

SENATE No. 1806

Senate, June 20, 2013 – Text of the Senate Bill to foster economic independence (Senate, No. 1806) being the text of (Senate, No. 1805, printed as amended).

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Thirteen
—————

An Act to foster economic independence.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for improvements to the department of transitional assistance in the commonwealth, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. To provide for improvements to the department of transitional assistance in
2 the commonwealth in fiscal year 2013, the sums set forth in sections 2 and 2A are hereby
3 appropriated from the General Fund for the several purposes and subject to the conditions
4 specified in this act and subject to laws regulating the disbursement of public funds; provided,
5 however, that notwithstanding any general or special law to the contrary, appropriations made
6 herein shall not revert and shall be available for expenditure until June 30, 2014. The sums
7 appropriated in this act shall be in addition to any amounts previously appropriated and made
8 available for these purposes.

9 SECTION 2.

10 OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

11 *Department of Transitional Assistance.*

12 3000-4050\$8,000,000

13 4400-1000\$360,000

14 4400-1100\$2,910,000

15 4401-1000\$300,000

16 4403-2119\$500,000

17 SECTION 2A.

18 4400-1979 For the department of transitional assistance; provided, that the department
19 shall enter into a memorandum of understanding with the Commonwealth Corporation to make
20 available not less than \$5,000,000 from this item for the full employment program under
21 subsection (l) of section 110 of chapter 5 of the acts of 1995, as amended by this
22 act.....\$5,000,000.

23 4400-1980 For the department of transitional assistance; provided, that the department
24 may expend not more than \$6,000,000 from performance bonuses paid by the United States
25 Department of Agriculture, which were received for exceeding program requirements in the
26 supplemental nutrition assistance program administered by the department, for the operation of
27 employment and training services provided by the Commonwealth Corporation under the full
28 employment program under subsection (l) of section 110 of chapter 5 of the acts of 1995, as

29 amended by this act; provided further, that not less than 10 per cent of funds spent for the
30 employment and training services provided under the full employment program shall be reserved
31 for external evaluation of that portion of the full employment program; provided further that the
32 evaluator selected shall be consulted in program design in order to ensure that program
33 effectiveness can be accurately assessed; provided further, that the evaluator shall be selected
34 through a competitive process and that the selected evaluator shall demonstrate: (i) prior
35 experience in evaluating the impact of social programs on low-income urban youth and
36 communities using either random assignment of treatment or regression discontinuity methods;
37 (ii) prior experience in field evaluation; and (iii) prior experience using quantitative analysis
38 relevant for program evaluation; provided further, that when selecting an independent evaluator,
39 the department shall consider: (A) a sample of previous similar work; (B) the ability to perform
40 requested services; and (C) a proposed evaluation budget; provided further, that the department
41 shall report to the house and senate committees on ways and means and the joint committee on
42 children, families and persons with disabilities on the employment and training services provided
43 by the full employment program; and provided further, that notwithstanding any general or
44 special law to the contrary, for the purpose of accommodating timing discrepancies between the
45 receipt of retained revenues and related expenditures, the department may incur expenses and the
46 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
47 most recent revenue estimate as reported in the state accounting system.....\$6,000,000

48 SECTION 3. Paragraph (B) of section 2 of chapter 18 of the General Laws, as amended
49 by section 1 of chapter 161 of the acts of 2012, is hereby further amended by adding the
50 following 6 clauses:-

51 (k) on a biannual basis, not later than January 1 and July 1, file a report detailing the
52 number of exemptions and extensions granted to recipients of cash assistance under transitional
53 aid to families with dependent children and the reasons for granting such exemptions and
54 extensions. The report shall be filed with the clerks of the house of representatives and the senate
55 who shall forward the report to the house and senate chairs of the joint committee on children,
56 families and persons with disabilities and the house and senate committees on ways and means;

57 (l) annually, not later than April 1, file a report which shall include, but not be limited to,
58 information regarding caseloads, including how long recipients have been receiving cash
59 assistance under transitional aid to families with dependent children and how much recipients
60 have received. The report shall not contain any recipient's personal identifying information. The
61 report shall be filed with the clerks of the house of representatives and the senate who shall
62 forward the report to the house and senate chairs of the joint committee on children, families and
63 persons with disabilities and the house and senate committees on ways and means;

64 (m) annually, not later than September 1, file a report detailing the reasons why recipients
65 of cash assistance under transitional aid to families with dependent children are applying for
66 additional benefits beyond their initial 24 month period; provided, that this shall include, but not
67 be limited to, an analysis of how the recipient failed to meet the recipient's economic
68 independence goals, as required by section 15 of chapter 118. The report shall be filed with the
69 clerks of the house of representatives and the senate who shall forward the report to the house
70 and senate chairs of the joint committee on children, families and persons with disabilities and
71 the house and senate committees on ways and means;

72 (n) on a quarterly basis, file a report detailing the number of cases referred to the
73 department's program integrity division and the results of each investigation. The reports shall be
74 filed with the clerks of the house of representatives and the senate who shall forward the reports
75 to the house and senate chairs of the joint committee on children, families and persons with
76 disabilities and the house and senate committees on ways and means;

77 (o) annually, not later than December 1, file a report detailing the use of economic
78 independence accounts, established under section 16 of chapter 118, that have been opened by
79 recipients of cash assistance under transitional aid to families with dependent children; provided,
80 that this shall include, but not be limited to the number of accounts opened and the average
81 balances in the accounts. The report shall be filed with the clerks of the house of representatives
82 and the senate who shall forward the report to the house and senate chairs of the joint committee
83 on children, families and persons with disabilities and the house and senate committees on ways
84 and means; and

85 (p) annually, not later than March 1, file a report detailing the number of recipients
86 receiving cash assistance under transitional aid to families with dependent children who are
87 present in the United States under 1 of the eligible noncitizen statuses as described in 106 CMR
88 203.675 (A). The report shall be filed with the clerks of the house of representatives and the
89 senate who shall forward the report to the house and senate chairs of the joint committee on
90 children, families and persons with disabilities and the house and senate committees on ways and
91 means.

92 SECTION 3A. Said section 2 of said chapter 18 is hereby further amended by inserting
93 after the word “department”, in line 125, as appearing in the 2010 Official Edition, the following
94 words:- ; and

95 (g) the recording and tracking of blank electronic benefit transfer cards that ensures the
96 integrity of the cards and establishes a clear chain of custody and best practices in the shipment
97 and custody of those cards; and

98 (h) the termination of benefits to any recipient who has failed to notify the department of
99 a change of address and who the department has attempted to contact by certified mail, but
100 whose mail communication has been returned to the department as undeliverable; provided,
101 however, that the department, after receiving notice that the mail communication has been
102 returned as undeliverable or returned with a Massachusetts forwarding address, shall use all
103 available means to determine the address of the recipient and, in the event that it cannot be
104 determined, subject the recipient’s case to further review as to continued eligibility.

105 SECTION 4. Section 5 of said chapter 18, as so appearing, is hereby amended by adding
106 the following paragraph:-

107 The commissioner shall establish specialist positions within the department. The
108 specialists shall focus on providing targeted employment and training assistance to recipients that
109 the department determines have a high risk of long term dependence on state benefits and require
110 specialized assistance to achieve economic independence. These recipients shall include teen
111 parents and may include other recipients defined by the department. Each office location shall
112 have specialists. Specialists shall provide focused intervention and assistance to recipients and
113 shall have a caseload of not more than 60 recipients. The commissioner shall: track the progress

114 made by recipients who are receiving targeted assistance under this section in reaching economic
115 independence and transitioning off transitional aid to families with dependent children; track
116 each specialist's success, as determined by the department, in assisting recipients; and report the
117 results to the house and senate committees on ways and means and the house and senate chairs of
118 the joint committee on children, families and persons with disabilities not later than December
119 31 of each year.

120 SECTION 4A. Subsection (b) of section 5I of said chapter 18, as appearing in section 2
121 of chapter 161 of the acts of 2012, is hereby amended by inserting after the word "jewelry" the
122 following words:- ; televisions, stereos, video games or consoles at rent-to-own stores.

123 SECTION 4B. Said chapter 18 is hereby further amended by striking out section 5J, as
124 so appearing, and inserting in place thereof the following section:-

125 Section 5J. (a) The department shall maintain policies and practices as necessary to
126 prevent cash assistance provided under this chapter from being used in electronic benefit transfer
127 transactions at: liquor stores; casinos, gambling casinos or gaming establishments licensed under
128 chapter 23K; retail establishments which provide adult-oriented entertainment in which
129 performers disrobe or perform in an unclothed state for entertainment as defined in Section
130 408(a) of the Social Security Act, as amended; adult bookstores or adult paraphernalia stores as
131 defined in section 9A of chapter 40A; firearms dealers licensed under section 122 of chapter 140
132 and ammunitions dealers licensed under section 122B of said chapter 140; tattoo parlors;
133 manicure shops or aesthetic shops registered under chapter 112; jewelry stores; or on cruise
134 ships. Such establishments shall not accept electronic benefit transfer cards. A store owner who
135 knowingly allows a prohibited electronic benefit transfer transaction in violation of this section

136 or subsection (b) of section 5I shall be punished by a fine of not more than \$500 for a first
137 offense, by a fine of not less than \$500 nor more than \$2,500 for a second offense and by a fine
138 of not less than \$2,500 for a third or subsequent offense.

139 (b) A store owner who knowingly violates this section and who also possesses a license
140 to sell alcoholic beverages under section 12 of chapter 138 shall be referred to the appropriate
141 licensing authority for possible disciplinary action under section 64 of said chapter 138. A store
142 owner possessing a license under said section 12 of said chapter 138 who knowingly violates this
143 section a second or subsequent time shall have its license suspended for not less than 30 days and
144 shall be referred to the appropriate licensing authority for possible further disciplinary action
145 under said section 64 of said chapter 138.

146 (c) A store owner who knowingly violates this section and who also possesses a license
147 to sell lottery tickets under sections 26 and 27 of chapter 10 shall be referred to the director of
148 the state lottery commission for possible disciplinary action. A store owner possessing a license
149 under said section 26 or 27 of said chapter 10 who knowingly violates this section a second or
150 subsequent time shall have its license suspended for not less than 30 days and shall be referred to
151 the director of the state lottery commission for possible further disciplinary action.

152 SECTION 4C. Section 5L of said chapter 18, inserted by section 3 of said chapter 161, is
153 hereby amended by adding the following subsection:-

154 (f) An individual who traffics food stamp benefits, as described in subsection (b) and on 2
155 prior occasions has been convicted of trafficking food stamp benefits under said subsection (b) or
156 conspiracy to traffic food stamp benefits shall be punished by imprisonment in a state prison for
157 not more than 10 years or by a fine of not more than \$25,000 or both such fine and imprisonment.

158 SECTION 5. Said chapter 18 is hereby further amended by inserting after section 5N the
159 following 2 sections:-

160 Section 5O. (a) The department shall include on the front of newly-issued and reissued
161 electronic benefit transfer cards a photograph of the cardholder if the cardholder is 18 years of
162 age or older. The department shall promulgate regulations to ensure that all members of the
163 household are able to use the electronic benefit transfer card as required by 7 U.S.C.A. §
164 2016(h)(9) and to ensure that authorized users are able to use the electronic benefit transfer card.

165 The department shall promulgate regulations to allow for exemptions from the photo
166 identification requirement for vulnerable populations which may include, but shall not be limited
167 to, the elderly, blind, disabled and victims of domestic violence, as determined by the
168 department.

169 In developing regulations for authorized users, the department shall consult with
170 businesses or vendor associations whose members accept electronic benefit transfer cards as a
171 form of payment including, but not limited to, the Massachusetts Food Association, the New
172 England Convenience Store Association and the Retailers Association of Massachusetts. A store
173 owner or employee shall check that the photograph on an electronic benefit transfer card matches
174 the identity of the person making a purchase or follow the procedures for authenticating
175 authorized users, as determined by the department. A store owner shall be fined for each
176 instance in which the store owner or an employee knowingly fails to check that the photograph
177 on an electronic benefit transfer card matches the person making the purchase or that the
178 purchaser is an authorized user of the electronic benefit transfer card and thereby permits an
179 individual who is not authorized to use the card to purchase goods. The store owner shall be

180 punished by a fine of not less than \$100 nor more than \$500 for a first offense, not less than
181 \$1000 nor more than \$2,500 for a second offense and not less than \$5,000 for a third and
182 subsequent offense.

183 Upon a fourth offense within the same calendar year, the department may initiate a
184 review of the establishment's authorization to accept electronic bank transfer cards, and may,
185 consistent with the severity of the offenses recorded and to the extent permitted by state and
186 federal law, temporarily or permanently revoke the establishment's authorization.

187 (b) The department shall include the fraud hotline number and department website on all
188 newly issued electronic benefit transfer cards.

189 Section 5P. The department shall place any grantee that uses direct cash assistance
190 issued by the commonwealth for purchases in states other than the commonwealth, New
191 Hampshire, Connecticut, Rhode Island, New York, and Vermont in the high-risk client group
192 under section 37. The purchase shall cause the department to issue a special case review of the
193 grantee to ensure that the grantee is fully compliant with the income, asset, identity and
194 residency requirements for the benefits and all other rules and regulations of the department.

195 SECTION 5A. Section 10 of said chapter 18, as appearing in the 2010 Official Edition, is
196 hereby amended by adding the following paragraph:-

197 Notwithstanding any general or special law to the contrary, 60 days before promulgating
198 or amending any regulation that would alter eligibility for, or the level of benefits provided
199 through the department, other than that which would benefit recipients, the department shall file
200 with the house and senate committees on ways and means, the house and senate chairs of the
201 joint committee on children, families and persons with disabilities and the clerks of the house of

202 representatives and senate a report describing the changes and setting forth justification for any
203 changes.

204 SECTION 6. The first paragraph of section 22 of said chapter 18, as so appearing, is
205 hereby amended by adding the following sentence:- Self-declarations by applicants or recipients
206 of transitional aid to families with dependent children shall be signed under the penalties of
207 perjury and, if possible, shall not be accepted as the sole verification of categorical and financial
208 eligibility during eligibility evaluations and reviews.

209 SECTION 7. The second paragraph of said section 22 of said chapter 18, as so appearing,
210 is hereby amended by striking out the first sentence and inserting in place thereof the following
211 sentence:- The department shall determine which verification requirements can be reasonably
212 met by third party affidavits and shall provide notification to recipients and applicants of the
213 circumstances under which third party affidavits may be used; provided, however, that all work
214 participation forms shall be verified by a third party who shall sign the work participation form
215 under the penalties of perjury.

216 SECTION 8. Said chapter 18 is hereby further amended by adding the following 7
217 sections:-

218 Section 31. The department, in collaboration with the Commonwealth Corporation, shall
219 develop a job diversion program for applicants for cash assistance under transitional aid to
220 families with dependent children to identify applicants who have the necessary job skills and
221 experience and match those applicants with appropriate full-time employment before receiving
222 benefits. The job diversion program shall be mandatory for all identified applicants over the age
223 of 18 who are not attending a secondary school full time or participating in an education or

224 training activity, as defined in 106 CMR 203.400(A)(2)(i); provided however, that the program
225 shall not be mandatory for an applicant who is exempt from the work requirements under 106
226 CMR 203.400(A)(1)(a) to (c), inclusive; and provided further, that the program shall not be
227 mandatory for an applicant who is participating in a substance abuse treatment program while in
228 a substance abuse shelter or other inpatient program.

229 The program shall identify able-bodied applicants who are capable of working and
230 attempt to match them with jobs prior to receiving benefits. For those identified applicants who
231 are not connected with full-time employment prior to receiving cash assistance, the department
232 shall provide a written finding as to why the job diversion program was not successful and the
233 findings shall be part of the applicant's case file. An applicant who is otherwise eligible for
234 assistance shall not be denied temporary benefits while awaiting job diversion placements.

235 Section 32. The department of transitional assistance shall require applicants or recipients
236 of cash assistance to provide their social security number within 3 months of being assigned a
237 placeholder social security number; provided, however, that this shall not apply to recipients who
238 are present in the United States under 1 of the eligible noncitizen statuses as described in 106
239 CMR 203.675(A) or 106 CMR 320.620(A). Failure to provide a valid social security number
240 within 3 months shall result in the suspension of benefits until a valid social security number is
241 provided and verified by the department. The department of transitional assistance shall
242 promulgate regulations in accordance with this section.

243 Section 33. The department of transitional assistance shall require all training and
244 employment service programs contracted through the department to track the outcomes of
245 individuals served by the program for at least 1 year after transitioning into employment. The

246 department shall determine the number of individuals that each employment service program is
247 required to track.

248 Section 34. The department of transitional assistance shall ensure that when recipients of
249 cash assistance call the department during normal business hours they are able to speak with a
250 caseworker.

251 Section 35. The department of transitional assistance shall develop a fraud detection
252 program. The fraud detection program shall analyze the risk of fraud and refer any cases of
253 suspected fraud to the program integrity division and the bureau of special investigations in the
254 office of the state auditor. In analyzing risk of fraud and identifying cases for investigation, the
255 program shall consider: (i) even dollar transactions; (ii) full benefit withdrawal; (iii) usage
256 patterns; and (iv) other relevant data sources. In order to assist the program in identifying and
257 investigating likely cases of fraud, the department shall develop and make available reports
258 identifying even dollar transactions by cardholder, instances of full benefit withdrawal and other
259 data reports, as necessary.

260 Section 36. The department of transitional assistance shall allow applicants or recipients
261 who are employed a monthly \$150 work-related expense deduction from gross wages in
262 determining eligibility and in determining the amount of the cash assistance grant. The
263 department shall promulgate regulations in accordance with this section.

264 Section 37. Subject to appropriation, the department shall implement a fraud risk
265 assessment system that shall define risk and prioritize client groups based upon their risk
266 assessment; provided, however, that no client group, applicant or recipient shall be assessed as
267 high risk or low risk based solely or primarily on their race, gender, ethnicity, religion,

268 nationality or disability status. Through the system, the department shall identify areas where
269 increased scrutiny is warranted for high-risk client groups and shall identify ways to streamline
270 procedures for low-risk client groups. The department shall use the most cost effective software
271 to develop its fraud risk assessment system.

272 SECTION 8A. Subsection (b) of section 21 of chapter 62C of the General Laws, as most
273 recently amended by section 46 of chapter 224 of the acts of 2012, is hereby further amended by
274 adding the following clause:-

275 (27) the disclosure of tax return information for individuals or households to an agency of
276 the commonwealth, if the agency certifies that the information is relevant to determine eligibility
277 of those individuals or households for benefits awarded by the agency.

278 SECTION 9. Chapter 118 of the General Laws is hereby amended by adding the
279 following 6 sections:-

280 Section 12. A temporary absence from the commonwealth which exceeds 30 calendar
281 days shall create a rebuttable presumption that Massachusetts residency has been abandoned by a
282 recipient of cash assistance under transitional aid to families with dependent children and the
283 recipient is no longer eligible for assistance. The department of transitional assistance shall
284 promulgate regulations in accordance with this section.

285 Section 13. (a) The department shall require all adult applicants who are not exempt from
286 the work requirement to conduct an initial job search prior to receiving cash assistance unless the
287 applicant has good cause for not participating as determined by the department which may
288 include disability. The department shall inform all applicants required to conduct an initial job
289 search of available local job placement service providers. Applicants shall provide evidence of

290 this search by returning to the department a list of the potential employers contacted recently, the
291 date of contact and the name and telephone number of the person with whom the applicant
292 spoke, to the extent feasible. All initial job search documentation shall be signed by the applicant
293 under the penalties of perjury. The number of potential employers to be contacted by the
294 applicant shall be determined by the department. An applicant shall provide the information
295 before the applicant's case approval. An applicant who fails to provide this information within
296 30 days of filing the application shall have the application denied. The department shall
297 promulgate regulations in accordance with this subsection. The requirements of this subsection
298 shall be deemed satisfied upon submission to the department of proof of job search activities
299 issued by a 1-stop career center that is established under sections 160 to 168A, inclusive, of
300 chapter 149.

301 (b) The department shall require adult recipients, who are meeting their work requirement
302 through job search and who did not receive full-time employment under the full employment
303 program, to provide, on a weekly basis, evidence of job searches by returning to the department a
304 list of the employers contacted, the date of contact and the name and telephone number of the
305 person with whom the applicant spoke, to the extent feasible. The requirements of this subsection
306 shall be deemed satisfied upon submission to the department of proof of job search activities
307 issued by a 1-stop career center that is established under sections 160 to 168A, inclusive, of
308 chapter 149. The department of transitional assistance shall terminate the cash assistance for a
309 recipient who fails to provide such accurate information; provided, however, the department
310 shall not terminate the cash assistance provided to the recipient's dependent children. The
311 department shall promulgate regulations in accordance with this section.

312 Section 14. The department shall not calculate a separate 60 month benefit period for an
313 individual who receives aid under transitional aid to families with dependent children if the
314 individual is part of a 2 parent assistance unit. The department shall promulgate regulations in
315 accordance with this section.

316 Section 15. The department shall develop economic independence goals for all recipients
317 of cash assistance under transitional aid to families with dependent children to be completed
318 during the recipient's first 24 month period of receiving benefits. The economic independence
319 goals shall assist a recipient in determining a path through which the recipient will be able to be
320 self-sufficient. Recipients who re-apply for benefits at any time after the first 24 month period
321 shall be required to demonstrate a good faith attempt to meet their goals prior to receiving
322 additional benefits. Recipients who fail to demonstrate a good faith attempt to meet all of their
323 goals shall not receive additional benefits or an extension of benefits; provided, however that this
324 shall not prohibit a recipient from receiving benefits on behalf of a dependent child.

325 Section 16. The department shall develop a savings program that allows recipients of
326 cash assistance under transitional aid to families with dependent children to accumulate assets
327 outside of the asset limit. The savings accounts shall be called economic independence accounts.
328 The economic independence accounts shall be used to help recipients save for the first and last
329 month of rent and the security deposit or for costs related to education or training or may be used
330 for any other reason determined by the department to assist recipients as they transition off of
331 benefits. The economic independence accounts shall not be included as a countable asset under
332 106 CMR 204.120.

333 For recipients of cash assistance who elect to participate in the program, the department
334 shall require a designated amount of a recipient's cash assistance to be held in an escrow account
335 for the recipient until the recipient is no longer eligible or in need of benefits; provided further,
336 that the department shall allow a recipient to deposit additional funds to the account. While a
337 recipient is receiving benefits, funds in the economic independence account shall only be
338 withdrawn for a department approved purpose. If a recipient, who is currently receiving benefits,
339 uses funds from the account for any purpose other than a department approved purpose, then the
340 department shall reduce the recipient's monthly cash assistance until the cumulative reductions
341 are equal to the amount used for a non-allowable purpose. The department shall promulgate
342 regulations in accordance with this section; provided that the commissioner shall submit any
343 proposed regulations to the joint committee on children, families and persons with disabilities
344 and the house and senate committees on ways and means 30 days before their adoption by the
345 department.

346 Section 17. The department shall require unverified applicants for cash assistance for a
347 dependent under transitional aid to families with dependent children to provide proof of income
348 and assets. For the purposes of this section, unverified applicants shall mean an applicant who
349 has not provided the required information about citizenship or immigration status.

350 SECTION 10. Chapter 121B of the General Laws is hereby amended by inserting after
351 section 32F the following section:-

352 Section 32G. A temporary absence from the commonwealth which exceeds 30 calendar
353 days shall create a rebuttable presumption that Massachusetts residency has been abandoned by a
354 recipient of state or municipally-funded or subsidized housing and that the recipient is no longer

355 eligible for such assistance under this chapter. The department shall promulgate regulations in
356 accordance with this section.

357 SECTION 11. The definition of “Child of record” in subsection (a) of section 110 of
358 chapter 5 of the acts of 1995 is hereby amended by adding the following words:- ; provided,
359 however, that the commissioner shall develop specific criteria for approving exceptions or
360 waivers to the family cap provision for extraordinary circumstances and shall only grant an
361 exception or waiver when the specific criteria is met.

362 SECTION 12. Subsection (b) of said section 110 of said chapter 5, as amended by section
363 308 of chapter 159 of the acts of 2000, is hereby further amended by striking out the words
364 “provided, however, that the fair market value of any licensed motor vehicle does not exceed an
365 amount determined by the commissioner in consultation with the secretary of the executive
366 office of transportation and construction and the equity value of any licensed motor vehicle does
367 not exceed \$5,000; provided, further, that any value in excess of said five thousand dollars shall
368 be attributed toward said family’s countable resources” and inserting in place thereof the
369 following words:- provided, however, that an assistance unit shall be allowed 1 non-luxury
370 vehicle the value of which does not exceed \$15,000; provided further, that any value in excess of
371 \$15,000 shall be attributed toward the family’s countable resources; and provided further, that
372 the commissioner, deputy commissioner or an assistant commissioner may grant a full or partial
373 written waiver for a vehicle valued in excess of \$15,000 that the commissioner, deputy
374 commissioner or assistant commissioner determines is necessary for a particular employment or
375 family circumstance.

376 SECTION 13. Said subsection (b) of said section 110 of said chapter 5, as so amended, is
377 hereby further amended by adding the following paragraph:- The department shall exclude from
378 a filing unit's countable income any earned income of dependent children of the assistance unit
379 who are working part-time while attending school full time. The department shall promulgate
380 regulations in accordance with this section, including, but not limited to, updating clause (2) of
381 subsection (D) of 106 CMR 204.210.

382 SECTION 14. Subsection (e) of said section 110 of said chapter 5 is hereby amended by
383 striking out clauses (1) and (2) and inserting in place thereof the following 2 clauses:-

384 (1) recipients who are disabled, as defined by the federal Social Security Act, 42
385 U.S.C.A. § 423 (d) or, in the commissioner's discretion, a recipient who has been determined by
386 the commonwealth's disability evaluation service to have a disability that substantially reduces
387 the recipient's ability to support the recipient's children taking into account the individual's age,
388 education and work experience; provided that in families with 2 parents, both parents are
389 disabled; provided further, that to the extent permitted by federal law, the word "disabled" shall
390 not include recipients who are dependent on alcohol or drugs or whose disability is based in
391 whole or in part on previous dependency. A recipient who requests an exemption under this
392 clause shall, as a condition of continued eligibility for transitional aid to families with dependent
393 children, apply for supplemental security income (SSI) and, if requested by the department,
394 appeal a denial of SSI benefits. Recipients who do not comply with the department's request to
395 apply for SSI or appeal a decision shall not be granted a work exemption under this clause.

396 (2) recipients who must care for a disabled child or spouse. A recipient who requests an
397 exemption under this clause shall apply for SSI benefits on behalf of their dependent.

398 SECTION 15. Clause (3) of subsection (e) of said section 110 of said chapter 5 is hereby
399 amended by striking out the words “recipients in their third trimester of pregnancy” and inserting
400 in place thereof the following words:- recipients in their thirty-third week or later of pregnancy,
401 recipients in their third trimester of pregnancy who have submitted documentation signed by a
402 primary care provider as defined in section 1 of chapter 111 of the General Laws or an
403 obstetrician, gynecologist, nurse-midwife or family practitioner registered and certified under
404 chapter 112 of the General Laws that the recipient has a medical condition that prevents the
405 recipient from working.

406 SECTION 15A. The first sentence of the first paragraph of subsection (f) of said section
407 110 of said chapter 5 is hereby amended by inserting after the word “commissioner”, in line 5, as
408 amended by section 155 of chapter 43 of the acts of 1997, the following words:- ; provided,
409 however, that the extension shall be supported by a written decision by the commissioner, deputy
410 commissioner or assistant commissioner and included in the reporting requirements of clause (k)
411 of paragraph (B) of section 2 of chapter 18.

412 SECTION 16. The fourth paragraph of subsection (f) of said section 110 of said chapter 5
413 is hereby amended by inserting after the word “extended”, in line 2, the following words:- ;
414 provided, however, that an extension of benefits shall not exceed 3 months.

415 SECTION 17. The first paragraph of subsection (j) of said section 110 of said chapter 5 is
416 hereby amended by adding the following sentence:- The department shall exempt from the work
417 requirements a recipient who is age 66 or older; provided, however, that a recipient who is age
418 60 or over, who is the primary caregiver for a child and who was retired prior to applying for
419 benefits shall be exempt from the work requirements; provided further, that the department shall

420 promulgate regulations in accordance with this sentence, including, but not limited to updating
421 106 CMR 203.100 (A)(1)(h).

422 SECTION 17A. Said subsection (j) of said section 110 of said chapter 5, as amended by
423 section 218 of chapter 149 of the acts of 2004, is hereby amended by inserting after the second
424 paragraph the following paragraph:-

425 An individual receiving cash assistance under transitional aid to families with dependent
426 children, who is not exempt from the work requirements as determined through regulations
427 promulgated by the department may meet the work requirements by participating in an education
428 or training activity for up to the required hours per week as determined by the department. The
429 education or training activity shall not exceed 12 months; provided, however, that the department
430 of transitional assistance may extend the duration of the education or training activity eligible
431 towards the work requirement if the department determines, using performance standards
432 established by the department, that the individual is making substantial progress towards
433 completion of a certificate or degree program. The department shall promulgate regulations in
434 accordance with this section.

435 SECTION 18. Said section 110 of said chapter 5 is hereby further amended by striking
436 out subsection (l), as amended by section 157 of chapter 43 of the acts of 1997, and inserting in
437 place thereof the following subsection:-

438 (l) The Commonwealth Corporation, in collaboration with the department, shall establish
439 a full employment program to match applicants with full-time employment in a manner which
440 promotes self-sufficiency, including the ability to transition off cash assistance. The
441 Commonwealth Corporation shall administer the program through a memorandum of

442 understanding with the department. The full employment program shall be mandatory for all
443 applicants, except those that are exempt from the work requirements under subsection (e) or
444 assigned to a specialized caseworker under section 5 of chapter 18 of the General Laws or under
445 paragraph (3) of subsection (i). Under the full employment program, in lieu of receiving cash
446 assistance under the program of aid to families with dependent children, applicants shall receive
447 full-time employment; provided, however, that an applicant who is otherwise eligible for
448 assistance shall not be denied assistance while awaiting placement in full-time employment.
449 During the first year of employment under the full employment program applicants shall receive
450 a child care voucher. Applicants who the Commonwealth Corporation determines require
451 additional skills or training in order to be eligible for full employment program jobs shall receive
452 cash assistance under transitional aid to families with dependent children, if otherwise eligible,
453 and be referred to an appropriate educational or training program. The Commonwealth
454 Corporation shall monitor the participation of applicants in the educational or training programs
455 to which they are referred and the applicant shall provide documentation to the department of
456 such participation. No cash assistance shall be provided without such documentation.

457 In order to implement the full employment program, the Commonwealth Corporation
458 shall work with the business community to identify jobs and to match the skills required for each
459 job with applicants. The Commonwealth Corporation shall work to connect applicants with
460 employment in emerging professions.

461 Notwithstanding any general or special law to the contrary, for the purpose of reducing or
462 eliminating the amount of contributions or payments made by employers and applicants
463 participating in the full employment program toward the cost of qualified medical insurance,
464 employers and applicants who participate in the full employment program shall receive insurance

465 reimbursement under section 9C of chapter 118E of the General Laws. The insurance
466 reimbursement shall be provided to employers participating in the full employment program
467 regardless of whether the employer employs more than 50 employees or meets the other
468 requirements of an “eligible employer” under said section 9C or under the regulations. The
469 insurance reimbursement shall be provided to any recipient employed through the full
470 employment program regardless of whether the recipient is an eligible employee under said
471 section 9C. Reimbursements to employers under this paragraph shall be in accordance with
472 subsection (4) of said section 9C, but shall not be subject to limitation by MassHealth in
473 accordance with paragraph (C) of subsection (2) of said section 9C. Reimbursements to
474 recipients under this paragraph shall not be subject to paragraph (A) of subsection (2) of said
475 section 9C but shall be in accordance with a fee schedule set forth in regulations promulgated by
476 MassHealth in consultation with the department of transitional assistance. Reimbursements
477 under this section shall be subject to all other applicable requirements of said section 9C.

478 In order to ensure appropriate training for those not initially able to participate in the full
479 employment program, the Commonwealth Corporation shall work with the community colleges,
480 vocational schools, one-stop career centers, adult basic education programs, adult college
481 transition programs and other workforce training programs to identify and develop, if necessary,
482 programs and resources, including programs and resources that meet participants’ language and
483 cultural needs, and refer applicants to these programs or resources. In the development of the full
484 employment program the Commonwealth Corporation shall consult with workforce training
485 providers and employers representing emerging and high-demand job sectors.

486 SECTION 19. Section 121 of said chapter 5 is hereby amended by striking out, in lines 3,
487 8 and 25, the word “fourteen” and inserting in place thereof, in each instance, the following
488 figure:- 16.

489 SECTION 19A. Said section 121 of said chapter 5 is hereby further amended by adding
490 the following clause:-

491 (3) For the purposes of this section, participation in an alternative education program or a
492 general education development preparation and training program shall meet the school
493 attendance requirement.

494 SECTION 20. Item 4000-0890 of section 2 of chapter 139 of the acts of 2012 is hereby
495 amended by adding the following words:- : provided further, that \$15,000,000 shall be used to
496 provide insurance reimbursement to employers participating in the full employment program
497 created under subsection (l) of section 110 of chapter 5 of the acts of 1995.

498 SECTION 21. Item 4400-1000 of said section 2 of said chapter 139 is hereby amended
499 by adding the following words:- ; provided further, that the department shall hire not fewer than
500 6 investigators in the fraud investigations and data matching unit.

501 SECTION 22. Item 4400-1100 of said section 2 of said chapter 139 is hereby amended
502 by adding the following words:- ; provided further, that the department shall hire 50 additional
503 caseworkers; and provided further, that funds shall be expended for the specialists positions
504 required under section 5 of chapter 18 of the General Laws.

505 SECTION 23. Item 4401-1000 of said section 2 of said chapter 139 is hereby amended
506 by adding the following words:- provided further, that not less than \$200,000 shall be used for an

507 independent consultant to review the effectiveness of the commonwealth's specific employment
508 and training service programs, which are provided for under this item, in providing a pathway to
509 financial independence; provided further, that this review shall include, but not be limited to, an
510 analysis of the employment outcomes for clients in the commonwealth, an analysis of each
511 program according to a common set of metrics, interviews with staff from the department and
512 programs, interviews with program clients, interviews with employers and recommendations for
513 specific changes and improvements to the employment and training services provided by the
514 commonwealth; and provided further, that a copy of the consultant's report shall be filed with the
515 clerks of the senate and house of representatives.

516 SECTION 24. Notwithstanding any general or special law, subject to appropriation, the
517 integrated eligibility system, or IES, developed by the executive office of health and human
518 services shall allow multiple state agencies and programs to access and share data by creating
519 data hubs and streamlining information processes. Through the integrated eligibility system, the
520 department of housing and community development, housing authorities and state health and
521 human services agencies and programs including, but not limited to, transitional aid to families
522 with dependent children, temporary assistance for needy families and MassHealth shall share and
523 have access to the data.

524 SECTION 25. Notwithstanding any general or special law to the contrary, the
525 department of transitional assistance shall develop, implement and maintain a system utilizing
526 electronic and other technology to reduce the use of paper records and documentation and to
527 eliminate the sole reliance on such paper records for its operations.

528 The system shall facilitate efficiency and accuracy in the submission and receipt of
529 applications and related documents and the timely verification of the information so contained
530 and to the maximum feasible extent to prevent the loss of the information and ensure its
531 availability on a continuous basis for the functions performed by the department.

532 The system shall, to the maximum extent feasible, minimize the time and resources
533 necessary to manage information, reduce the need for the resubmission of documents and verify
534 the receipt of documents or information submitted. The system shall also facilitate the timely
535 and efficient exchange of information.

536 The system shall be fully operational not later than 24 months following the passage of
537 this act; provided, however, that it may be developed and implemented in stages but the
538 department shall electronically submit quarterly reports to the clerks of the house and the senate
539 on its progress; and provided further, that the reports shall identify any obstacles preventing
540 progress including, but not limited to, resource constraints. The first report shall be filed by
541 September 1, 2013.

542 SECTION 26. Notwithstanding any general or special law to the contrary, the department
543 of housing and community development shall allow the Worcester Housing authority to operate
544 the authority's A Better Life program in state-subsidized housing.

545 SECTION 27. Notwithstanding any general or special law to the contrary, a pregnant
546 teen who meets all other eligibility requirements shall be eligible to live in a teen parent shelter
547 or participate in a teen living program during her entire pregnancy and shall be eligible to receive
548 cash assistance under transitional aid to families with dependent children if she meets the school

549 attendance requirements set forth in 106 CMR 203.610 and the requirements set forth in 106
550 CMR 203.630.

551 SECTION 27A. Notwithstanding any general or special law to the contrary, all
552 secretariats, commissioners, departments and agencies required to submit reports under this act
553 shall file their reports by the dates required in this act by electronic means to the chairs of any
554 committees named as recipients and to the clerks of the senate and house of representatives;
555 provided, however, that the house and senate clerks shall develop procedures and requirements
556 for secretariats, commissioners, departments and agencies for the preparation of the reports to
557 facilitate their collection and storage and the reports shall be made available to the public on the
558 general court's website, omitting any personal information about individuals receiving benefits
559 through the department of transitional assistance.

560 SECTION 27B. Notwithstanding any general or special law to the contrary, the
561 department of transitional assistance shall develop protocols for coordinating information with
562 federal, state and local law enforcement agencies and the administrative office of the trial court
563 regarding recipients of publicly-funded benefits who are the subject of felony warrants. The
564 protocols shall be designed to use the department's records to facilitate proper notice to the
565 individual and the department shall, upon request, provide all relevant information to any such
566 law enforcement or the court to facilitate the timely resolution of the warrant.

567 SECTION 27C. Notwithstanding any general or special law to the contrary, the
568 department of transitional assistance shall not approve an application for new benefits for any
569 person required to register under sections 178C to 178P of chapter 6 and who has failed to
570 register until the individual registers as required by said sections 178C to 178P of said chapter 6;

571 provided, however, that prior to the denial of benefits, the department shall provide the applicant
572 with notice of the applicant's failure to register under said sections 178C to 178P of said chapter
573 6 and a reasonable opportunity to be heard.

574 SECTION 27D. Subject to appropriation, the department shall require recipients to
575 participate in a free financial education program to assist in the development of economic
576 independence goals under section 15 of chapter 118 of the General Laws; provided, however,
577 that the department shall provide recipients with a list of already existing free or low-cost
578 financial education programs to administer the financial education program. In developing such a
579 list of financial education programs, the department shall collaborate with the office of the state
580 treasurer, the Massachusetts Credit Union League, the Massachusetts Bankers Association, the
581 Midas Collaborative, the Moving from Debt to Assets program and the Massachusetts Financial
582 Education Collaborative. Any financial education program included on the recommended
583 program list shall include, but not be limited to, providing guidance on: (1) tracking daily
584 spending habits; (2) preparing a monthly budget; (3) identifying ways to decrease spending; (4)
585 identifying ways to increase income; (5) listing and prioritizing financial goals; and (6)
586 recognizing how to create a plan to achieve financial goals. The program shall equip recipients
587 with the knowledge and skills needed to become self-sufficient and to enable recipients to make
588 critical decisions regarding personal finances.

589 SECTION 27E. Notwithstanding any general or special law to the contrary, no person
590 shall be eligible for public housing under any terms and conditions other than those authorized
591 under 42 U.S.C §§1436a.

592 SECTION 28. The department of transitional assistance, if required, shall seek a federal
593 exemption or waiver in order to implement this act.

594 SECTION 29. Each section of this act shall be subject to federal approval, if required.
595 Any section that is inconsistent with federal law or regulations shall be void unless the
596 department receives an exemption or waiver from the federal government to implement said
597 section.

598 SECTION 30. Electronic benefit cards shall include a photograph of the cardholder under
599 section 50 of chapter 18 of the General Laws by August 1, 2014. The department of transitional
600 assistance shall consider utilizing the photograph databases of the registry of motor vehicles and
601 the Massachusetts Bay Transportation Authority as a cost-saving measure. The department of
602 transitional assistance shall work with the registry of motor vehicles to access and cross-share
603 facial recognition data and resources for the purpose of identifying potential fraud by December
604 31, 2014. The department shall report any case where there is reason to believe that fraud has
605 been committed to the bureau of special investigations, the district attorney or an appropriate law
606 enforcement entity for such action as they may deem proper.

607 SECTION 31. The department of transitional assistance shall promulgate regulations to
608 implement this act.

609 SECTION 32. Section 5 shall take effect 6 months after the effective date of this act.

610 SECTION 33. Sections 4, 10, 11, 18 of this act, sections 31 and 33 of chapter 18 of the
611 General Laws and sections 13, 15 and 16 of chapter 118 of the General Laws shall take effect 90
612 days after the effective date of this act.