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**ARTICLE 18 SUBSTITUTE A**

**RELATING TO HUMAN SERVICES -- TEMPORARY ASSISTANCE FOR NEEDY  
FAMILIES AND CHILD CARE**

SECTION 1. Temporary Assistance for Needy Families Pilot Initiative.

WHEREAS, The state is focused on providing opportunities to low income people to increase their skills and training, find employment and support their families; and

WHEREAS, The Department of Human Services (the "Department") provides numerous programs to assist low income families to not only find employment but also retain employment and increase career path opportunities; and

WHEREAS, the Rhode Island Works and Child Care Assistance Programs administered by the Department offer the assistance necessary to ensure low income Rhode Islanders have every chance to succeed in the workplace; and

WHEREAS, The Rhode Island Works Program offers a number of opportunities for participants including, but not limited to, on the job training, subsidized employment, unpaid work experiences, community service, job readiness training and vocational education training; and

WHEREAS, the FY 2014 budget provides \$3,000,000 in temporary assistance for needy families ("TANF") surplus funds to establish a pilot initiative that promotes innovation in TANF supported programs and tests new ways of delivering services to low income individuals and families; and

WHEREAS, There are a number of challenges that need to be addressed in these programs to increase the success rate of participants including, but not limited to, the work participation rates in Rhode Island Works and the ability of parents to increase their work hours and/or salaries without immediately losing access to important child care assistance; and

WHEREAS, Opportunities exist as part of the pilot initiative to identify innovations for how the Rhode Island Works and Child Care Assistance Programs deliver services to those families and individuals that benefit from the programs; now therefore be it

RESOLVED, That the Department shall draft an innovative proposal to test new approaches and shall award a contract on a competitive basis with a job development vendor(s) to increase the work participation rates of the Rhode Island Works Program; and be it further

1 RESOLVED, That the Department may increase its case management of Rhode Island  
2 Works participants in order to ensure greater levels of success, quality employment and training  
3 opportunities for participants; and be it further

4 RESOLVED, That the statutory limitations for income levels eligible for the Child Care  
5 Assistance Program will be temporarily adjusted to provide that parents whose income increases  
6 from a level at or below one hundred eighty percent (180%) of the federal poverty level to a level  
7 between one hundred eighty percent (180%) and two hundred twenty-five percent (225%) will  
8 not lose access to the program because of the increase in income; and be it further

9 RESOLVED, That the Department shall provide the Governor with monthly written  
10 reports regarding the implementation of the pilot initiative including, but not limited to,  
11 performance measures and progress made to increase work participation rates for Rhode Island  
12 Works programs; and be it further

13 RESOLVED, That the Department shall report to the Governor and the General  
14 Assembly no later than April 1, 2014 regarding the findings of the pilot initiative including  
15 program changes that were tested, vendor performance and benchmarks achieved,  
16 recommendations for statutory amendments to continue the successes of the pilot, and the number  
17 of individuals and families that participated in the pilot and their successes; and be it further

18 RESOLVED, That any and all information in the Department's report regarding  
19 participants shall be in the aggregate and shall not include personally identifying information that  
20 may be highlighted as models for the pilot initiative's success without prior consent of any  
21 participants.

22 SECTION 2. Section 40-5.2-20 of the General Laws in Chapter 40-5.2 entitled "The  
23 Rhode Island Works Program" is hereby amended to read as follows:

24 **40-5.2-20. Child care assistance.** -- Families or assistance units eligible for childcare  
25 assistance.

26 (a) The department shall provide appropriate child care to every participant who is  
27 eligible for cash assistance and who requires child care in order to meet the work requirements in  
28 accordance with this chapter.

29 (b) Low-Income child care. - The department shall provide child care to all other  
30 working families with incomes at or below one hundred eighty percent (180%) of the federal  
31 poverty level, if and to the extent such other families require child care in order to work at paid  
32 employment as defined in the department's rules and regulations.

33 (c) No family/assistance unit shall be eligible for child care assistance under this chapter  
34 if the combined value of its liquid resources exceeds ten thousand dollars (\$10,000). Liquid

1 resources are defined as any interest(s) in property in the form of cash or other financial  
2 instruments or accounts which are readily convertible to cash or cash equivalents. These include,  
3 but are not limited to, cash, bank, credit union, or other financial institution savings, checking and  
4 money market accounts, certificates of deposit or other time deposits, stocks, bonds, mutual  
5 funds, and other similar financial instruments or accounts. These do not include educational  
6 savings accounts, plans, or programs; retirement accounts, plans, or programs; or accounts held  
7 jointly with another adult, not including a spouse. The department is authorized to promulgate  
8 rules and regulations to determine the ownership and source of the funds in the joint account.

9 (d) As a condition of eligibility for child care assistance under this chapter, the parent or  
10 caretaker relative of the family must consent to and must cooperate with the department in  
11 establishing paternity, and in establishing and/or enforcing child support and medical support  
12 orders for all children in the family in accordance with title 15 of the general laws, as amended,  
13 unless the parent or caretaker relative is found to have good cause for refusing to comply with the  
14 requirements of this subsection.

15 (e) For purposes of this section "appropriate child care" means child care, including  
16 infant, ~~elder~~ toddler, pre-school, nursery school, school-age, which is provided by a person or  
17 organization qualified, approved, and authorized to provide such care by the department of  
18 children, youth, and families, or by the department of elementary and secondary education, or  
19 such other lawful providers as determined by the department of human services, in cooperation  
20 with the department of children, youth and families and the department of elementary and  
21 secondary education.

22 (f)(1) Families with incomes below one hundred percent (100%) of the applicable  
23 federal poverty level guidelines shall be provided with free childcare. Families with incomes  
24 greater than one hundred percent (100%) and less than one hundred eighty (180%) of the  
25 applicable federal poverty guideline shall be required to pay for some portion of the childcare  
26 they receive, according to a sliding fee scale adopted by the department in the department's rules.

27 (2) For a twelve (12) month period beginning October 1, 2013, the Child Care Subsidy  
28 Transition Program shall function within the department of human services. Under this program,  
29 families who are already receiving childcare assistance and who become ineligible for childcare  
30 assistance as a result of their incomes exceeding one hundred eighty percent (180%) of the  
31 applicable federal poverty guidelines shall continue to be eligible for childcare assistance from  
32 October 1, 2013 to September 30, 2014 or until their incomes exceed two hundred twenty-five  
33 percent (225%) of the applicable federal poverty guidelines, whichever occurs first. To be  
34 eligible, such families must continue to pay for some portion of the childcare they receive, as

1 [indicated in a sliding fee scale adopted in the department's rules and in accordance with all other](#)  
2 [eligibility standards.](#)

3 (g) In determining the type of childcare to be provided to a family, the department shall  
4 take into account the cost of available childcare options, the suitability of the type of care  
5 available for the child, and the parent's preference as to the type of child care.

6 (h) For purposes of this section "income" for families receiving cash assistance under  
7 section 40-5.2-11 means gross earned income and unearned income, subject to the income  
8 exclusions in subdivisions 40-5.2-10(g)(2) and 40-5.2-10(g)(3) and income for other families  
9 shall mean gross earned and unearned income as determined by departmental regulations.

10 (i) The caseload estimating conference established by chapter 17 of title 35 shall forecast  
11 the expenditures for childcare in accordance with the provisions of section 35-17-1.

12 (j) In determining eligibility for child care assistance for children of members of reserve  
13 components called to active duty during a time of conflict, the department shall freeze the family  
14 composition and the family income of the reserve component member as it was in the month prior  
15 to the month of leaving for active duty. This shall continue until the individual is officially  
16 discharged from active duty.

17 SECTION 3. This article shall take effect upon passage.