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SENATE BILL NO. 685

Offered January 8, 1997

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 63.1-105.8, relating to aid to families with dependent children; day care.

Patrons—Miller, Y.B., Howell, Lucas, Marsh and Maxwell; Delegate: Robinson

Referred to the 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 63.1-105.8 as follows:

§ 3.1-105.8. Day care for AFDC recipients engaged in employment or education.

The State Department of Social Services shall provide full funding to ensure that day care is available for the children of AFDC recipients if:

- 1. The recipient is employed;*
- 2. The recipient is participating in job placement, job training or education services;*
- 3. The recipient is enrolled full-time in, and making satisfactory progress toward completion of, a job training or educational program designed to result in self-sufficiency; or*
- 4. The recipient is otherwise eligible for 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
 - c. The participant is otherwise eligible for day care pursuant to State Board regulations.
2. Transportation which will enable parental employment or participation in services required by the agreement of personal responsibility.
3. Job counseling, education and training, and job search assistance consistent with the purposes of VIEW.

43. Medical assistance.

D. *The State Department of Social Services shall provide full funding to ensure that day care is available for the children of participants if:*

- 1. The participant is employed;*
- 2. The participant is participating in job placement, job training or education services;*
- 3. The participant is enrolled full-time in, and making satisfactory progress toward completion of, a job training or educational program designed to result in self-sufficiency; or*

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60 4. The participant is otherwise eligible for day care pursuant to State Board regulations.
61 E. The State Department of Social Services shall provide full funding to ensure that day care is
62 available for the children of participants whose AFDC financial assistance is terminated, either
63 voluntarily or involuntarily, for twelve months after termination of AFDC financial assistance if:
64 1. The former participant is employed;
65 2. The former participant is participating in job placement, job training or education services;
66 3. The former participant is enrolled full-time in, and making satisfactory progress toward
67 completion of, a job training or educational program designed to result in self-sufficiency; or
68 4. The former participant is otherwise eligible for day care pursuant to State Board regulations.
69 F. A participant whose AFDC financial assistance is terminated, either voluntarily or involuntarily,
70 shall receive the following services for up to twelve months after termination, if needed:
71 1. ~~Assistance with child day care if such assistance enables the individual to work;~~
72 2. ~~Assistance with transportation, if such transportation enables the individual to work; and~~
73 3 2. Medical assistance, including transitional medical assistance for families with a working parent
74 who becomes ineligible for AFDC financial assistance because of increased earnings, unless (i) medical
75 insurance is available through the parent's employer or (ii) family income exceeds 185 percent of the
76 federal poverty level.
77 E G. Nothing in this section shall be construed or interpreted to create a cause of action or
78 administrative claim based upon a right or entitlement to any specific services or an exemption or
79 waiver from any provision of this Program.