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SENATE BILL NO. 781

Senate Amendments in [] — February 3, 2011

A BILL to amend the Code of Virginia by adding a section numbered 63.2-608.1, relating to eligibility for the Virginia Initiative for Employment Not Welfare Program; screening and assessment for use of illegal substances.

Patron Prior to Engrossment—Senator Reynolds

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 63.2-608.1 as follows:****§ 63.2-608.1. Eligibility for VIEW; screening and assessment for use of illegal substances.**

As a condition of participation in VIEW, the local director shall cause each participant to be screened to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The screening shall utilize a standardized screening instrument developed by the Department together with the Department of Behavioral Health and Developmental Services. Screenings shall be performed by a representative of the local department of social services at the time of the initial VIEW assessment and periodically thereafter but not more frequently than every six months. If a screening indicates that there is a reason to believe that the VIEW participant is engaged in the use of illegal substances, the Department shall require a formal substance abuse assessment, which may include drug testing to be performed by a substance abuse treatment practitioner licensed by the Department of Health Professions.

Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive TANF payments pursuant to this chapter unless he enters into and maintains full compliance in a drug treatment program. Other members of a household that includes a person who has failed or refused to participate in a screening or assessment or who has tested positive for the use of illegal substances, if otherwise eligible, shall receive TANF payments pursuant to this chapter as protective or vendor payments to a third party payee for the benefit of the members of the household.

Persons deemed ineligible for TANF assistance because of a failure or refusal to participate in a screening or assessment or for testing positive for the use of illegal substances shall be ineligible to receive TANF assistance for a period of 12 months [, however, an individual shall have an opportunity to comply with the screening, assessment, or treatment requirements and be reinstated once during the 12 month period following the date of the initial VIEW assessment] .

[2. That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in the general appropriation act passed by the 2011 Regular Session of the General Assembly, which becomes law.]

ENGROSSED

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