

104TH CONGRESS
1ST SESSION

H. R. 886

To reform the program of aid to families with dependent children.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 1995

Mr. WISE introduced the following bill; which was referred to the Committee on Ways and Means and, in addition, to the Committees on Economic and Educational Opportunities and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reform the program of aid to families with dependent children.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Welfare Reform and
5 Responsibility Act of 1995”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) welfare benefits are part of a compact be-
9 tween the government and the individual under

1 which both parties have a responsibility to each
2 other;

3 (2) in this compact, the government agrees to
4 provide basic benefits to individuals who meet the
5 qualifications;

6 (3) in return, the individuals agree to assume
7 responsibility for doing everything necessary to move
8 from the welfare rolls to the work force; and

9 (4) to meet these responsibilities, it is vital that
10 the State and the individual work together on an
11 employability plan with a timetable, which should be
12 reviewed periodically to help the government and the
13 individual meet their goals.

14 **SEC. 3. WORK REQUIRED IN EXCHANGE FOR AID TO FAMI-**
15 **LIES WITH DEPENDENT CHILDREN.**

16 (a) STATES REQUIRED TO INCLUDE A CWEP IN THE
17 JOBS PROGRAM.—Section 482(d)(1)(A) of the Social Se-
18 curity Act (42 U.S.C. 682(d)(1)(A)) is amended—

19 (1) in clause (i)—

20 (A) by striking “and” at the end of
21 subclause (III); and

22 (B) by adding at the end the following:

23 “(V) community work experience programs
24 as described in subsection (f); and”;

25 (2) in clause (ii)—

1 (A) in subclause (II) by inserting “and” at
2 the end;

3 (B) in subclause (III), by striking “; and”
4 and inserting a period; and

5 (C) by striking subclause (IV).

6 (b) STATES REQUIRED TO ENROLL AFDC RECIPI-
7 ENTS WHO ARE NOT PARTICIPATING IN THE JOBS PRO-
8 GRAM AND ARE NOT EXEMPT FROM SUCH PARTICIPA-
9 TION IN A CWEP.—Section 402(a) of such Act (42 U.S.C.
10 602(a)) is amended—

11 (1) in paragraph (44), by striking “and” after
12 the semicolon;

13 (2) in paragraph (45), by striking the period
14 and inserting “; and”; and

15 (3) by inserting after paragraph (45) the fol-
16 lowing:

17 “(46)(A) require each recipient of aid under the
18 plan who has received such aid for at least 6 con-
19 secutive months, is not participating in the program
20 of the State under part F or any other program
21 which offers substantially equivalent education, job
22 training, or work activities designed to lead to em-
23 ployment, and is not described by any clause of
24 paragraph (19)(C), to participate in the State com-
25 munity work experience program established in ac-

1 cordance with section 482(f) for a number of hours
2 per month equal to the amount of such aid payable
3 monthly with respect to the family of which the re-
4 cipient is a member, divided by the greater of the
5 Federal minimum hourly wage or the applicable
6 State minimum hourly wage;

7 “(B) prohibit any such aid recipient from being
8 assigned to any position of employment which was
9 created before the date of the enactment of this
10 paragraph; and

11 “(C) require the State to regularly inspect and
12 report to the Secretary and the Secretary of Labor
13 on the sites, facilities, and procedures of the commu-
14 nity work experience program.”.

15 **SEC. 4. FRAUD REDUCTION.**

16 (a) STATES REQUIRED TO OPERATE TOLL-FREE
17 TELEPHONE NUMBER TO RECEIVE REPORTS OF FRAUD
18 OR ABUSE.—Section 402(a) of the Social Security Act (42
19 U.S.C. 602(a)), as amended by section 3(b) of this Act,
20 is amended—

21 (1) in paragraph (45), by striking “and” after
22 the semicolon;

23 (2) in paragraph (46), by striking the period
24 and inserting “; and”; and

1 (3) by inserting after paragraph (47) the fol-
2 lowing:

3 “(48) provide that—

4 “(A) during the first month after the effec-
5 tive date of this paragraph in which aid is re-
6 ceived under the plan, the requirements of sec-
7 tion 482(b)(1) shall apply with respect to the
8 recipient; and

9 “(B) the employability plan developed for
10 the recipient must—

11 “(i) be designed to move the recipient
12 from aid to work in not more than 2 years;

13 “(ii) set specific goals and timetables
14 for reaching such goals; and

15 “(iii) be reviewed and updated not less
16 frequently than every 6 months.”.

17 **SEC. 6. ELIGIBILITY REVIEW.**

18 Section 402(a) of the Social Security Act (42 U.S.C.
19 602(a)), as amended by the preceding provisions of this
20 Act, is amended—

21 (1) in paragraph (47), by striking “and” after
22 the semicolon;

23 (2) in paragraph (48), by striking the period
24 and inserting “; and”; and

1 (3) by inserting after paragraph (48) the fol-
2 lowing:

3 “(49)(A) provide for the establishment of pan-
4 els, each composed of 3 former State judges, to—

5 “(i) annually review the circumstances of
6 recipients of aid under the plan who have re-
7 ceived such aid for 2 consecutive years;

8 “(ii) determine whether or not the recipi-
9 ent has fully participated in the program of the
10 State under part F and has made an effort to
11 become employed, and, if not, whether or not
12 circumstances beyond the control of the recipi-
13 ent have prevented such full participation or
14 employment; and

15 “(iii) reduce the amount of such aid pay-
16 able to the recipient if the recipient is not meet-
17 ing the participation requirements of the pro-
18 gram under part F; and

19 “(B) provide that the procedures established or
20 required by section 482(h) be used to resolve all dis-
21 putes arising out of determinations of such panels.”.

22 **SEC. 7. FAMILY PROVISIONS.**

23 (a) STATES REQUIRED TO OFFER PARENTING
24 COURSES TO ALL TEENAGE PARENTS NOT IN SCHOOL.—
25 Section 402(a) of the Social Security Act (42 U.S.C.

1 602(a)), as amended by the preceding provisions of this
2 Act, is amended—

3 (1) in paragraph (48), by striking “and” after
4 the semicolon;

5 (2) in paragraph (49), by striking the period
6 and inserting “; and”; and

7 (3) by inserting after paragraph (49) the fol-
8 lowing:

9 “(50) require the State to make available to all
10 parents in the State who have not attained the age
11 of 20 years and who are not attending school, a
12 course of instruction in parenting which includes
13 topics such as family planning, health, nutrition, and
14 child development.”.

15 (b) STATES REQUIRED TO ESTABLISH INCENTIVES
16 TO USE CERTAIN CONTRACEPTIVE METHODS.—

17 (1) IN GENERAL.—Section 402(a) of the Social
18 Security Act (42 U.S.C. 602(a)), as amended by the
19 preceding provisions of this Act, is amended—

20 (A) in paragraph (49), by striking “and”
21 after the semicolon;

22 (B) in paragraph (50), by striking the pe-
23 riod and inserting “; and”; and

24 (C) by inserting after paragraph (50) the
25 following:

1 “(51) require the State to establish a program
2 that provides incentives for recipients of aid under
3 the plan to use implanted, temporary, hormonal con-
4 traceptive devices.”.

5 (2) PAYMENTS TO STATES.—Section 403 of
6 such Act (42 U.S.C. 603) is amended by adding at
7 the end the following:

8 “(o) In addition to any payment under subsection (a)
9 or (l), each State shall be entitled to payments from the
10 Secretary of an amount equal to the Federal medical as-
11 sistance percentage (as defined in section 1905(b)) of the
12 expenditures by the State in operating the program re-
13 quired by section 402(a)(51).”.

14 **SEC. 8. EXPANSION OF JOB TRAINING AND EDUCATIONAL**
15 **OPPORTUNITIES.**

16 Section 403(l)(1)(A) of the Social Security Act (42
17 U.S.C. 603(l)(1)(A)) is amended—

18 (1) in clause (i), by striking “and”;

19 (2) in clause (ii), by striking the period and in-
20 serting “; and”; and

21 (3) by adding at the end the following:

22 “(iii) notwithstanding clauses (i) and (ii), with
23 respect to so much of such expenditures in a fiscal
24 year as exceed 60 percent of the State’s expendi-

1 tures to carry out a program under part F in the
2 fiscal year 1994, 100 percent.”.

3 **SEC. 9. WORK INCENTIVES; REDUCTION OF BARRIERS TO**
4 **EMPLOYMENT.**

5 (a) EARNED INCOME DISREGARD CHANGED TO EN-
6 COURAGE EMPLOYMENT.—

7 (1) IN GENERAL.—Section 402(a)(8)(B)(ii) of
8 the Social Security Act (42 U.S.C. 602(a)(8)(B)(ii))
9 is amended—

10 (A) in subclause (I), by striking “—” and
11 all that follows through “(b)”;

12 (B) in subclause (II)—

13 (i) by striking “the provisions of
14 subclause (II) of such subparagraph to any
15 month after such month, or apply”;

16 (ii) by striking “either”.

17 (2) CONFORMING AMENDMENTS.—

18 (A) Section 402(a)(37) of such Act (42
19 U.S.C. 602(a)(37)) is amended by striking
20 “paragraph (8)(B)(ii)(II)” and inserting “the
21 inapplicability of paragraph (8)(A)(iv)”.

22 (B) Section 402(g)(1)(A)(ii) of such Act
23 (42 U.S.C. 602(g)(1)(a)(II)) is amended by
24 striking “subsection (a)(8)(B)(ii)(II)” and in-

1 serting “the inapplicability of subsection
2 (a)(8)(A)(iv)”.

3 (C) Section 482(e)(2)(G)(ii) of such Act
4 (42 U.S.C. 682(e)(2)(G)(ii)) is amended by
5 striking “the provisions of subparagraph
6 (A)(iv)” and all that follows and inserting “sec-
7 tion 402(a)(8)(A)(iv) without regard to the time
8 limitation of such section”.

9 (D) Section 1925(a)(1) of such Act (42
10 U.S.C. 1396r-6(a)(1)) is amended by striking
11 “section 402(a)(8)(B)(ii)(II)” and inserting
12 “the inapplicability of section
13 402(a)(8)(A)(iv)”.

14 (b) OPTIONAL STATE EXTENSION OF MEDICAID EN-
15 ROLLMENT FOR CERTAIN FORMER AFDC RECIPIENTS.—

16 (1) OPTIONAL EXTENSION FOR 2 ADDITIONAL
17 YEARS.—

18 (A) IN GENERAL.—Section 1925(b)(1) of
19 such Act (42 U.S.C. 1396r-6(b)(1)) is amended
20 by striking the period at the end and inserting
21 the following: “, and may provide that the State
22 shall offer to each such family the option of ex-
23 tending coverage under this subsection for any
24 of the first 4 succeeding 6-month periods, in
25 the same manner and under the same condi-

1 tions as the option of extending coverage under
2 this subsection for the first succeeding 6-month
3 period.”.

4 (B) CONFORMING AMENDMENT.—The
5 heading for such section is amended by striking
6 “REQUIREMENT” and inserting “IN GENERAL”.

7 (2) PREMIUM FOR ADDITIONAL EXTENSION PE-
8 RIODS BASED ON SLIDING SCALE.—

9 (A) IN GENERAL.—Section 1925(b)(5)(B)
10 of such Act (42 U.S.C. 1396r-6(b)(5)(B)) is
11 amended by adding at the end the following
12 new sentence: “With respect to such a premium
13 in a premium payment period occurring during
14 the 2nd, 3rd, 4th, or 5th additional extension
15 period provided under this subsection, the State
16 shall (subject to subparagraph (C)) base the
17 amount of the premium on a sliding scale based
18 on the family’s ability to pay the premium.”.

19 (B) CONFORMING AMENDMENT.—The
20 heading for such section is amended by striking
21 “OFFERED” and inserting “OFFERED OR FAM-
22 ILY INCOME”.

23 (3) OTHER CONFORMING AMENDMENTS.—Sec-
24 tion 1925(b) of such Act (42 U.S.C. 1396r-6(b)) is
25 amended—

1 (A) in the heading, by striking “EXTEN-
2 SION” and inserting “EXTENSIONS”;

3 (B) in paragraph (2)(B)(ii)—

4 (i) in the heading, by striking “PE-
5 RIOD” and inserting “PERIODS”, and

6 (ii) by striking “in the period” and in-
7 serting “in each of the 6-month periods”;

8 (C) in paragraph (3)(A), by striking “the
9 6-month period” and inserting “any 6-month
10 period”;

11 (D) in paragraph (4)(A), by striking “the
12 extension period” and inserting “any extension
13 period”; and

14 (E) in paragraph (5)(D)(i), by striking “is
15 a 3-month period” and all that follows and in-
16 serting the following: “is, with respect to a par-
17 ticular 6-month additional extension period pro-
18 vided under this subsection, a 3-month period
19 beginning with the 1st or 4th month of such ex-
20 tension period.”.

21 (4) EFFECTIVE DATE.—The amendments made
22 by paragraphs (1), (2), and (3) shall apply to cal-
23 endar quarters beginning on or after January 1,
24 1996.

1 (c) STATE OPTION TO EXTEND CHILD CARE FOR UP
2 TO 3 YEARS.—Section 402(g)(1)(A)(iii) of such Act (42
3 U.S.C. 602(g)(1)(A)(iii)) is amended by inserting “(or, at
4 the option of the State, a period of not more than 36
5 months)” after “12 months”.

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