

2022 -- H 8350

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LC006145
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO HUMAN SERVICES -- THE RHODE ISLAND WORKS PROGRAM

Introduced By: Representatives Diaz, Slater, Shallcross Smith, Caldwell, Ruggiero,
Vella-Wilkinson, Williams, Casimiro, Messier, and Kazarian

Date Introduced: June 16, 2022

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 Rhode
2 Island Works Program" is hereby amended to read as follows:

3 **40-5.2-20. Childcare assistance -- Families or assistance units eligible.**

4 (a) The department shall provide appropriate child care to every participant who is eligible
5 for cash assistance and who requires child care in order to meet the work requirements in
6 accordance with this chapter.

7 (b) Low-income child care. The department shall provide child care to all other working
8 families with incomes at or below one hundred eighty percent (180%) of the federal poverty level
9 if, and to the extent, these other families require child care in order to work at paid employment as
10 defined in the department's rules and regulations. Beginning October 1, 2013, the department shall
11 also provide child care to families with incomes below one hundred eighty percent (180%) of the
12 federal poverty level if, and to the extent, these families require child care to participate on a short-
13 term basis, as defined in the department's rules and regulations, in training, apprenticeship,
14 internship, on-the-job training, work experience, work immersion, or other job-readiness/job-
15 attachment program sponsored or funded by the human resource investment council (governor's
16 workforce board) or state agencies that are part of the coordinated program system pursuant to §
17 42-102-11. Effective from January 1, 2021, through June 30, 2022, the department shall also
18 provide childcare assistance to families with incomes below one hundred eighty percent (180%) of
19 the federal poverty level when such assistance is necessary for a member of these families to enroll

1 or maintain enrollment in a Rhode Island public institution of higher education provided that
2 eligibility to receive funding is capped when expenditures reach \$200,000 for this provision.

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

15 ~~(d) As a condition of eligibility for childcare assistance under this chapter, the parent or~~
16 ~~caretaker relative of the family must consent to, and must cooperate with, the department in~~
17 ~~establishing paternity, and in establishing and/or enforcing child support and medical support~~
18 ~~orders for any children in the family receiving appropriate child care under this section in~~
19 ~~accordance with the applicable sections of title 15, as amended, unless the parent or caretaker~~
20 ~~relative is found to have good cause for refusing to comply with the requirements of this subsection.~~

21 (e) For purposes of this section, "appropriate child care" means child care, including infant,
22 toddler, preschool, nursery school, and school-age, that is provided by a person or organization
23 qualified, approved, and authorized to provide the care by the state agency or agencies designated
24 to make the determinations in accordance with the provisions set forth herein.

25 (f)(1) Families with incomes below one hundred percent (100%) of the applicable federal
26 poverty level guidelines shall be provided with free child care. Families with incomes greater than
27 one hundred percent (100%) and less than one hundred eighty percent (180%) of the applicable
28 federal poverty guideline shall be required to pay for some portion of the child care they receive,
29 according to a sliding-fee scale adopted by the department in the department's rules, not to exceed
30 seven percent (7%) of income as defined in subsection (h) of this section.

31 (2) Families who are receiving childcare assistance and who become ineligible for
32 childcare assistance as a result of their incomes exceeding one hundred eighty percent (180%) of
33 the applicable federal poverty guidelines shall continue to be eligible for childcare assistance until
34 their incomes exceed two hundred twenty-five percent (225%) of the applicable federal poverty

1 guidelines. To be eligible, the families must continue to pay for some portion of the child care they
2 receive, as indicated in a sliding-fee scale adopted in the department's rules, not to exceed seven
3 percent (7%) of income as defined in subsection (h) of this section, and in accordance with all other
4 eligibility standards.

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

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

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

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

19 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 -- THE RHODE ISLAND WORKS PROGRAM

- 1 This act would remove the child support eligibility requirement under the section related
- 2 to childcare assistance -- families or assistance units eligible.
- 3 This act would take effect upon passage.

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