

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 113

Short Title: Cabarrus Work Over Welfare.

(Public)

Sponsors: Senator Hartsell.

Referred to: Children and Human Resources.

February 12, 2001

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE CABARRUS COUNTY WORK OVER WELFARE PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. S.L. 1998-106 reads as rewritten:

"Section 1. Notwithstanding any law to the contrary, the Department of Health and Human Services shall ~~designate~~ continue designation of Cabarrus County as a pilot county for the purpose of conducting a demonstration ~~Workfare Program~~ welfare reform program for certain Work First and Food Stamp recipients. Immediately upon the ratification of this act, the Department shall ~~seek~~ ensure that all federal waivers necessary to allow this demonstration ~~program~~ program to continue are obtained. To the extent that this act or the program established pursuant to it conflicts with any State law, the program supersedes that law.

Sec. 2. The Cabarrus County demonstration ~~Workfare~~ Work Over Welfare Program for certain Work First and Food Stamp recipients shall:

- (1) Provide job opportunities to all able-bodied Work First and Food Stamp recipients who are required to participate in the Work First employment program.
- (2) Create job opportunities in the public, the private, nonprofit, and the private, for-profit sector, primarily in the human services areas by allowing Cabarrus County to use grant diversions, consisting of the Work First benefits and the cash value of Food Stamps that would be paid to otherwise eligible recipients to match employer funds, to subsidize the employment of these recipients. Human service area jobs will meet such socially necessary needs as day care work, nursing home aide work, and in-home aide work;

- 1 (3) Allow wages paid to these recipients, which contain grant-diverted
2 funds, to be exempt from income for purposes of determining
3 eligibility for assistance;
- 4 (4) Structure payment of wages to these recipients such that they will be
5 considered income, in order to make recipients eligible for the federal
6 earned income tax credit;
- 7 (5) Create work experience opportunities in the private sector more
8 realistically to reflect the world of work;
- 9 (6) Require these recipients to participate in the development of an
10 opportunity ~~contract, agreement~~ outlining the responsibilities of the
11 recipient and agency, as well as the incentives for compliance and the
12 sanctions for noncompliance;
- 13 (7) Require all these recipients who participate in the program to pursue
14 and accept employment, full or part time, subsidized or unsubsidized,
15 as a condition for continued eligibility for Work First and Food Stamp
16 assistance;
- 17 (8) Require job search training of all participants;
- 18 (9) Require monitored job search of all participants until employment is
19 found or until other work activities of up to 40 hours per week are in
20 place;
- 21 ~~(10) Provide child care by allowing Cabarrus County to use grant~~
22 ~~diversions, consisting of the child day care subsidies that would be~~
23 ~~paid to otherwise eligible recipients, and transportation as required;~~
- 24 (11) Create a positive work incentive by providing wage incentives to
25 participants who are in compliance with the program, ~~equal to the first~~
26 ~~thirty dollars (\$30.00) and one third of the remainder of monthly gross~~
27 ~~income for a period of up to two years;~~ program by utilizing the job
28 bonus as outlined in the Work First Policy Manual;
- 29 (12) Provide enhanced Food Stamp benefits after participants are employed
30 and are in program compliance by using the ~~thirty dollar (\$30.00) and~~
31 ~~one third of the remainder wage incentive as an income exemption;~~ job
32 bonus as outlined in the Work First Policy Manual;
- 33 (13) Provide ~~(i) a pay for performance system that withholds the entire~~
34 ~~Work First benefits for the household for the month following any~~
35 ~~month in which it fails to comply with Work First participation~~
36 ~~requirements and restores these benefits for the month following any~~
37 ~~month in which it successfully complies with Work First participation~~
38 ~~requirements, and, to ensure that children in sanctioned households are~~
39 ~~not harmed, (ii) social worker monitoring and the use of direct vendor~~
40 ~~payments or assistance from other community resources for rent,~~
41 ~~utilities, or other basic needs of children, as necessary, during the~~
42 ~~period in which the household is sanctioned;~~ for a system in which the
43 Work First cash assistance case is terminated following the first month
44 of noncompliance, with restoration of assistance after the client agrees

1 to comply with requirements and files a new application. To ensure
2 that children in terminated households are not harmed, provide social
3 worker monitoring and the use of direct vendor payments or assistance
4 from other community resources for rent, utilities, or other basic needs
5 of children as necessary, during the period in which the household is
6 sanctioned;

7 (14) Provide automatic Medicaid coverage for children and pregnant adults
8 of ~~sanctioned~~—terminated families by transferring the children
9 administratively to the Medicaid for Indigent Children (MIC) Program
10 and by transferring the pregnant adults administratively to the
11 Medicaid for Pregnant Women (MPW) ~~Program~~.~~Program~~;

12 (15) Count income from children in the home receiving SSI in the same
13 manner as social security income is counted to assure that all families
14 are treated fairly;

15 (16) Require that a recipient who voluntarily terminates employment
16 without good cause be ineligible for Work First until the individual
17 returns to work, provided work opportunities are available. Provide
18 employment services for 30 days to assist the individual in obtaining
19 employment;

20 (17) Require applicants for Work First to meet with child support staff
21 within 10 days of application. Failure or refusal to pursue child support
22 without good cause is grounds for denial of benefits;

23 (18) Provide that a recipient who is convicted of felony fraudulent
24 misrepresentation under G.S. 108A-39(b) shall be permanently
25 disqualified from participation in the Work First program;

26 (19) Provide that an applicant may be eligible for a one-time Work First
27 diversion payment in an amount not exceeding one thousand two
28 hundred dollars (\$1,200). Applicants receiving the diversion payment
29 shall not be eligible for ongoing Work First benefits for a period of
30 three months from the date of receipt of the diversion payment.
31 Individuals receiving a diversion payment must attend budgetary
32 counseling and may be required to have a protective payee for the
33 diversion payment;

34 (20) Provide that the period of exemption from participation in employment
35 services for a parent of a newborn child is three months. If a recipient
36 returns to work within six weeks of childbirth, the recipient may
37 reclaim the remainder of the three-month exemption if the recipient
38 chooses not to continue working during the initial six-week period;

39 (21) In ongoing Work First cases, require family reassessment of service
40 needs when the family circumstance changes due to an able-bodied,
41 financially responsible adult moving into the home. Family
42 reassessment may result in benefit diversion, change in services, or
43 termination from Work First program participation.

1 Sec. 3. This act shall be funded by Cabarrus County using ~~the available~~ grant
2 diversions and administrative transfers, ~~transfers prescribed in Section 2 of this act~~,
3 together with federal and State administrative funding allocated to Cabarrus County for
4 the public assistance programs.

5 Sec. 4. The Department of Health and Human Services shall evaluate the Cabarrus
6 County Demonstration Project and report to the General Assembly and to the Joint
7 Legislative Public Assistance Commission on or before September 1, ~~1998~~.2002.

8 Sec. 5. This act becomes effective July 1, 1995 and shall expire on July 1,
9 ~~2001~~.2003."

10 **SECTION 2.** This act is effective when it becomes law.