETING ~~EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING~~ VOCATIONAL EDUCATION OR EDUCATION DIRECTLY RELATED TO EMPLOYMENT.

(B) THE INFORMATION IN THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE BROKEN DOWN BY THE TYPES OF ~~EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING~~ VOCATIONAL EDUCATION OR EDUCATION PROGRAM PROGRAMS IN WHICH THE RECIPIENTS ENGAGED, INCLUDING:

(1) ASSOCIATE DEGREE PROGRAMS;

(2) VOCATIONAL ~~EDUCATIONAL TRAINING~~ EDUCATION PROGRAMS THAT DO NOT LEAD TO AN ASSOCIATE DEGREE;

(3) POSTSECONDARY EDUCATION PROGRAMS THAT ARE NOT INCLUDED IN ITEMS (1) OR (2) OF THIS SUBSECTION;

(4) ADULT BASIC EDUCATION PROGRAMS;

(5) ENGLISH AS A SECOND LANGUAGE PROGRAMS; AND

(6) GED PROGRAMS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.

~~5-312.~~

~~(f) (1) After termination of temporary cash assistance under this section, a recipient may receive transitional assistance.~~

~~(2) [If] EXCEPT AS PROVIDED IN § 5-312.1 OF THIS SUBTITLE, IF a caseworker determines that transitional assistance is appropriate, the FIP benefit that would have been paid to the recipient shall be paid instead to a third party payee on behalf of the recipient for a period of up to 3 months.~~

~~5-312.1.~~

~~(A) IN THIS SECTION, “PILOT PROGRAM” MEANS THE TRANSITIONAL ASSISTANCE FOR EDUCATION PILOT PROGRAM ESTABLISHED UNDER THIS SECTION.~~

~~(B) THERE IS A TRANSITIONAL ASSISTANCE FOR EDUCATION PILOT PROGRAM WITHIN THE FIP.~~

~~(C) THE PURPOSE OF THE PILOT PROGRAM IS TO INCREASE ACCESS TO EMPLOYMENT-RELATED EDUCATIONAL AND TRAINING OPPORTUNITIES FOR RECIPIENTS.~~

~~(D) THE DEPARTMENT SHALL ESTABLISH THE PILOT PROGRAM IN BALTIMORE CITY, PRINCE GEORGE'S COUNTY, AND WASHINGTON COUNTY.~~

~~(E) (1) A RECIPIENT IS ELIGIBLE FOR TRANSITIONAL ASSISTANCE UNDER THE PILOT PROGRAM IF:~~

~~(I) THE RECIPIENT PARTICIPATES IN EDUCATION OR TRAINING DIRECTLY RELATED TO EMPLOYMENT FOR MORE THAN 10 HOURS EACH WEEK;~~

~~(II) THE RECIPIENT'S TEMPORARY CASH ASSISTANCE IS TERMINATED UNDER § 5-312 OF THIS SUBTITLE FOR NONCOMPLIANCE WITH A WORK ACTIVITY REQUIREMENT;~~

~~(III) THE RECIPIENT MEETS ALL OTHER REQUIREMENTS OF THE FIP; AND~~

~~(IV) THE RECIPIENT MEETS ANY OTHER REQUIREMENTS ESTABLISHED BY REGULATION UNDER THIS SECTION.~~

~~(2) A RECIPIENT MAY NOT RECEIVE TEMPORARY CASH ASSISTANCE WHILE RECEIVING TRANSITIONAL ASSISTANCE UNDER THE PILOT PROGRAM.~~

~~(3) A RECIPIENT MAY NOT RECEIVE MORE THAN 1 YEAR OF TRANSITIONAL ASSISTANCE UNDER THIS SECTION.~~

~~(F) THE TRANSITIONAL ASSISTANCE PROVIDED TO A RECIPIENT UNDER THE PILOT PROGRAM SHALL BE EQUAL TO THE FIP BENEFIT THAT WOULD HAVE BEEN PAID TO THE RECIPIENT.~~

~~(G) A RECIPIENT WHO HAS RECEIVED TRANSITIONAL ASSISTANCE UNDER THIS SECTION MAY REAPPLY FOR THE FIP BENEFIT AND THE BENEFIT SHALL BE FURNISHED WITH REASONABLE PROMPTNESS TO ALL ELIGIBLE INDIVIDUALS.~~

~~(H) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT ANY GENERAL FUNDS APPROPRIATED FOR THE PILOT PROGRAM SHALL SUPPLEMENT, AND NOT SUPPLANT, FUNDS OTHERWISE APPROPRIATED FOR THE DEPARTMENT.~~

~~(I) ON OR BEFORE DECEMBER 1 EACH YEAR, THE DEPARTMENT, IN CONSULTATION WITH THE UNIVERSITY OF MARYLAND SCHOOL OF SOCIAL WORK, SHALL:~~

~~(1) COLLECT INFORMATION NECESSARY TO ASSESS THE EFFECTIVENESS OF THE PILOT PROGRAM, INCLUDING:~~

~~(I) THE COST OF THE PILOT PROGRAM BY COUNTY;~~

~~(II) THE NUMBER OF RECIPIENTS RECEIVING FIP BENEFITS AFTER RECEIVING TRANSITIONAL ASSISTANCE UNDER THE PILOT PROGRAM;~~

~~(III) THE EMPLOYMENT STATUS AND WAGE EARNINGS OF RECIPIENTS; AND~~

~~(IV) ANY CHANGE IN EMPLOYMENT STATUS AND WAGE EARNINGS OF RECIPIENTS AFTER RECEIVING TRANSITIONAL ASSISTANCE UNDER THE PILOT PROGRAM; AND~~

~~(2) REPORT ITS FINDINGS TO THE SENATE FINANCE COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.~~

~~(J) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THE PILOT PROGRAM, INCLUDING REGULATIONS SPECIFYING:~~

~~(1) ELIGIBILITY AND SELECTION CRITERIA FOR PARTICIPANTS; AND~~

~~(2) QUALIFYING EDUCATIONAL AND TRAINING ACTIVITIES.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. It shall remain effective for a period of 5 years and, at the end of June 30, 2024, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.~~

Approved by the Governor, May 13, 2019.