

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

***** 400.57f(6) THIS SUBSECTION DOES NOT APPLY AFTER DECEMBER 31, 2013 *****

400.57f Agreement with Michigan economic development corporation or successor entity; administration of PATH program; eligibility; exemptions; temporary exemption; disabled individual; rules; subsection (6) inapplicable after December 31, 2013; "PATH" program defined.

Sec. 57f.

(1) The department shall enter into an agreement with the Michigan economic development corporation or a successor entity to facilitate the administration of the PATH program. The department shall make information on the program available to the legislature.

(2) Except as provided in section 57b, at the time the department determines that an individual is eligible to receive family independence program assistance under this act, the department shall determine whether that individual is eligible to participate in the PATH program or if the individual is exempt from PATH program participation under this section. The particular activities in which the recipient is required or authorized to participate, including community service, the number of hours of work required, and other details of the PATH program shall be developed by the department and the Michigan economic development corporation or a successor entity and shall be set forth in the recipient's family self-sufficiency plan. If a recipient has cooperated with the PATH program, the recipient may enroll in a program approved by the local workforce development board. Any and all training or education with the exception of high school completion, GED preparation, and literacy training must be occupationally relevant and in demand in the labor market as determined by the local workforce development board and may be no more than 2 years in duration. Participants must make satisfactory progress while in training or education.

(3) The following individuals are exempt from participation in the PATH program:

- (a) A child under the age of 16.
- (b) A child age 16 to 18 who is attending elementary or secondary school full-time.
- (c) A recipient who has medical documentation of being disabled or medical documentation of an inability to participate in employment or the PATH program for more than 90 days because of a mental or physical condition.
- (d) A recipient unable to participate as determined by the medical review team.
- (e) A recipient aged 65 or older.
- (f) A recipient of supplemental security income.
- (g) A recipient of retirement, survivor, or disability insurance based on disability or blindness, or a recipient found eligible for retirement, survivor, or disability insurance based on disability or blindness who is in nonpay status.

(4) The department may grant a temporary exemption from participation in the PATH program to any of the following:

(a) An individual who is suffering from a documented short-term mental or physical illness, limitation, or disability that severely restricts his or her ability to participate in PATH program activities. An individual with a documented mental or physical illness, limitation, or disability that does not severely restrict his or her ability to participate in the PATH program shall be required to participate in the PATH program at a medically permissible level. An exemption under this subdivision shall not exceed a period of 90 days without a review by a department caseworker.

(b) An individual for whom certain program requirements have been waived under section 56i. An exemption under this subdivision shall not exceed a period of 90 days without a review by a department caseworker.

(c) A parent with a child under the age of 60 days if that child is in the home or a mother for postpartum recovery up to 60 days after giving birth if that child is not in the home.

(d) A pregnant recipient who, based on medical documentation, is severely restricted in her ability to participate in PATH program activities for the duration of the pregnancy.

(e) The spouse of a recipient who is verified as disabled and living in the home with the spouse if it is verified that the spouse is needed in the home full-time due to the extent of medical care required. An exemption under this subdivision shall not exceed a period of 365 days without a review by a department caseworker.

(f) A parent of a child who is verified as disabled and living in the home with the parent if it is verified that the parent is needed in the home due to the extent of medical care required. If the child attends school, the parent may be referred to the PATH program with limitations. An exemption under this subdivision shall not exceed a period of 365 days without a review by a department caseworker.

(5) An individual is not disabled for purposes of this section if substance abuse is a contributing factor material to the determination of disability.

(6) The department may promulgate rules in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, identifying exemptions under this section. The director of the department may grant exemptions for extenuating circumstances beyond the exemptions provided for in this section. The department shall annually provide to the legislature, at the same time as the governor's departmental budget proposal, a report of the number of exemptions issued under this section and the individual reason for those exemptions. This subsection does not apply after December 31, 2013.

(7) As used in this section, "PATH program" means the PATH: partnership. accountability. training. hope. work partnership program.

History: Add. 1995, Act 223, Eff. Mar. 28, 1996 ;-- Am. 2001, Act 280, Eff. Mar. 22, 2002 ;-- Am. 2006, Act 468, Imd. Eff. Dec. 20, 2006 ;-- Am. 2011, Act 132, Eff. Oct. 1, 2011 ;-- Am. 2014, Act 51, Imd. Eff. Mar. 25, 2014

Compiler's Notes: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Popular Name: Act 280