



February 18, 2020

**ENGROSSED
HOUSE BILL No. 1009**

DIGEST OF HB 1009 (Updated February 17, 2020 11:18 am - DI 135)

Citations Affected: IC 12-14; IC 12-15; IC 20-26; IC 21-12.

Synopsis: Various welfare matters. Provides that money earned by a child or a member of the child's family as a student participating in a paid internship, a work based learning course, or a paid postsecondary work experience that allows the individual to apply for a related apprenticeship is: (1) disregarded for purposes of determining eligibility for assistance or the amount of assistance for a child under the federal Temporary Assistance for Needy Families (TANF) program and the Supplemental Nutrition Assistance Program (SNAP); (2) disregarded for certain Medicaid category populations in determining
(Continued next page)

Effective: July 1, 2020; January 1, 2021.

Goodrich, Huston, DeVon, Pryor

(SENATE SPONSORS — MESSMER, FORD JON, RUCKELSHAUS,
BREAUX, FORD J.D.)

January 6, 2020, read first time and referred to Committee on Family, Children and Human Affairs.

January 14, 2020, amended, reported — Do Pass.

January 21, 2020, read second time, amended, ordered engrossed.

January 22, 2020, engrossed.

January 23, 2020, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

February 5, 2020, read first time and referred to Committee on Family and Children Services.

February 17, 2020, reported favorably — Do Pass.

EH 1009—LS 7087/DI 104



Digest Continued

eligibility for Medicaid; and (3) factored by applying a reasonable method to include a prorated portion of reasonably predictable future income in determining Medicaid eligibility for certain Medicaid category populations. Specifies that income earned by an individual employed in a temporary job as a census worker is not counted for purposes of: (1) TANF; (2) SNAP; (3) Medicaid; (4) a school lunch program; and (5) determining eligibility for certain scholarships, grants, or awards. Changes the amount of equity value in a motor vehicle disregarded for purposes of eligibility in the TANF program from \$5,000 to \$10,000.



February 18, 2020

Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1009

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-14-1-1.2 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2021]: **Sec. 1.2. (a) Except as otherwise provided by**
4 **federal law, income that an individual earns for:**
5 (1) **employment in a paid internship;**
6 (2) **employment in a work based learning course (as defined**
7 **in IC 20-43-8-0.7); or**
8 (3) **paid postsecondary work experience that allows the**
9 **individual to apply for a related apprenticeship (as defined by**
10 **IC 20-43-8-0.3);**
11 **may not be considered as a resource, asset, or income in**
12 **determining an applicant's or recipient's eligibility for assistance**
13 **under TANF.**
14 (b) **The division shall apply for any plan amendment, waiver, or**
15 **any other federal approval necessary to implement this section.**
16 **Upon approval, the division shall implement this section not later**
17 **than thirty (30) days from receipt of the federal approval.**

EH 1009—LS 7087/DI 104



1 SECTION 2. IC 12-14-1-1.4 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2020]: **Sec. 1.4. (a) Except as otherwise provided by federal law,
 4 income that an individual earns employed at a temporary job as a
 5 census worker may not be considered as a resource, asset, or
 6 income in determining an applicant's or recipient's eligibility for
 7 assistance under TANF.**

8 **(b) The division shall request any amendment or waiver
 9 necessary from the federal government to implement this section.**

10 SECTION 3. IC 12-14-2-1 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) After the
 12 investigation under IC 12-14-1-6, the county office shall decide the
 13 following:

- 14 (1) Whether the child is eligible for assistance under this article.
 15 (2) The amount of assistance.
 16 (3) The date assistance begins.

17 (b) The county office may not consider:

- 18 (1) money in an individual development account under IC 4-4-28
 19 that belongs to the child or a member of the child's family;
 20 (2) ~~five ten~~ thousand dollars (~~\$5,000~~) (**\$10,000**) of equity value
 21 (as defined in 470 IAC 10.1-3-1) in one (1) motor vehicle that
 22 belongs to a member of the child's family; ~~or~~
 23 (3) a Holocaust victim's settlement payment received by the child
 24 or a member of the child's family; ~~or~~
 25 **(4) money earned by the child or a member of the child's
 26 family as a student participating in:**

27 **(A) a paid internship;**

28 **(B) a work based learning course (as defined in
 29 IC 20-43-8-0.7); or**

30 **(C) paid postsecondary work experience that allows the
 31 individual to apply for a related apprenticeship (as defined
 32 by IC 20-43-8-0.3);**

33 when determining whether the child is eligible for assistance under this
 34 article.

35 SECTION 4. IC 12-14-2-3 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3. (a) Except as
 37 provided in subsection (b), when determining the amount of assistance,
 38 an accounting must be taken of any income or property of the child that
 39 the child may receive from another source.

40 (b) The following may not be considered as income or property of
 41 the child when determining the amount of assistance for the child:

- 42 (1) Money in an individual development account established



- 1 under IC 4-4-28 that belongs to a child or a member of the child's
 2 family.
 3 (2) A Holocaust victim's settlement payment received by the child
 4 or a member of the child's family.
 5 **(3) Money earned by the child or a member of the child's**
 6 **family as a student participating in:**
 7 **(A) a paid internship;**
 8 **(B) a work based learning course (as defined in**
 9 **IC 20-43-8-0.7); or**
 10 **(C) paid postsecondary work experience that allows the**
 11 **individual to apply for a related apprenticeship (as defined**
 12 **by IC 20-43-8-0.3).**

13 SECTION 5. IC 12-14-30-5 IS ADDED TO THE INDIANA CODE
 14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 15 JANUARY 1, 2021]: **Sec. 5. (a) Except as otherwise provided by**
 16 **federal law, income that an individual earns for:**

- 17 **(1) employment in a paid internship;**
 18 **(2) employment in a work based learning course (as defined**
 19 **in IC 20-43-8-0.7; or**
 20 **(3) paid postsecondary work experience that allows the**
 21 **individual to apply for a related apprenticeship (as defined by**
 22 **IC 20-43-8-0.3);**

23 may not be considered as a resource, asset, or income in
 24 determining an applicant's or recipient's eligibility for SNAP
 25 assistance.

26 **(b) The division shall apply for any plan amendment, waiver, or**
 27 **any other federal approval necessary to implement this section.**
 28 **Upon approval, the division shall implement this section not later**
 29 **than thirty (30) days from receipt of the federal approval.**

30 SECTION 6. IC 12-14-30-6 IS ADDED TO THE INDIANA CODE
 31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 32 1, 2020]: **Sec. 6. (a) Except as otherwise provided by federal law,**
 33 **income that an individual earns employed at a temporary job as a**
 34 **census worker may not be considered as a resource, asset, or**
 35 **income in determining an applicant's or recipient's eligibility for**
 36 **SNAP assistance.**

37 **(b) The division shall apply for any plan amendment, waiver, or**
 38 **any other federal approval necessary to implement this section.**
 39 **Upon approval, the division shall implement this section not later**
 40 **than thirty (30) days from receipt of the federal approval.**

41 SECTION 7. IC 12-15-2-17.5 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JANUARY 1, 2021]: **Sec. 17.5. (a) This section applies**
 2 **beginning on the date on which the United States Department of**
 3 **Health and Human Services approves the request for changes by**
 4 **the office under this section.**

5 (b) This subsection applies to applicants or recipients who are
 6 exempt from the use of modified adjusted gross income (MAGI) as
 7 described in 42 U.S.C. 1396a(e)(14)(D) in determining eligibility.
 8 The office may not consider income earned by an applicant, a
 9 recipient, or a member of the applicant's or recipient's family for
 10 participating in:

11 (1) a work based learning course (as defined in
 12 IC 20-43-8-0.7); or

13 (2) paid postsecondary work experience that allows the
 14 individual to apply for a related apprenticeship (as defined by
 15 IC 20-43-8-0.3);

16 as income in determining the applicant's or recipient's eligibility
 17 for Medicaid.

18 (c) For an applicant or recipient for whom the modified
 19 adjusted gross income (MAGI) is applicable, the office shall elect
 20 to apply a reasonable method to include a prorated portion of
 21 reasonably predictable future income as a factor concerning the
 22 income earned by the applicant or recipient by participating in a
 23 work based learning course, as set forth in 42 CFR 435.603(h)(3).

24 (d) The office shall apply for any state plan amendment or
 25 Medicaid waiver necessary to implement this section.

26 SECTION 8. IC 12-15-2-17.7 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2020]: **Sec. 17.7. (a) This section applies**
 29 **beginning on the date on which the United States Department of**
 30 **Health and Human Services approves the request for changes by**
 31 **the office under this section.**

32 (b) This subsection applies to applicants or recipients who are
 33 exempt from the use of modified adjusted gross income (MAGI) as
 34 described in 42 U.S.C. 1396a(e)(14)(D) in determining eligibility.
 35 The office may not consider income earned by:

36 (1) an applicant;

37 (2) a recipient; or

38 (3) a member of the applicant's or recipient's family;
 39 employed at a temporary job as a census worker as a resource,
 40 asset, or income in determining the applicant's or recipient's
 41 eligibility for Medicaid.

42 (c) For an applicant or recipient for whom the modified



1 **adjusted gross income (MAGI) is applicable, the office shall elect**
2 **to apply a reasonable method to include a prorated portion of**
3 **reasonably predictable future income as a factor concerning the**
4 **income earned by the applicant or recipient employed at a**
5 **temporary job as a census worker, as set forth in 42 CFR**
6 **435.603(h)(3).**

7 **(d) The office shall apply for any state plan amendment or**
8 **Medicaid waiver necessary to implement this section.**

9 SECTION 9. IC 20-26-9-8.5 IS ADDED TO THE INDIANA CODE
10 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
11 **1, 2020]: Sec. 8.5. Except as otherwise provided under federal law,**
12 **income that an individual earns employed at a temporary job as a**
13 **census worker may not be considered as a resource, asset, or**
14 **income in determining an applicant's or recipient's eligibility for**
15 **a school lunch program that offers free or reduced price lunches.**

16 SECTION 10. IC 21-12-1.2-4 IS ADDED TO THE INDIANA
17 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
18 **[EFFECTIVE JULY 1, 2020]: Sec. 4. Except as otherwise provided**
19 **under federal law, income that an individual earns employed at a**
20 **temporary job as a census worker may not be considered as a**
21 **resource, asset, or income in determining an applicant's or**
22 **recipient's eligibility for any scholarship, grant, or award**
23 **administered by the commission.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1009, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 5 with "[EFFECTIVE JANUARY 1, 2021]".

Page 3, line 15, delete "a resource" and insert "**income**".

and when so amended that said bill do pass.

(Reference is to HB 1009 as introduced.)

DEVON

Committee Vote: yeas 11, nays 0.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1009 be amended to read as follows:

Page 1, between lines 13 and 14, begin a new paragraph and insert:
 "SECTION 2. IC 12-14-1-1.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.4. (a) Except as otherwise provided by federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for assistance under TANF.**

(b) The division shall request any amendment or waiver necessary from the federal government to implement this section."

Page 3, between lines 1 and 2, begin a new paragraph and insert:
 "SECTION 6. IC 12-14-30-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6. (a) Except as otherwise provided by federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for SNAP assistance.**

(b) The division shall apply for any plan amendment, waiver, or any other federal approval necessary to implement this section.

EH 1009—LS 7087/DI 104



Upon approval, the division shall implement this section not later than thirty (30) days from receipt of the federal approval."

Page 3, after line 25, begin a new paragraph and insert:

"SECTION 8. IC 12-15-2-17.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.7. (a) This section applies beginning on the date on which the United States Department of Health and Human Services approves the request for changes by the office under this section.

(b) This subsection applies to applicants or recipients who are exempt from the use of modified adjusted gross income (MAGI) as described in 42 U.S.C. 1396a(e)(14)(D) in determining eligibility. The office may not consider income earned by:

- (1) an applicant;**
- (2) a recipient; or**
- (3) a member of the applicant's or recipient's family;**

EMPLOYED at a temporary job as a census worker as a resource, asset, or income in determining the applicant's or recipient's eligibility for Medicaid.

(c) For an applicant or recipient for whom the modified adjusted gross income (MAGI) is applicable, the office shall elect to apply a reasonable method to include a prorated portion of reasonably predictable future income as a factor concerning the income earned by the applicant or recipient employed at a temporary job as a census worker, as set forth in 42 CFR 435.603(h)(3).

(d) The office shall apply for any state plan amendment or Medicaid waiver necessary to implement this section.

SECTION 9. IC 20-26-9-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.5. Except as otherwise provided under federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for a school lunch program that offers free or reduced price lunches.

SECTION 10. IC 21-12-1.2-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Except as otherwise provided under federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for any scholarship, grant, or award



administered by the commission."

Renumber all SECTIONS consecutively.

(Reference is to HB 1009 as printed January 14, 2020.)

PRYOR

HOUSE MOTION

Mr. Speaker: I move that House Bill 1009 be amended to read as follows:

Page 1, line 4, delete "employed in a:" and insert "**for:**".

Page 1, line 5, after "(1)" insert "**employment in a**".

Page 1, line 5, delete "or".

Page 1, line 6, after "(2)" insert "**employment in a**".

Page 1, line 6, after "IC 20-43-8-0.7);" insert "**or**

(3) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);"

Page 2, line 13, delete "in" and insert "**in:**

(A)".

Page 2, line 13, delete "internship or" and insert "**internship;**

(B) a".

Page 2, line 14, after "IC 20-43-8-0.7);" insert "**or**

(C) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);"

Page 2, line 30, delete "in" and insert "**in:**

(A)".

Page 2, line 30, delete "internship or" and insert "**internship;**

(B)".

Page 2, line 31, delete "IC 20-43-8-0.7)." and insert "**IC 20-43-8-0.7); or**

(C) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3)."

Page 2, line 35, delete "employed" and insert "**for:**

(1) employment".

Page 2, line 36, delete "internship or" and insert "**internship;**

(2) employment in".



Page 2, line 37, delete "IC 20-43-8-0.7)" and insert "**IC 20-43-8-0.7;**
or

(3) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);"

Page 2, line 37, beginning with "may" begin a new line blocked left.

Page 3, line 11, delete "by:" and insert "**by an applicant, a RECIPIENT, or a member of the applicant's or recipient's family for"**.

Page 3, delete lines 12 through 14.

Run in lines 11 through 15.

Page 3, line 15, delete "in" and insert "**in:**

(1)".

Page 3, line 16, delete "IC 20-43-8-0.7) as" and insert "**IC 20-43-8-0.7); or**

(2) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);

as".

(Reference is to HB 1009 as printed January 14, 2020.)

PRYOR

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred House Bill No. 1009, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1009 as reprinted January 22, 2020.)

GROOMS, Chairperson

Committee Vote: Yeas 9, Nays 0

