

2001 SESSION

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SENATE BILL NO. 864

Offered January 10, 2001

Prefiled December 27, 2000

A BILL to amend and reenact § 63.1-133.46 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.1-105.9, relating to day care for Temporary Assistance to Needy Families (TANF) recipients.

Patron—Miller, Y.B.

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That § 63.1-133.46 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 63.1-105.9 as follows:

§ 63.1-105.9. Child day care services for TANF recipients engaged in employment or education.

Child day care services shall be provided to TANF recipients:

1. Who are unable to obtain suitable child day care at no cost, if such day care services are needed for the recipient to (a) fulfill a VIEW program requirement pursuant to § 63.1-133.49, (b) seek or retain employment, or (c) attend a job training or educational program, which has been approved by the local department of social services as likely to result in self-sufficiency, unless the local department subsequently determines that the recipient is not making satisfactory progress toward completion of such job training or educational program; or

2. Who are otherwise eligible for child day care pursuant to State Board regulations.

§ 63.1-133.46. Case management; support services; transitional support services

A. The Commissioner of Social Services, through the local departments of social services, with such funds as appropriated, shall offer services under the Job Opportunities and Basic Skills Training Program to all families participating in the Program.

B. The Commissioner of Social Services, through the local departments of social services, with such funds as appropriated, shall offer families participating in the Program intensive case management services throughout the family's participation in the Program. Case management services shall include initial assessment of the full range of services that will be needed by each family including testing and evaluation, development of the individualized agreement of personal responsibility, and periodic reassessment of service needs and the agreement of personal responsibility. It shall be the goal of the Department to have a statewide intensive case management ratio not higher than the prevailing statewide average ratio in the JOBS Program in Virginia as the ratio exists in the JOBS Program on the date of enactment of this act. The Department shall seek to achieve this goal during the first year of implementation. By December 1, 1996, the Commissioner shall develop and submit a report to the Governor and General Assembly concerning the establishment of a classification system for caseload management in the Program. The Department shall include in its annual report to the Governor and General Assembly an evaluation of program effectiveness statewide and by locality, including an evaluation of case management services.

C. Local departments of social services are authorized to provide services to VIEW families throughout the family's participation in VIEW subject to regulations promulgated by the State Board, including:

1. Day care for the children of participants if:

a. The participant is employed and day-care services are essential to the continued employment of the participant;

b. Day-care services are required to enable a participant to receive job placement, job training or education services; or

e. The participant is otherwise eligible for day care pursuant to State Board regulations.

2. Transportation which that will enable parental employment or participation in services required by the agreement of personal responsibility.

32. Job counseling, education and training, and job search assistance consistent with the purposes of VIEW.

43. Medical assistance.

D. Child day care services shall be provided to the children of participants:

1. Who are unable to obtain suitable child day care at no cost, if such day care services are needed for the participant to (a) fulfill a VIEW program requirement pursuant to § 63.1-133.49, (b) seek or retain employment, or (c) attend a job training or educational program, which has been approved by

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59 *the local department of social services as likely to result in self-sufficiency, unless the local department*
60 *subsequently determines that the recipient is not making satisfactory progress toward completion of such*
61 *job training or educational program; or*

62 *2. Who are otherwise eligible for child day care pursuant to State Board regulations.*

63 *E. For up to twelve months after TANF financial assistance is terminated, either voluntarily or*
64 *involuntarily, child day care services shall be provided to the children of former TANF participants:*

65 *1. Who are unable to obtain suitable child day care at no cost, if such day care services are needed*
66 *for the former participant to (a) seek or retain employment or (b) attend a job training or educational*
67 *program, which has been approved by the local department of social services as likely to result in*
68 *self-sufficiency, unless the local department subsequently determines that the participant is not making*
69 *satisfactory progress toward completion of such job training or educational program; or*

70 *2. Who are otherwise eligible for child day care pursuant to State Board regulations.*

71 *F. A participant whose AFDC TANF financial assistance is terminated, either voluntarily or*
72 *involuntarily, shall receive the following services for up to twelve months after termination, if needed:*

73 *1. Assistance with child day care if such assistance enables the individual to work;*

74 *2. Assistance with transportation, if such transportation enables the individual to work; and*

75 *3. Medical assistance, including transitional medical assistance for families with a working parent*
76 *who becomes ineligible for AFDC financial assistance because of increased earnings, unless (i) medical*
77 *insurance is available through the parent's employer or (ii) family income exceeds 185 percent of the*
78 *federal poverty level.*

79 *EG. The State Department of Social Services or local departments of social services may purchase or*
80 *otherwise acquire motor vehicles from the centralized fleet of motor vehicles controlled by the*
81 *Commonwealth Transportation Commissioner under Chapter 12 (§ 33.1-400 et seq.) of Title 33.1 and*
82 *sell or otherwise transfer such vehicles to Temporary Assistance to Needy Families (TANF) recipients or*
83 *former recipients. Purchases, sales, and other transfers of vehicles under this subsection shall not be*
84 *subject to the provisions of the Virginia Public Procurement Act (§ 11-35 et seq.), or the provisions of*
85 *§§ 2.1-457.2, 2.1-505, 2.1-512, and 33.1-404 relating to the sale, purchase, and transfer of surplus motor*
86 *vehicles and other surplus state property.*

87 *FH. Nothing in this section shall be construed or interpreted to create a cause of action or*
88 *administrative claim based upon a right or entitlement to any specific services or an exemption or*
89 *waiver from any provision of this Program.*