

2015 -- H 5544

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO HUMAN SERVICES - THE RHODE ISLAND WORKS PROGRAM

Introduced By: Representatives Diaz, Slater, Tanzi, and Maldonado

Date Introduced: February 25, 2015

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%)~~ two hundred
10 twenty-five percent (225%) of the federal poverty level if, and to the extent, such other families
11 require child care in order to work at paid employment as defined in the department's rules and
12 regulations. Beginning October 1, 2013, and until June 30, 2015, subject to available funding, the
13 department shall also provide child care to families with income below ~~one hundred eighty~~
14 ~~percent (180%)~~ two hundred twenty-five percent (225%) of the federal poverty level if, and to the
15 extent, such families require child care to participate on a short-term basis, as defined in the
16 department's rules and regulations, in training, apprenticeship, internship, on-the-job training,
17 work experience, work immersion, or other job readiness/job attachment program sponsored or
18 funded by the human resource investment council (governor's workforce board) or state agencies
19 that are part of the coordinated program system pursuant to §§ 42-102-9 and 42-102-11.

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

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

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

24 (f) ~~(1)~~ Families with incomes below one hundred percent (100%) of the applicable
25 federal poverty level guidelines shall be provided with free childcare. Families with incomes
26 greater than one hundred percent (100%) and less than ~~one hundred eighty (180%)~~ two hundred
27 twenty-five percent (225%) of the applicable federal poverty guideline shall be required to pay
28 for some portion of the childcare they receive, according to a sliding-fee scale adopted by the
29 department in the department's rules.

30 ~~(2) For a thirty six (36) month period beginning October 1, 2013, the child care subsidy~~
31 ~~transition program shall function within the department of human services. Under this program,~~
32 ~~families who are already receiving childcare assistance and who become ineligible for childcare~~
33 ~~assistance as a result of their incomes exceeding one hundred eighty percent (180%) of the~~
34 ~~applicable federal poverty guidelines shall continue to be eligible for childcare assistance from~~

1 ~~October 1, 2013, to September 30, 2016 or until their incomes exceed two hundred twenty five~~
2 ~~percent (225%) of the applicable federal poverty guidelines, whichever occurs first. To be~~
3 ~~eligible, such families must continue to pay for some portion of the childcare they receive, as~~
4 ~~indicated in a sliding fee scale adopted in the department's rules and in accordance with all other~~
5 ~~eligibility standards.~~

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

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

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

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

20 SECTION 2. This act shall take on January 1, 2016.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HUMAN SERVICES - THE RHODE ISLAND WORKS PROGRAM

1 This act would increase child care eligibility for working families making income at or
2 below two hundred twenty-five percent (225%) of the federal poverty level from the present
3 percentage of one hundred eighty percent (180%).

4 This act would take effect on January 1, 2016.

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