

2014 -- H 7421

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO HUMAN SERVICES - RHODE ISLAND WORKS PROGRAM

Introduced By: Representatives Diaz, Slater, Williams, Almeida, and Ferri

Date Introduced: February 12, 2014

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. Families who are receiving  
12 child care assistance under this subsection shall continue to be eligible for child care assistance  
13 under this subsection until the family's income exceeds two hundred twenty-five percent (225%)  
14 of the applicable poverty level. Beginning October 1, 2013, and until January 1, 2015, the  
15 department shall also provide child care to families with income below one hundred eighty  
16 percent (180%) of the federal poverty level if and to the extent such families require child care to  
17 participate on a short term basis, as defined in the department's rules and regulations, in training,  
18 apprenticeship, internship, on-the-job training, work experience, work immersion, or other job  
19 readiness/job attachment program sponsored or funded by the human resource investment council

1 (governor's workforce board) or state agencies that are part of the coordinated program system  
2 pursuant to sections 42-102-9 and 42-102-11.

3 (c) No family/assistance unit shall be eligible for child care assistance under this chapter  
4 if the combined value of its liquid resources exceeds ten thousand dollars (\$10,000). Liquid  
5 resources are defined as any interest(s) in property in the form of cash or other financial  
6 instruments or accounts which are readily convertible to cash or cash equivalents. These include,  
7 but are not limited to, cash, bank, credit union, or other financial institution savings, checking and  
8 money market accounts, certificates of deposit or other time deposits, stocks, bonds, mutual  
9 funds, and other similar financial instruments or accounts. These do not include educational  
10 savings accounts, plans, or programs; retirement accounts, plans, or programs; or accounts held  
11 jointly with another adult, not including a spouse. The department is authorized to promulgate  
12 rules and regulations to determine the ownership and source of the funds in the joint account.

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

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

26 (f) ~~(H)~~ Families with incomes below one hundred percent (100%) of the applicable  
27 federal poverty level guidelines shall be provided with free childcare. Families with incomes  
28 greater than one hundred percent (100%) and less than ~~one hundred eighty (180%)~~ two hundred  
29 twenty-five percent (225%) of the applicable federal poverty guideline shall be required to pay  
30 for some portion of the childcare they receive, according to a sliding fee scale adopted by the  
31 department in the department's rules.

32 ~~(2) For a twelve (12) month period beginning October 1, 2013, the Child Care Subsidy~~  
33 ~~Transition Program shall function within the department of human services. Under this program,~~  
34 ~~families who are already receiving childcare assistance and who become ineligible for childcare~~

1 ~~assistance as a result of their incomes exceeding one hundred eighty percent (180%) of the~~  
2 ~~applicable federal poverty guidelines shall continue to be eligible for childcare assistance from~~  
3 ~~October 1, 2013 to September 30, 2014 or until their incomes exceed two hundred twenty five~~  
4 ~~percent (225%) of the applicable federal poverty guidelines, whichever occurs first. To be~~  
5 ~~eligible, such families must continue to pay for some portion of the childcare they receive, as~~  
6 ~~indicated in a sliding fee scale adopted in the department's rules and in accordance with all other~~  
7 ~~eligibility standards.~~

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

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

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

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

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO HUMAN SERVICES - RHODE ISLAND WORKS PROGRAM

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1           This act would afford subsidized child care to existing eligible families whose incomes  
2 are between one hundred percent (100%) and two hundred twenty-five percent (225%) of the  
3 applicable federal property guideline, according to a sliding scale adopted by the department of  
4 human services.

5           This act would take effect upon passage.

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