

By the Committee on Children & Families and Representative  
Murman

1                                   A bill to be entitled  
2           An act relating to the WAGES Program; amending  
3           s. 414.027, F.S.; revising payment structure  
4           provisions of the WAGES Program annual  
5           statewide program plan; amending s. 414.028,  
6           F.S.; requiring local WAGES coalitions to  
7           develop a plan to assure adequate  
8           administrative oversight and delivery of client  
9           services; requiring the WAGES Program State  
10          Board of Directors to specify certain  
11          requirements of the plan; amending s. 414.055,  
12          F.S.; providing additional coalition  
13          requirements for one-stop career centers;  
14          amending s. 414.065, F.S.; specifying  
15          additional activities which satisfy work  
16          requirements under the WAGES Program; revising  
17          penalties for certain nonparticipation and  
18          failure to comply; clarifying penalties for  
19          noncompliance; amending s. 414.085, F.S.;  
20          increasing a family income level limit for  
21          participation in the WAGES Program for cash  
22          assistance; amending s. 414.095, F.S.; revising  
23          and clarifying WAGES Program eligibility  
24          requirements for noncitizens; requiring certain  
25          parenting classes or certain other activities  
26          for certain pregnant women; revising  
27          application requirements and criteria;  
28          clarifying certain participant opportunities  
29          and obligations; amending s. 414.105, F.S.;  
30          revising time limitations of temporary cash  
31          assistance; providing additional requirements

1 for extended temporary cash assistance;  
2 providing for hardship extensions; providing  
3 criteria and limitations; providing for  
4 extending a period of eligibility for temporary  
5 cash assistance under certain circumstances;  
6 amending s. 414.15, F.S.; providing for a lump  
7 sum diversion payment; revising proration of  
8 diversion payment provisions; amending s.  
9 414.155, F.S.; clarifying a relocation  
10 assistance program provision; creating s.  
11 414.224, F.S.; providing for transitional child  
12 care; providing criteria; amending s. 409.2564,  
13 F.S.; correcting a cross reference, to conform;  
14 repealing s. 414.25, F.S., relating to an  
15 exemption from leased real property  
16 requirements; repealing s. 414.38, F.S.,  
17 relating to a pilot work experience and job  
18 training program for noncustodial parents;  
19 providing an appropriation; providing an  
20 effective date.

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22 Be It Enacted by the Legislature of the State of Florida:

23  
24 Section 1. Paragraphs (i) and (j) of subsection (1) of  
25 section 414.027, Florida Statutes, are amended to read:

26 414.027 WAGES Program annual statewide program plan.--

27 (1) The WAGES Program State Board of Directors shall  
28 submit to the Governor, the President of the Senate, and the  
29 Speaker of the House of Representatives an annual statewide  
30 plan for the WAGES Program established under this chapter. At  
31 a minimum, the annual statewide program plan must include:

1 (i) The development of a performance-based payment  
2 structure to be used for employment placement ~~all~~ WAGES  
3 ~~Program~~ services, which takes into account the following:

- 4 1. The degree of difficulty associated with placing a  
5 WAGES Program participant in a job;
- 6 2. The quality of the placement with regard to salary,  
7 benefits, and opportunities for advancement; and
- 8 3. The employee's retention of the placement.

9  
10 ~~The payment structure shall provide not more than 50 percent~~  
11 ~~of the cost of services provided to a WAGES participant prior~~  
12 ~~to placement, 25 percent upon employment placement, and 25~~  
13 ~~percent if employment is retained for at least 6 months.~~The  
14 payment structure should provide bonus payments to providers  
15 that experience notable success in achieving long-term job  
16 retention with WAGES Program participants. A service provider  
17 shall be paid a maximum of one payment per service for each  
18 participant during any given 6-month period. The board shall  
19 consult with the Workforce Development Board in developing the  
20 WAGES Program annual statewide program plan.

21 (j) Specifications for WAGES Program services that are  
22 to be delivered before a participant is referred for  
23 relocation, up-front diversion, education, or employment  
24 placement through local WAGES coalitions or a service  
25 provider, including the following:

- 26 1. Referral of participants to diversion and  
27 relocation programs;
- 28 2. Preplacement services, including assessment,  
29 staffing, career plan development, work orientation, and  
30 employability skills enhancement;

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- 1           3. Services necessary to secure employment for a WAGES  
2 participant;
- 3           4. Services necessary to assist participants in  
4 retaining employment, including, but not limited to, remedial  
5 education, language skills, and personal and family  
6 counseling;
- 7           5. Desired quality of job placements with regard to  
8 salary, benefits, and opportunities for advancement;
- 9           6. Expectations regarding job retention;
- 10          7. Strategies to ensure that transition services are  
11 provided to participants for the mandated period of  
12 eligibility;
- 13          8. Services that must be provided to the participant  
14 throughout an education or training program, such as  
15 monitoring attendance and progress in the program;
- 16          9. Services that must be delivered to WAGES  
17 participants who have a deferral from work requirements but  
18 wish to participate in activities that meet federal  
19 participation requirements; and
- 20          10. Expectations regarding continued participant  
21 awareness of available services and benefits.
- 22          11. A service provider assesses an individual and  
23 makes a determination whether the individual should be  
24 referred for relocation, up-front diversion, education, or  
25 employment placement and which shall be paid on a fixed unit  
26 rate and may not provide educational or employment placement  
27 services.
- 28          Section 2. Paragraph (g) of subsection (4) of section  
29 414.028, Florida Statutes, is amended, and paragraph (h) is  
30 added to said subsection, to read:  
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1           414.028 Local WAGES coalitions.--The WAGES Program  
2 State Board of Directors shall create and charter local WAGES  
3 coalitions to plan and coordinate the delivery of services  
4 under the WAGES Program at the local level. The boundaries of  
5 the service area for a local WAGES coalition shall conform to  
6 the boundaries of the service area for the regional workforce  
7 development board established under the Enterprise Florida  
8 workforce development board. The local delivery of services  
9 under the WAGES Program shall be coordinated, to the maximum  
10 extent possible, with the local services and activities of the  
11 local service providers designated by the regional workforce  
12 development boards.

13           (4) Each local WAGES coalition shall perform the  
14 planning, coordination, and oversight functions specified in  
15 the statewide implementation plan, including, but not limited  
16 to:

17           (g) Developing a plan for services for victims of  
18 domestic violence.

19           1. The WAGES Program State Board of Directors shall  
20 specify requirements for the local plan, including:

21           a. Criteria for determining eligibility for exceptions  
22 to state work requirements;

23           b. The programs and services to be offered to victims  
24 of domestic violence;

25           c. Time limits for exceptions to program requirements,  
26 which may not result in an adult participant exceeding the  
27 federal time limit for exceptions or the state lifetime  
28 benefit limit that the participant would otherwise be entitled  
29 to receive, except under criteria provided in s. 414.105; and

30           d. An annual report on domestic violence, including  
31 the progress made in reducing domestic violence as a barrier

1 to self-sufficiency among WAGES participants, local policies  
2 and procedures for granting exceptions and exemptions from  
3 program requirements due to domestic violence, and the number  
4 and percentage of cases in which such exceptions and  
5 exemptions are granted.

6           2. Each local WAGES coalition plan must specify  
7 provisions for coordinating and, where appropriate, delivering  
8 services, including:

9           a. Provisions for the local coalition to coordinate  
10 with law enforcement agencies and social service agencies and  
11 organizations that provide services and protection to victims  
12 of domestic violence;

13           b. Provisions for allowing participants access to  
14 domestic violence support services and ensuring that WAGES  
15 participants are aware of domestic violence shelters,  
16 hotlines, and other domestic violence services and policies;

17           c. Designation of the agency that is responsible for  
18 determining eligibility for exceptions from program  
19 requirements due to domestic violence;

20           d. Provisions that require each individual who is  
21 granted an exemption from program requirements due to domestic  
22 violence to participate in a program that prepares the  
23 individual for self-sufficiency and safety; and

24           e. Where possible and necessary, provisions for job  
25 assignments and transportation arrangements that take maximum  
26 advantage of opportunities to preserve the safety of the  
27 victim of domestic violence and the victim's dependents.

28           (h) Developing a plan to assure that employees of the  
29 administrative entity and case managers of any contracted  
30 provider have the necessary competencies and skills to provide  
31 adequate administrative oversight and delivery of the full

1 array of client services. The WAGES Program State Board of  
2 Directors shall specify requirements for the local plan,  
3 including, but not limited to:  
4 1. Minimum skills, knowledge, and abilities required  
5 for each classification of program personnel utilized in the  
6 coalition's service delivery plan;  
7 2. Minimum requirements for development of a  
8 coalition-supported personnel training plan to include  
9 preservice and inservice components; or  
10 3. Specifications or criteria under which any  
11 coalition may award bonus points or otherwise give preference  
12 to competitive service provider applications that provide  
13 minimum criteria for assuring competent case management,  
14 including, but not limited to, maximum caseload per case  
15 manager; current staff turnover rate; minimum educational or  
16 work experience requirements; and a differentiated  
17 compensation plan based on the competency levels of personnel.  
18 Section 3. Subsection (7) is added to section 414.055,  
19 Florida Statutes, to read:  
20 414.055 One-stop career centers.--  
21 (7) To avoid any delay or disruption of services, a  
22 participant or an individual redirected through up-front  
23 diversion is presumed to be eligible for transitional services  
24 except transitional Medicaid, which must be determined in  
25 accordance with federal policy. Upon notification that a  
26 participant or diverted individual has obtained employment,  
27 the local coalition shall provide all transitional benefits  
28 and services until the designated administering department or  
29 entity confirms eligibility or advises the coalition that the  
30 individual does not meet the eligibility requirements.  
31 Regardless, the coalition is responsible for payment of any

1 child care registration fees and sick child care for all  
2 eligible participants or redirected individuals.

3 Section 4. Paragraphs (m) and (n) are added to  
4 subsection (1) and paragraph (e) is added to subsection (3) of  
5 section 414.065, Florida Statutes, and subsection (4) and  
6 paragraphs (a) and (c) of subsection (7) of said section are  
7 amended, to read:

8 414.065 Work requirements.--

9 (1) WORK ACTIVITIES.--The following activities may be  
10 used individually or in combination to satisfy the work  
11 requirements for a participant in the WAGES Program:

12 (m) GED and education.--Satisfactory attendance at  
13 secondary school or in a course of study leading to a graduate  
14 equivalency diploma, if a participant has not completed  
15 secondary school or received such a diploma. English language  
16 proficiency training may be included as a part of the  
17 education if it is deemed the individual requires such  
18 training to complete secondary school or to attain a graduate  
19 equivalency diploma. To calculate countable hours attributable  
20 to education, a participant may earn study credits equal to  
21 the number of actual hours spent in formal training per week,  
22 but the total number of hours earned for actual hours spent in  
23 formal training and studying may not exceed a one to one and  
24 one-half ratio for the week. Countable hours are subject to  
25 the restrictions contained in 45 C.F.R. s. 261.31.

26 (n) Child care services.--Providing child care  
27 services to an individual who is participating in a community  
28 service program.

29 (3) EXEMPTION FROM WORK ACTIVITY REQUIREMENTS.--The  
30 following individuals are exempt from work activity  
31 requirements:



1           (e) An individual who is exempt from the time limit.  
2           (4) PENALTIES FOR NONPARTICIPATION IN WORK  
3 REQUIREMENTS AND FAILURE TO COMPLY WITH ALTERNATIVE  
4 REQUIREMENT PLANS.--The department shall establish procedures  
5 for administering penalties for nonparticipation in work  
6 requirements and failure to comply with the alternative  
7 requirement plan. If an individual in a family receiving  
8 temporary cash assistance fails to engage in work activities  
9 required in accordance with this section, the following  
10 penalties shall apply. Prior to the imposition of a sanction,  
11 the participant shall be notified orally or in writing that  
12 the participant is subject to sanction and that action will be  
13 taken to impose the sanction unless the participant complies  
14 with the work activity requirements. The participant shall be  
15 counseled as to the consequences of noncompliance and, if  
16 appropriate, shall be referred for services that could assist  
17 the participant to fully comply with program requirements. If  
18 the participant has good cause for noncompliance or  
19 demonstrates satisfactory compliance, the sanction shall not  
20 be imposed. If the participant has subsequently obtained  
21 employment, the participant shall be counseled regarding the  
22 transitional benefits that may be available and provided  
23 information about how to access such benefits. ~~Notwithstanding~~  
24 ~~provisions of this section to the contrary, if the Federal~~  
25 ~~Government does not allow food stamps to be treated under~~  
26 ~~sanction as provided in this section,The department shall~~  
27 ~~attempt to secure a waiver that provides for procedures as~~  
28 ~~similar as possible to those provided in this section and~~  
29 shall administer sanctions related to food stamps consistent  
30 with federal regulations.  
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1           (a)1. First noncompliance: temporary cash assistance  
2 shall be terminated for the family for a minimum of 10 days or  
3 until the individual who failed to comply does so, ~~and food~~  
4 ~~stamp benefits shall not be increased as a result of the loss~~  
5 ~~of temporary cash assistance.~~

6           2. Second noncompliance: temporary cash assistance  
7 ~~and food stamps~~ shall be terminated for the family for 1 month  
8 or until the individual who failed to comply does so,  
9 whichever is later until the individual demonstrates  
10 compliance in the required work activity for a period of ~~30~~  
11 ~~days~~. Upon meeting this requirement ~~compliance~~, temporary cash  
12 assistance ~~and food stamps~~ shall be reinstated to the date of  
13 compliance or the first day of the month following the penalty  
14 period, whichever is later.

15           3. Third noncompliance: temporary cash assistance ~~and~~  
16 ~~food stamps~~ shall be terminated for the family for 3 months or  
17 until the individual who failed to comply does so, whichever  
18 is later. The individual shall be required to comply with the  
19 required demonstrate compliance in the work activity for a  
20 minimum of 10 days upon completion of the 3-month penalty  
21 period, before reinstatement of temporary cash assistance ~~and~~  
22 ~~food stamps~~. Upon meeting this requirement, temporary cash  
23 assistance shall be reinstated to the date of compliance or  
24 the first day of the month following the penalty period,  
25 whichever is later.

26           (b) If a participant receiving temporary cash  
27 assistance who is otherwise exempted from noncompliance  
28 penalties fails to comply with the alternative requirement  
29 plan required in accordance with this section, the penalties  
30 provided in paragraph (a) shall apply.

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1 If a participant fully complies with work activity  
2 requirements for at least 6 months, the participant shall be  
3 reinstated as being in full compliance with program  
4 requirements for purpose of sanctions imposed under this  
5 section.

6 (7) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.--Unless  
7 otherwise provided, the situations listed in this subsection  
8 shall constitute exceptions to the penalties for noncompliance  
9 with participation requirements, except that these situations  
10 do not constitute exceptions to the applicable time limit for  
11 receipt of temporary cash assistance:

12 (a) Noncompliance related to child care.--Temporary  
13 cash assistance may not be terminated for refusal to  
14 participate in work activities if the individual is a single  
15 custodial parent caring for a child who has not attained 6  
16 years of age, and the individual ~~adult~~ proves to the local  
17 WAGES coalition ~~department~~ an inability to obtain needed child  
18 care for one or more of the following reasons as defined in  
19 the Child Care and Development Fund State plan required by 45  
20 C.F.R. part 98:

21 1. Unavailability of appropriate child care within a  
22 reasonable distance from the individual's home or worksite.

23 2. Unavailability or unsuitability of informal child  
24 care by a relative or under other arrangements.

25 3. Unavailability of appropriate and affordable formal  
26 child care arrangements.

27 (c) Noncompliance related to treatment or remediation  
28 of past effects of domestic violence.--An individual who is  
29 determined to be unable to comply with the work requirements  
30 under this section due to mental or physical impairment  
31 related to past incidents of domestic violence may be exempt

1 from work requirements for a specified period pursuant to s.  
2 414.028(4)(g), except that such individual shall comply with a  
3 plan that specifies alternative requirements that prepare the  
4 individual for self-sufficiency while providing for the safety  
5 of the individual and the individual's dependents. A  
6 participant who is determined to be out of compliance with the  
7 alternative requirement plan shall be subject to the penalties  
8 under subsection (4). The plan must include counseling or a  
9 course of treatment necessary for the individual to resume  
10 participation. The need for treatment and the expected  
11 duration of such treatment must be verified by a physician  
12 licensed under chapter 458 or chapter 459; a psychologist  
13 licensed under s. 490.005(1), s. 490.006, or the provision  
14 identified as s. 490.013(2) in s. 1, chapter 81-235, Laws of  
15 Florida; a therapist as defined in s. 491.003(2) or (6); or a  
16 treatment professional who is registered under s.  
17 415.605(1)(g), is authorized to maintain confidentiality under  
18 s. 90.5036(1)(d), and has a minimum of 2 years experience at a  
19 certified domestic violence center. An exception granted under  
20 this paragraph does not automatically constitute an extension  
21 of exception from the time limitations on benefits specified  
22 under s. 414.105.

23 Section 5. Subsection (1) of section 414.085, Florida  
24 Statutes, is amended to read:

25 414.085 Income eligibility standards.--For purposes of  
26 program simplification and effective program management,  
27 certain income definitions, as outlined in the food stamp  
28 regulations at 7 C.F.R. s. 273.9, shall be applied to the  
29 WAGES Program as determined by the department to be consistent  
30 with federal law regarding temporary cash assistance and  
31 Medicaid for needy families, except as to the following:

1           (1) Participation in the WAGES Program for cash  
2 assistance shall be limited to those families whose gross  
3 family income is equal to or less than 185 ~~130~~ percent of the  
4 federal poverty level established in s. 673(2) of the  
5 Community Services Block Grant Act, 42 U.S.C. s. 9901(2).

6           Section 6. Subsections (1), (3), (6), and (9), and  
7 paragraphs (a) and (e) of subsection (10) of section 414.095,  
8 Florida Statutes, are amended to read:

9           414.095 Determining eligibility for the WAGES  
10 Program.--

11           (1) ELIGIBILITY.--An applicant must meet eligibility  
12 requirements of this section before receiving services or  
13 temporary cash assistance under this chapter, except that an  
14 applicant shall be required to register for work and engage in  
15 work activities in accordance with s. 414.065, as assigned by  
16 a local coalition, and may receive support services or child  
17 care assistance in conjunction with such requirement. The  
18 department shall make a determination of eligibility based on  
19 the criteria listed in this chapter. The department shall  
20 monitor continued eligibility for temporary cash assistance  
21 through periodic reviews consistent with the food stamp  
22 eligibility process. Benefits shall not be denied to an  
23 individual solely based on a felony drug conviction, unless  
24 the conviction is for trafficking pursuant to s. 893.135. To  
25 be eligible under this section, an individual convicted of a  
26 drug felony must be satisfactorily meeting the requirements of  
27 the WAGES Program, including all substance abuse treatment  
28 requirements. Within the limits specified in this chapter, the  
29 state opts out of the provision of Pub. L. No. 104-193, s.  
30 115, that eliminates eligibility for temporary cash assistance  
31

1 and food stamps for any individual convicted of a controlled  
2 substance felony.

3 (3) ELIGIBILITY FOR NONCITIZENS.--A "qualified  
4 noncitizen" is an individual who is admitted to lawfully  
5 ~~present in~~ the United States as a refugee under s. 207 of the  
6 Immigration and Nationality Act or who is granted asylum under  
7 ~~ss. 207 and 208 of~~ the Immigration and Nationality Act, a  
8 noncitizen ~~an alien~~ whose deportation is withheld under s.  
9 243(h) or s. 241(b)(3) of the Immigration and Nationality Act,  
10 a noncitizen ~~or an alien~~ who is paroled into the United  
11 States under s. 212(d)(5) of the Immigration and Nationality  
12 Act for at least 1 year, a noncitizen who is granted  
13 conditional entry pursuant to s. 203(a)(7) of the Immigration  
14 and Nationality Act as in effect prior to April 1, 1980, a  
15 Cuban or Haitian entrant, or a noncitizen who has been  
16 admitted as a permanent resident ~~and meets specific criteria~~  
17 ~~under federal law.~~ In addition, a "qualified noncitizen"  
18 includes an individual who, or whose child or parent, has been  
19 battered or subject to extreme cruelty in the United States by  
20 a spouse, ~~or a parent,~~ or other household member under certain  
21 circumstances, and has applied for or received protection  
22 under the federal Violence Against Women Act of 1994, Pub. L.  
23 No. 103-322, if the need for benefits is related to the abuse  
24 and the batterer no longer lives in the household. A  
25 "nonqualified noncitizen" is a nonimmigrant noncitizen ~~alien,~~  
26 including a tourist, business visitor, foreign student,  
27 exchange visitor, temporary worker, or diplomat. In addition,  
28 a "nonqualified noncitizen" includes an individual paroled  
29 into the United States for less than 1 year. A qualified  
30 noncitizen who is otherwise eligible may receive temporary  
31 cash assistance to the extent permitted by federal law. The

1 income or resources of a sponsor and the sponsor's spouse  
2 shall be included in determining eligibility to the maximum  
3 extent permitted by federal law.

4 (a) A child who is a qualified noncitizen or was born  
5 in the United States to an illegal or ineligible noncitizen  
6 ~~alien~~ is eligible for temporary cash assistance under this  
7 chapter if the family meets all eligibility requirements.

8 (b) If the parent may legally work in this country,  
9 the parent must participate in the work activity requirements  
10 provided in s. 414.065, to the extent permitted under federal  
11 law.

12 (c) The department shall participate in the Systematic  
13 Alien Verification for Entitlements Program (SAVE) established  
14 by the United States Immigration and Naturalization Service in  
15 order to verify the validity of documents provided by  
16 noncitizens ~~aliens~~ and to verify a noncitizen's ~~an alien's~~  
17 eligibility.

18 (d) The income of an illegal noncitizen ~~alien~~ or  
19 ineligible noncitizen who is a mandatory member of a family  
20 ~~alien~~, less a pro rata share for the illegal noncitizen ~~alien~~  
21 or ineligible noncitizen ~~alien~~, counts in determining a  
22 family's eligibility to participate in the program.

23 (e) The entire assets of an ineligible noncitizen  
24 ~~alien~~ or a disqualified individual who is a mandatory member  
25 of a family shall be included in determining the family's  
26 eligibility.

27 (6) PREGNANT WOMAN WITH NO OTHER CHILD.--Temporary  
28 cash assistance for a pregnant woman is not available until  
29 the last month of pregnancy. However, if the department  
30 determines that a woman is restricted from work activities by  
31 orders of a physician, temporary cash assistance shall be

1 available during the last trimester of pregnancy and the woman  
2 may be required to attend parenting classes or other  
3 activities to better prepare for the responsibilities of  
4 raising a child.

5 (9) APPLICATIONS.--The date of application is the date  
6 the department or authorized entity receives a signed and  
7 dated request to participate in the WAGES Program. The request  
8 shall be denied 30 days after the initial application if the  
9 applicant fails to respond to scheduled appointments,  
10 including appointments with the state agency responsible for  
11 administering the child support enforcement program, and does  
12 not contact the department or authorized entity regarding the  
13 application.

14 (a) The beginning date of eligibility for temporary  
15 cash assistance is the date of ~~on which the~~ application is  
16 ~~approved or 30 days after the date of application, whichever~~  
17 ~~is earlier.~~

18 (b) The add date for a newborn child is the date of  
19 the child's birth.

20 (c) The add date for all other individuals is the date  
21 on which the client files a signed and dated request with  
22 ~~contacts~~ the department to add request that the individual to  
23 ~~be included in~~ the grant for temporary cash assistance.

24 ~~(d) Medicaid coverage for a recipient of temporary~~  
25 ~~cash assistance begins on the first day of the first month of~~  
26 ~~eligibility for temporary cash assistance, and such coverage~~  
27 ~~shall include any eligibility required by federal law which is~~  
28 ~~prior to the month of application.~~

29 (10) PARTICIPANT OPPORTUNITIES AND OBLIGATIONS.--An  
30 applicant or participant in the WAGES Program has the  
31 following opportunities and obligations:



1           (a) To participate in establishing eligibility by  
2 providing facts with respect to circumstances that affect  
3 eligibility and by obtaining, or authorizing the department  
4 ~~and the Department of Labor and Employment Security~~ to obtain,  
5 documents or information from others in order to establish  
6 eligibility.

7           (e) To keep the department ~~and the Department of Labor~~  
8 ~~and Employment Security~~ informed of any changes that could  
9 affect eligibility.

10           Section 7. Section 414.105, Florida Statutes, is  
11 amended to read:

12           414.105 Time limitations of temporary cash  
13 assistance.--Unless otherwise expressly provided in this  
14 chapter, an applicant or current participant shall receive  
15 temporary cash assistance for episodes of not more than 24  
16 cumulative months in any consecutive 60-month period that  
17 begins with the first month of participation and for not more  
18 than a lifetime cumulative total of 48 months as an adult.

19           (1) The time limitation for episodes of temporary cash  
20 assistance may not exceed 36 cumulative months in any  
21 consecutive 72-month period that begins with the first month  
22 of participation and may not exceed a lifetime cumulative  
23 total of 48 months of temporary cash assistance as an adult,  
24 for cases in which the participant:

25           (a) Has received aid to families with dependent  
26 children or temporary cash assistance for any 36 months of the  
27 preceding 60 months; or

28           (b) Is a custodial parent under the age of 24 who:

29           1. Has not completed a high school education or its  
30 equivalent; or

31

1           2. Had little or no work experience in the preceding  
2 year.

3           (2) A participant who is not exempt from work activity  
4 requirements may earn 1 month of eligibility for extended  
5 temporary cash assistance, up to maximum of 12 additional  
6 months, for each month in which the participant is fully  
7 complying with the work activities of the WAGES Program  
8 through subsidized or unsubsidized public or private sector  
9 employment. The period for which extended temporary cash  
10 assistance is granted shall be based upon compliance with  
11 WAGES Program requirements beginning October 1, 1996.

12           (3) A WAGES participant who is not exempt from work  
13 activity requirements and who participates in a recommended  
14 substance abuse or mental health treatment program may earn 1  
15 month of eligibility for extended temporary cash assistance,  
16 up to a maximum of 12 additional months, for each month in  
17 which the individual fully complies with the requirements of  
18 the treatment program. This treatment credit may be awarded  
19 only upon the successful completion of the treatment program  
20 and only once during the 48-month time limit.

21           (4) Notwithstanding the time limits previously  
22 referenced in this section, a participant may be eligible for  
23 a hardship extension.~~A participant may not receive temporary~~  
24 ~~cash assistance under this subsection, in combination with~~  
25 ~~other periods of temporary cash assistance for longer than a~~  
26 ~~lifetime limit of 48 months.~~Hardship extensions ~~exemptions~~ to  
27 the time limitations of this chapter shall be limited to 20  
28 percent of participants in all subsequent years, as determined  
29 by the department and approved by the WAGES Program State  
30 Board of Directors.

31

1           (a) For participants who have received 24 cumulative  
2 months or 36 cumulative months of temporary cash assistance,  
3 criteria for hardship ~~extensions~~ ~~exemptions~~ include:  
4           1.(a) Diligent participation in activities, combined  
5 with inability to obtain employment.  
6           2.(b) Diligent participation in activities, combined  
7 with extraordinary barriers to employment, including the  
8 conditions which may result in an exemption to work  
9 requirements.  
10           3.(c) Significant barriers to employment, combined  
11 with a need for additional time.  
12           4. Delay or interruption in an individual's  
13 participation in the program as a result of the effects of  
14 domestic violence. Hardship extensions granted under this  
15 subsection shall not be subject to the percentage limitation  
16 in this subsection.  
17           5.(d) Diligent participation in activities and a need  
18 by teen parents for an extension ~~exemption~~ in order to have 24  
19 months of eligibility beyond receipt of the high school  
20 diploma or equivalent.  
21           ~~(e) A recommendation of extension for a minor child of~~  
22 ~~a participating family that has reached the end of the~~  
23 ~~eligibility period for temporary cash assistance. The~~  
24 ~~recommendation must be the result of a review which determines~~  
25 ~~that the termination of the child's temporary cash assistance~~  
26 ~~would be likely to result in the child being placed into~~  
27 ~~emergency shelter or foster care. Temporary cash assistance~~  
28 ~~shall be provided through a protective payee. Staff of the~~  
29 ~~Children and Families Program Office of the department shall~~  
30 ~~conduct all assessments in each case in which it appears a~~  
31

1 ~~child may require continuation of temporary cash assistance~~  
2 ~~through a protective payee.~~

3

4 At the recommendation of the local WAGES coalition, temporary  
5 cash assistance under a hardship extension ~~exemption~~ for a  
6 participant who is eligible for work activities and who is not  
7 working shall be reduced by 10 percent. Upon the employment of  
8 the participant, full benefits shall be restored.

9 (b) The cumulative total of all hardship extensions  
10 may not exceed 12 months, may include reduced benefits at the  
11 option of the community review panel, and shall, in  
12 combination with other periods of temporary cash assistance as  
13 an adult, total no more than 48 months of temporary cash  
14 assistance. If an individual fails to comply with program  
15 requirements during a hardship extension period, the hardship  
16 extension shall be removed upon the participant being given 10  
17 days' notice to show good cause for failure to comply.

18 (c) For participants who have received 48 cumulative  
19 months of cash assistance, criteria for hardship extensions  
20 include:

21 1. Supplemental Security Income or Social Security  
22 Disability Insurance applicants who have pending claims at the  
23 end of the 48-month period whose claims have been verified by  
24 a physician licensed under chapter 458 or chapter 459. An  
25 independent medical examination may be requested by the local  
26 WAGES coalition to establish that the applicant is unable to  
27 gain employment.

28 2. Victims of domestic violence who have been engaged  
29 in an alternate work plan and despite best efforts are still  
30 not work ready.

31

1           3. Those individuals who have pervasive and persistent  
2 barriers to employment due to extensive educational and skills  
3 training deficits which require remediation and educational  
4 goals that require additional time for habilitation at the  
5 time the individual reached the 48-month time limit.

6 Verification that the educational and skills training will  
7 likely lead to self-sufficient employment must be provided by  
8 a licensed occupational therapist or vocational rehabilitation  
9 specialist.

10           4. The local WAGES coalitions must review and evaluate  
11 each hardship extension no later than 12 months after the  
12 extension has been granted to determine whether an additional  
13 extension should be given. If an individual fails to comply  
14 with program requirements during a hardship extension, the  
15 hardship extension shall be removed upon the participant being  
16 given 10 days' notice to show good cause for failure to  
17 comply.

18           ~~(3) In addition to the exemptions listed in subsection~~  
19 ~~(2), a victim of domestic violence may be granted a hardship~~  
20 ~~exemption if the effects of such domestic violence delay or~~  
21 ~~otherwise interrupt or adversely affect the individual's~~  
22 ~~participation in the program. Hardship exemptions granted~~  
23 ~~under this subsection shall not be subject to the percentage~~  
24 ~~limitations in subsection (2).~~

25           (5)(4) The department shall establish a procedure for  
26 reviewing and approving hardship extensions ~~exemptions~~, and  
27 the local WAGES coalitions may assist in making these  
28 determinations. The composition of any review panel must  
29 generally reflect the racial, gender, and ethnic diversity of  
30 the community as a whole. Members of a review panel shall  
31 serve without compensation but are entitled to receive

1 reimbursement for per diem and travel expenses as provided in  
2 s. 112.016.

3 (6) A minor child of a participating family that has  
4 reached the end of the eligibility period for temporary cash  
5 assistance may receive an extension if the department  
6 determines that the termination of the child's temporary cash  
7 assistance would be likely to result in the child being placed  
8 into emergency shelter or foster care. Temporary cash  
9 assistance shall be provided through a protective payee. Staff  
10 of the Children and Families Program Office of the department  
11 shall conduct all assessments in each case in which it appears  
12 a child may require continuation of temporary cash assistance  
13 through a protective payee.

14 ~~(5) The cumulative total of all hardship exemptions~~  
15 ~~may not exceed 12 months, may include reduced benefits at the~~  
16 ~~option of the community review panel, and shall, in~~  
17 ~~combination with other periods of temporary cash assistance as~~  
18 ~~an adult, total no more than 48 months of temporary cash~~  
19 ~~assistance. If an individual fails to comply with program~~  
20 ~~requirements during a hardship exemption period, the hardship~~  
21 ~~exemption shall be removed.~~

22 (7)(6) For individuals who have moved from another  
23 state, ~~and have legally resided in this state for less than 12~~  
24 ~~months, the time limitation for temporary cash assistance~~  
25 ~~shall be the shorter of the respective time limitations used~~  
26 ~~in the two states, and months in which temporary cash~~  
27 assistance was received under a block grant program that  
28 provided temporary assistance for needy families in any state  
29 shall count towards the cumulative 48-month benefit limit for  
30 temporary cash assistance.

31

1           (8)~~(7)~~ For individuals subject to a time limitation  
2 under the Family Transition Act of 1993, that time limitation  
3 shall continue to apply. Months in which temporary cash  
4 assistance was received through the family transition program  
5 shall count towards the time limitations under this chapter.

6           (9)~~(8)~~ Except when temporary cash assistance was  
7 received through the family transition program, the  
8 calculation of the time limitation for temporary cash  
9 assistance shall begin with the first month of receipt of  
10 temporary cash assistance after the effective date of this  
11 act.

12           (10)~~(9)~~ Child-only cases are not subject to time  
13 limitations, and temporary cash assistance received while an  
14 individual is a minor child shall not count towards time  
15 limitations.

16           (11)~~(10)~~ An individual who receives benefits under the  
17 Supplemental Security Income program or the Social Security  
18 Disability Insurance program is not subject to time  
19 limitations. An individual with an assigned 24-month or  
20 36-month time limit who has applied for supplemental security  
21 income (SSI) for disability, but has not yet received a  
22 determination must be granted an extension of time limits  
23 until the individual receives a final determination on the SSI  
24 application. However, such individual shall continue to meet  
25 all program requirements assigned to the participant based on  
26 medical ability to comply. Such extension shall be within the  
27 48-month lifetime limit. Determination shall be considered  
28 final once all appeals have been exhausted, benefits have been  
29 received, or denial has been accepted without any appeal. ~~Such~~  
30 ~~individual must continue to meet all program requirements~~  
31 ~~assigned to the participant based on medical ability to~~

1 ~~comply.~~ Extensions of 48-month time limits shall be in  
2 accordance with paragraph (4)(c) ~~within the recipient's~~  
3 ~~48-month lifetime limit. Hardship exemptions granted under~~  
4 ~~this subsection shall not be subject to the percentage~~  
5 ~~limitations in subsection (2).~~

6 (12) ~~(11)~~ A person who is totally responsible for the  
7 personal care of a disabled family member is not subject to  
8 time limitations if the need for the care is verified and  
9 alternative care is not available for the family member. The  
10 department shall annually evaluate an individual's  
11 qualifications for this exemption.

12 (13) ~~(12)~~ A member of the WAGES Program staff shall  
13 interview and assess the employment prospects and barriers of  
14 each participant who is within 6 months of reaching the  
15 24-month time limit. The staff member shall assist the  
16 participant in identifying actions necessary to become  
17 employed prior to reaching the benefit time limit for  
18 temporary cash assistance and, if appropriate, shall refer the  
19 participant for services that could facilitate employment.

20 Section 8. Subsections (5) and (6) of section 414.15,  
21 Florida Statutes, are amended to read:

22 414.15 Diversion.--

23 (5) The diversion payment shall be limited to a lump  
24 sum in the an amount of \$1,000 ~~not to exceed 2 months+~~  
25 ~~temporary cash assistance, based on family size.~~

26 (6) The family receiving up-front diversion must sign  
27 an agreement restricting the family from applying for  
28 temporary cash assistance for 3 months, unless an emergency is  
29 demonstrated to the department. If a demonstrated emergency  
30 forces the family to reapply for temporary cash assistance  
31 within 3 months after receiving a diversion payment, the



1 diversion payment shall be prorated over an 8-month period and  
2 deducted from any temporary assistance for which the  
3 individual is the 2-month period and subtracted from any  
4 regular payment of temporary cash assistance for which the  
5 applicant may be eligible.

6 Section 9. Paragraph (d) of subsection (2) of section  
7 414.155, Florida Statutes, is amended to read:

8 414.155 Relocation assistance program.--

9 (2) The relocation assistance program shall involve  
10 five steps by the Department of Children and Family Services  
11 or a local WAGES coalition:

12 (d) A determination, pursuant to criteria adopted by  
13 the WAGES Program State Board of Directors, that a ~~Florida~~  
14 community receiving a relocated family has the capacity to  
15 provide needed services and employment opportunities.

16 Section 10. Section 414.224, Florida Statutes, is  
17 created to read:

18 414.224 Transitional child care.--In order to assist  
19 former WAGES participants and individuals who have been  
20 redirected through up-front diversion, transitional child care  
21 is available for up to 2 years after a participant has left  
22 the program due to employment and whose income does not exceed  
23 200 percent of the federal poverty level at any time during  
24 that 2-year period. Transitional child care is also available  
25 to an individual who has been redirected through up-front  
26 diversion and whose income does not exceed 200 percent of the  
27 federal poverty level at any time during that 2-year period.

28 Section 11. Subsection (7) of section 409.2564,  
29 Florida Statutes, is amended to read:

30 409.2564 Actions for support.--

31

1           (7) In a judicial circuit with a work experience and  
2 job training pilot project, if the obligor is a noncustodial  
3 parent of a child receiving public assistance as defined in  
4 this chapter, is unemployed or underemployed or has no income,  
5 then the court shall order the obligor to seek employment, if  
6 the obligor is able to engage in employment, and to  
7 immediately notify the court upon obtaining employment, upon  
8 obtaining any income, or upon obtaining any ownership of any  
9 asset with a value of \$500 or more. If the obligor is still  
10 unemployed 30 days after any order for support, the court  
11 shall order the obligor to enroll in a work experience, job  
12 placement, and job training program ~~for noncustodial parents~~  
13 ~~as established in s. 414.38.~~

14           Section 12. Sections 414.25 and 414.38, Florida  
15 Statutes, are repealed.

16           Section 13. The sum of \$5 million of the Temporary  
17 Assistance for Needy Families (TANF) block grant is  
18 appropriated from the Federal Grants Trust Fund for  
19 communities to use for after-school programs for children  
20 eligible for free or reduced lunches.

21           Section 14. This act shall take effect October 1,  
22 2000.

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HOUSE SUMMARY

Revises various WAGES Program provisions relating to payment structure provisions of the WAGES Program annual statewide program plan, local WAGES coalition plans to assure adequate administrative oversight and delivery of client services, coalition requirements for one-stop career centers, additional activities which satisfy work requirements under the WAGES Program, penalties for certain nonparticipation and failure to comply, family income level limit for participation in the WAGES Program for cash assistance, WAGES Program eligibility requirements for noncitizens, time limitations of temporary cash assistance, hardship extensions, and transitional child care. Repeals an exemption from leased real property requirements and a pilot work experience and job training program for noncustodial parents. Provides an appropriation for after-school programs. See bill for details.