

2013 -- H 5132

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LC00275
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO HUMAN SERVICES -- THE RHODE ISLAND WORKS PROGRAM

Introduced By: Representatives Diaz, Slater, Cimini, Almeida, and Valencia

Date Introduced: January 23, 2013

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-5.2-20 of the General Laws in Chapter 40-5.2 entitled "The
2 Rhode Island Works Program" is hereby amended to read as follows:

3 **40-5.2-20. Child care assistance.** -- Families or assistance units eligible for childcare
4 assistance.

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

8 (b) Low-Income child care. - The department shall provide child care to all other
9 working families with incomes at or below one hundred eighty percent (180%) of the federal
10 poverty level, if and to the extent such other families require child care in order to work at paid
11 employment as defined in the department's rules and regulations. [A working family found eligible
12 under this subsection shall remain eligible for assistance under this chapter so long as income is at
13 or below two hundred twenty-five percent \(225%\) of the federal poverty level and provided that
14 the family requires child care in order to work at paid employment.](#)

15 (c) No family/assistance unit shall be eligible for child care assistance under this chapter
16 if the combined value of its liquid resources exceeds ten thousand dollars (\$10,000). Liquid
17 resources are defined as any interest(s) in property in the form of cash or other financial
18 instruments or accounts which are readily convertible to cash or cash equivalents. These include,
19 but are not limited to, cash, bank, credit union, or other financial institution savings, checking and

1 money market accounts, certificates of deposit or other time deposits, stocks, bonds, mutual
2 funds, and other similar financial instruments or accounts. These do not include educational
3 savings accounts, plans, or programs; retirement accounts, plans, or programs; or accounts held
4 jointly with another adult, not including a spouse. The department is authorized to promulgate
5 rules and regulations to determine the ownership and source of the funds in the joint account.

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

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

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

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

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

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

33 (j) In determining eligibility for child care assistance for children of members of reserve
34 components called to active duty during a time of conflict, the department shall freeze the family

1 composition and the family income of the reserve component member as it was in the month prior
2 to the month of leaving for active duty. This shall continue until the individual is officially
3 discharged from active duty.

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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- 1 This act would allow people initially eligible for child care assistance to remain eligible
- 2 so long as their income does not exceed two hundred twenty-five percent (225%) of the federal
- 3 poverty level and child care is necessary in order to maintain employment
- 4 This act would take effect upon passage.

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