

By: Representative Dortch

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 150

1 AN ACT TO AMEND SECTION 41-117-3, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE STATE BOARD OF HEALTH TO ESTABLISH THE NURSE-FAMILY  
3 PARTNERSHIP PILOT PROGRAM IN THE STATE DEPARTMENT OF HEALTH; TO  
4 PROVIDE THAT THE PILOT PROGRAM SHALL BE FUNDED ANNUALLY THROUGH  
5 THE TANF BLOCK GRANT ADMINISTERED BY THE DEPARTMENT OF HUMAN  
6 SERVICES; TO LIMIT THE PILOT PROGRAM TO 100 FAMILIES PER YEAR FROM  
7 CERTAIN COUNTIES; TO BRING FORWARD SECTION 43-17-5, FOR PURPOSES  
8 OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 41-117-3, Mississippi Code of 1972, is  
11 amended as follows:

12 41-117-3. (1) The State Board of Health \* \* \* shall  
13 establish a Nurse-Family Partnership Pilot program in the State  
14 Department of Health, in conjunction with the Nurse-Family  
15 Partnership National Service Office. The pilot program shall  
16 be \* \* \* funded annually through the Temporary Assistance for  
17 Needy Families (TANF) block grant administered by the Mississippi  
18 Department of Human Services. The program is an evidence-based,  
19 voluntary, nurse home visitation program that improves the health  
20 and well-being of low-income, first-time pregnant women and their



21 children. The Nurse-Family Partnership Pilot program includes,  
22 but is not limited to, the following \* \* \* requirements:

23 (a) Eligibility criteria for the program must include  
24 first-time pregnancy before the twenty-eighth week of gestation,  
25 and being eligible for Medicaid.

26 (b) Registered nurses, by making home visits to  
27 pregnant women, shall provide education, support and guidance  
28 regarding pregnancy and maternal health, child health and  
29 development, parenting, the mother's life course development, and  
30 identifying and using family and community supports.

31 (c) Home visits must begin before the twenty-eighth  
32 week of pregnancy, and continue on a weekly or biweekly basis  
33 until the child turns two (2) years old.

34 (d) The pilot program may not exceed a total of one  
35 hundred (100) families per year, which families must reside in  
36 Hinds, Hancock, Forrest or Lee County.

37 (2) The goals of the Nurse-Family Partnership Pilot program  
38 are to:

39 (a) Improve pregnancy outcomes by helping women engage  
40 in good preventive health practices, including thorough prenatal  
41 care from their health care providers, improving their diets, and  
42 reducing their use of cigarettes, alcohol and illegal substances.

43 (b) Improve child health and development by helping  
44 parents provide responsible and competent care.



45 (c) Improve the economic self-sufficiency of the family  
46 by helping parents develop a vision for their own future, plan  
47 future pregnancies, continue their education and find work.

48 **SECTION 2.** Section 43-17-5, Mississippi Code of 1972, is  
49 brought forward as follows:

50 43-17-5. (1) The amount of Temporary Assistance for Needy  
51 Families (TANF) benefits which may be granted for any dependent  
52 child and a needy caretaker relative shall be determined by the  
53 county department with due regard to the resources and necessary  
54 expenditures of the family and the conditions existing in each  
55 case, and in accordance with the rules and regulations made by the  
56 Department of Human Services which shall not be less than the  
57 Standard of Need in effect for 1988, and shall be sufficient when  
58 added to all other income (except that any income specified in the  
59 federal Social Security Act, as amended, may be disregarded) and  
60 support available to the child to provide such child with a  
61 reasonable subsistence compatible with decency and health. The  
62 first family member in the dependent child's budget may receive an  
63 amount not to exceed One Hundred Ten Dollars (\$110.00) per month;  
64 the second family member in the dependent child's budget may  
65 receive an amount not to exceed Thirty-six Dollars (\$36.00) per  
66 month; and each additional family member in the dependent child's  
67 budget an amount not to exceed Twenty-four Dollars (\$24.00) per  
68 month. The maximum for any individual family member in the  
69 dependent child's budget may be exceeded for foster or medical



70 care or in cases of children with an intellectual disability or a  
71 physical disability. TANF benefits granted shall be specifically  
72 limited only (a) to children existing or conceived at the time the  
73 caretaker relative initially applies and qualifies for such  
74 assistance, unless this limitation is specifically waived by the  
75 department, or (b) to a child born following a  
76 twelve-consecutive-month period of discontinued benefits by the  
77 caretaker relative.

78 (2) TANF benefits in Mississippi shall be provided to the  
79 recipient family by an online electronic benefits transfer system.

80 (3) The Department of Human Services shall deny TANF  
81 benefits to the following categories of individuals, except for  
82 individuals and families specifically exempt or excluded for good  
83 cause as allowed by federal statute or regulation:

84 (a) Families without a minor child residing with the  
85 custodial parent or other adult caretaker relative of the child;

86 (b) Families which include an adult who has received  
87 TANF assistance for sixty (60) months after the commencement of  
88 the Mississippi TANF program, whether or not such period of time  
89 is consecutive;

90 (c) Families not assigning to the state any rights a  
91 family member may have, on behalf of the family member or of any  
92 other person for whom the family member has applied for or is  
93 receiving such assistance, to support from any other person, as  
94 required by law;



95 (d) Families who fail to cooperate in establishing  
96 paternity or obtaining child support, as required by law;

97 (e) Any individual who has not attained eighteen (18)  
98 years of age, is not married to the head of household, has a minor  
99 child at least twelve (12) weeks of age in his or her care, and  
100 has not successfully completed a high school education or its  
101 equivalent, if such individual does not participate in educational  
102 activities directed toward the attainment of a high school diploma  
103 or its equivalent, or an alternative educational or training  
104 program approved by the department;

105 (f) Any individual who has not attained eighteen (18)  
106 years of age, is not married, has a minor child in his or her  
107 care, and does not reside in a place or residence maintained by a  
108 parent, legal guardian or other adult relative or the individual  
109 as such parent's, guardian's or adult relative's own home;

110 (g) Any minor child who has been, or is expected by a  
111 parent or other caretaker relative of the child to be, absent from  
112 the home for a period of more than thirty (30) days;

113 (h) Any individual who is a parent or other caretaker  
114 relative of a minor child who fails to notify the department of  
115 the absence of the minor child from the home for the thirty-day  
116 period specified in paragraph (g), by the end of the five-day  
117 period that begins with the date that it becomes clear to the  
118 individual that the minor child will be absent for the thirty-day  
119 period;



120 (i) Any individual who fails to comply with the  
121 provisions of the Employability Development Plan signed by the  
122 individual which prescribe those activities designed to help the  
123 individual become and remain employed, or to participate  
124 satisfactorily in the assigned work activity, as authorized under  
125 subsection (6) (c) and (d), or who does not engage in applicant job  
126 search activities within the thirty-day period for TANF  
127 application approval after receiving the advice and consultation  
128 of eligibility workers and/or caseworkers of the department  
129 providing a detailed description of available job search venues in  
130 the individual's county of residence or the surrounding counties;

131 (j) A parent or caretaker relative who has not engaged  
132 in an allowable work activity once the department determines the  
133 parent or caretaker relative is ready to engage in work, or once  
134 the parent or caretaker relative has received TANF assistance  
135 under the program for twenty-four (24) months, whether or not  
136 consecutive, whichever is earlier;

137 (k) Any individual who is fleeing to avoid prosecution,  
138 or custody or confinement after conviction, under the laws of the  
139 jurisdiction from which the individual flees, for a crime, or an  
140 attempt to commit a crime, which is a felony under the laws of the  
141 place from which the individual flees, or who is violating a  
142 condition of probation or parole imposed under federal or state  
143 law;

144 (l) Aliens who are not qualified under federal law;



145 (m) For a period of ten (10) years following  
146 conviction, individuals convicted in federal or state court of  
147 having made a fraudulent statement or representation with respect  
148 to the individual's place of residence in order to receive TANF,  
149 food stamps or Supplemental Security Income (SSI) assistance under  
150 Title XVI or Title XIX simultaneously from two (2) or more states;

151 (n) Individuals who are recipients of federal  
152 Supplemental Security Income (SSI) assistance; and

153 (o) Individuals who are eighteen (18) years of age or  
154 older who are not in compliance with the drug testing and  
155 substance use disorder treatment requirements of Section 43-17-6.

156 (4) (a) Any person who is otherwise eligible for TANF  
157 benefits, including custodial and noncustodial parents, shall be  
158 required to attend school and meet the monthly attendance  
159 requirement as provided in this subsection if all of the following  
160 apply:

161 (i) The person is under age twenty (20);

162 (ii) The person has not graduated from a public or  
163 private high school or obtained a High School Equivalency Diploma  
164 equivalent;

165 (iii) The person is physically able to attend  
166 school and is not excused from attending school; and

167 (iv) If the person is a parent or caretaker  
168 relative with whom a dependent child is living, child care is  
169 available for the child.



170           The monthly attendance requirement under this subsection  
171 shall be attendance at the school in which the person is enrolled  
172 for each day during a month that the school conducts classes in  
173 which the person is enrolled, with not more than two (2) absences  
174 during the month for reasons other than the reasons listed in  
175 paragraph (e)(iv) of this subsection. Persons who fail to meet  
176 participation requirements in this subsection shall be subject to  
177 sanctions as provided in paragraph (f) of this subsection.

178           (b) As used in this subsection, "school" means any one  
179 (1) of the following:

180                       (i) A school as defined in Section 37-13-91(2);

181                       (ii) A vocational, technical and adult education  
182 program; or

183                       (iii) A course of study meeting the standards  
184 established by the State Department of Education for the granting  
185 of a declaration of equivalency of high school graduation.

186           (c) If any compulsory-school-age child, as defined in  
187 Section 37-13-91(2), to which TANF eligibility requirements apply  
188 is not in compliance with the compulsory school attendance  
189 requirements of Section 37-13-91(6), the superintendent of schools  
190 of the school district in which the child is enrolled or eligible  
191 to attend shall notify the county department of human services of  
192 the child's noncompliance. The Department of Human Services shall  
193 review school attendance information as provided under this



194 paragraph at all initial eligibility determinations and upon  
195 subsequent report of unsatisfactory attendance.

196 (d) The signature of a person on an application for  
197 TANF benefits constitutes permission for the release of school  
198 attendance records for that person or for any child residing with  
199 that person. The department shall request information from the  
200 child's school district about the child's attendance in the school  
201 district's most recently completed semester of attendance. If  
202 information about the child's previous school attendance is not  
203 available or cannot be verified, the department shall require the  
204 child to meet the monthly attendance requirement for one (1)  
205 semester or until the information is obtained. The department  
206 shall use the attendance information provided by a school district  
207 to verify attendance for a child. The department shall review  
208 with the parent or caretaker relative a child's claim that he or  
209 she has a good cause for not attending school.

210 A school district shall provide information to the department  
211 about the attendance of a child who is enrolled in a public school  
212 in the district within five (5) working days of the receipt of a  
213 written request for that information from the department. The  
214 school district shall define how many hours of attendance count as  
215 a full day and shall provide that information, upon request, to  
216 the department. In reporting attendance, the school district may  
217 add partial days' absence together to constitute a full day's  
218 absence.



219           If a school district fails to provide to the department the  
220 information about the school attendance of any child within  
221 fifteen (15) working days after a written request, the department  
222 shall notify the Department of Audit within three (3) working days  
223 of the school district's failure to comply with that requirement.  
224 The Department of Audit shall begin audit proceedings within five  
225 (5) working days of notification by the Department of Human  
226 Services to determine the school district's compliance with the  
227 requirements of this subsection (4). If the Department of Audit  
228 finds that the school district is not in compliance with the  
229 requirements of this subsection, the school district shall be  
230 penalized as follows: The Department of Audit shall notify the  
231 State Department of Education of the school district's  
232 noncompliance, and the Department of Education shall reduce the  
233 calculation of the school district's average daily attendance  
234 (ADA) that is used to determine the allocation of Mississippi  
235 Adequate Education Program funds by the number of children for  
236 which the district has failed to provide to the Department of  
237 Human Services the required information about the school  
238 attendance of those children. The reduction in the calculation of  
239 the school district's ADA under this paragraph shall be effective  
240 for a period of one (1) year.

241           (e) A child who is required to attend school to meet  
242 the requirements under this subsection shall comply except when



243 there is good cause, which shall be demonstrated by any of the  
244 following circumstances:

245 (i) The minor parent is the caretaker of a child  
246 less than twelve (12) weeks old; or

247 (ii) The department determines that child care  
248 services are necessary for the minor parent to attend school and  
249 there is no child care available; or

250 (iii) The child is prohibited by the school  
251 district from attending school and an expulsion is pending. This  
252 exemption no longer applies once the teenager has been expelled;  
253 however, a teenager who has been expelled and is making  
254 satisfactory progress towards obtaining a High School Equivalency  
255 Diploma equivalent shall be eligible for TANF benefits; or

256 (iv) The child failed to attend school for one or  
257 more of the following reasons:

258 1. Illness, injury or incapacity of the child  
259 or the minor parent's child;

260 2. Court-required appearances or temporary  
261 incarceration;

262 3. Medical or dental appointments for the  
263 child or minor parent's child;

264 4. Death of a close relative;

265 5. Observance of a religious holiday;

266 6. Family emergency;

267 7. Breakdown in transportation;



268                   8. Suspension; or  
269                   9. Any other circumstance beyond the control  
270 of the child, as defined in regulations of the department.

271                   (f) Upon determination that a child has failed without  
272 good cause to attend school as required, the department shall  
273 provide written notice to the parent or caretaker relative  
274 (whoever is the primary recipient of the TANF benefits) that  
275 specifies:

276                   (i) That the family will be sanctioned in the next  
277 possible payment month because the child who is required to attend  
278 school has failed to meet the attendance requirement of this  
279 subsection;

280                   (ii) The beginning date of the sanction, and the  
281 child to whom the sanction applies;

282                   (iii) The right of the child's parents or  
283 caretaker relative (whoever is the primary recipient of the TANF  
284 benefits) to request a fair hearing under this subsection.

285                   The child's parent or caretaker relative (whoever is the  
286 primary recipient of the TANF benefits) may request a fair hearing  
287 on the department's determination that the child has not been  
288 attending school. If the child's parents or caretaker relative  
289 does not request a fair hearing under this subsection, or if,  
290 after a fair hearing has been held, the hearing officer finds that  
291 the child without good cause has failed to meet the monthly  
292 attendance requirement, the department shall discontinue or deny



293 TANF benefits to the child thirteen (13) years old, or older, in  
294 the next possible payment month. The department shall discontinue  
295 or deny twenty-five percent (25%) of the family grant when a child  
296 six (6) through twelve (12) years of age without good cause has  
297 failed to meet the monthly attendance requirement. Both the child  
298 and family sanction may apply when children in both age groups  
299 fail to meet the attendance requirement without good cause. A  
300 sanction applied under this subsection shall be effective for one  
301 (1) month for each month that the child failed to meet the monthly  
302 attendance requirement. In the case of a dropout, the sanction  
303 shall remain in force until the parent or caretaker relative  
304 provides written proof from the school district that the child has  
305 reenrolled and met the monthly attendance requirement for one (1)  
306 calendar month. Any month in which school is in session for at  
307 least ten (10) days during the month may be used to meet the  
308 attendance requirement under this subsection. This includes  
309 attendance at summer school. The sanction shall be removed the  
310 next possible payment month.

311 (5) All parents or caretaker relatives shall have their  
312 dependent children receive vaccinations and booster vaccinations  
313 against those diseases specified by the State Health Officer under  
314 Section 41-23-37 in accordance with the vaccination and booster  
315 vaccination schedule prescribed by the State Health Officer for  
316 children of that age, in order for the parents or caretaker  
317 relatives to be eligible or remain eligible to receive TANF



318 benefits. Proof of having received such vaccinations and booster  
319 vaccinations shall be given by presenting the certificates of  
320 vaccination issued by any health care provider licensed to  
321 administer vaccinations, and submitted on forms specified by the  
322 State Board of Health. If the parents without good cause do not  
323 have their dependent children receive the vaccinations and booster  
324 vaccinations as required by this subsection and they fail to  
325 comply after thirty (30) days' notice, the department shall  
326 sanction the family's TANF benefits by twenty-five percent (25%)  
327 for the next payment month and each subsequent payment month until  
328 the requirements of this subsection are met.

329 (6) (a) If the parent or caretaker relative applying for  
330 TANF assistance is work eligible, as determined by the Department  
331 of Human Services, the person shall be required to engage in an  
332 allowable work activity once the department determines the parent  
333 or caretaker relative is determined work eligible, or once the  
334 parent or caretaker relative has received TANF assistance under  
335 the program for twenty-four (24) months, whether or not  
336 consecutive, whichever is earlier. No TANF benefits shall be  
337 given to any person to whom this section applies who fails without  
338 good cause to comply with the Employability Development Plan  
339 prepared by the department for the person, or who has refused to  
340 accept a referral or offer of employment, training or education in  
341 which he or she is able to engage, subject to the penalties  
342 prescribed in paragraph (e) of this subsection. A person shall be



343 deemed to have refused to accept a referral or offer of  
344 employment, training or education if he or she:

345 (i) Willfully fails to report for an interview  
346 with respect to employment when requested to do so by the  
347 department; or

348 (ii) Willfully fails to report to the department  
349 the result of a referral to employment; or

350 (iii) Willfully fails to report for allowable work  
351 activities as prescribed in paragraphs (c) and (d) of this  
352 subsection.

353 (b) The Department of Human Services shall operate a  
354 statewide work program for TANF recipients to provide work  
355 activities and supportive services to enable families to become  
356 self-sufficient and improve their competitive position in the  
357 workforce in accordance with the requirements of the federal  
358 Personal Responsibility and Work Opportunity Reconciliation Act of  
359 1996 (Public Law 104-193), as amended, and the regulations  
360 promulgated thereunder, and the Deficit Reduction Act of 2005  
361 (Public Law 109-171), as amended. Within sixty (60) days after  
362 the initial application for TANF benefits, the TANF recipient must  
363 participate in a job search skills training workshop or a job  
364 readiness program, which shall include resume writing, job search  
365 skills, employability skills and, if available at no charge, the  
366 General Aptitude Test Battery or its equivalent. All adults who  
367 are not specifically exempt shall be referred by the department



368 for allowable work activities. An adult may be exempt from the  
369 mandatory work activity requirement for the following reasons:

370 (i) Incapacity;

371 (ii) Temporary illness or injury, verified by  
372 physician's certificate;

373 (iii) Is in the third trimester of pregnancy, and  
374 there are complications verified by the certificate of a  
375 physician, nurse practitioner, physician assistant, or any other  
376 licensed health care professional practicing under a protocol with  
377 a licensed physician;

378 (iv) Caretaker of a child under twelve (12)  
379 months, for not more than twelve (12) months of the sixty-month  
380 maximum benefit period;

381 (v) Caretaker of an ill or incapacitated person,  
382 as verified by physician's certificate;

383 (vi) Age, if over sixty (60) or under eighteen  
384 (18) years of age;

385 (vii) Receiving treatment for substance abuse, if  
386 the person is in compliance with the substance abuse treatment  
387 plan;

388 (viii) In a two-parent family, the caretaker of a  
389 severely disabled child, as verified by a physician's certificate;  
390 or

391 (ix) History of having been a victim of domestic  
392 violence, which has been reported as required by state law and is



393 substantiated by police reports or court records, and being at  
394 risk of further domestic violence, shall be exempt for a period as  
395 deemed necessary by the department but not to exceed a total of  
396 twelve (12) months, which need not be consecutive, in the  
397 sixty-month maximum benefit period. For the purposes of this  
398 subparagraph (ix), "domestic violence" means that an individual  
399 has been subjected to:

400                   1. Physical acts that resulted in, or  
401 threatened to result in, physical injury to the individual;

402                   2. Sexual abuse;

403                   3. Sexual activity involving a dependent  
404 child;

405                   4. Being forced as the caretaker relative of  
406 a dependent child to engage in nonconsensual sexual acts or  
407 activities;

408                   5. Threats of, or attempts at, physical or  
409 sexual abuse;

410                   6. Mental abuse; or

411                   7. Neglect or deprivation of medical care.

412                   (c) For all families, all adults who are not  
413 specifically exempt shall be required to participate in work  
414 activities for at least the minimum average number of hours per  
415 week specified by federal law or regulation, not fewer than twenty  
416 (20) hours per week (thirty-five (35) hours per week for



417 two-parent families) of which are attributable to the following  
418 allowable work activities:

419 (i) Unsubsidized employment;

420 (ii) Subsidized private employment;

421 (iii) Subsidized public employment;

422 (iv) Work experience (including work associated  
423 with the refurbishing of publicly assisted housing), if sufficient  
424 private employment is not available;

425 (v) On-the-job training;

426 (vi) Job search and job readiness assistance  
427 consistent with federal TANF regulations;

428 (vii) Community service programs;

429 (viii) Vocational educational training (not to  
430 exceed twelve (12) months with respect to any individual);

431 (ix) The provision of child care services to an  
432 individual who is participating in a community service program;

433 (x) Satisfactory attendance at high school or in a  
434 course of study leading to a high school equivalency certificate,  
435 for heads of household under age twenty (20) who have not  
436 completed high school or received such certificate;

437 (xi) Education directly related to employment, for  
438 heads of household under age twenty (20) who have not completed  
439 high school or received such equivalency certificate.



440 (d) The following are allowable work activities which  
441 may be attributable to hours in excess of the minimum specified in  
442 subsection (6) (c):

443 (i) Job skills training directly related to  
444 employment;

445 (ii) Education directly related to employment for  
446 individuals who have not completed high school or received a high  
447 school equivalency certificate;

448 (iii) Satisfactory attendance at high school or in  
449 a course of study leading to a high school equivalency, for  
450 individuals who have not completed high school or received such  
451 equivalency certificate;

452 (iv) Job search and job readiness assistance  
453 consistent with federal TANF regulations.

454 (e) If any adult or caretaker relative refuses to  
455 participate in allowable work activity as required under this  
456 subsection (6), the following full family TANF benefit penalty  
457 will apply, subject to due process to include notification,  
458 conciliation and a hearing if requested by the recipient:

459 (i) For the first violation, the department shall  
460 terminate the TANF assistance otherwise payable to the family for  
461 a two-month period or until the person has complied with the  
462 required work activity, whichever is longer;

463 (ii) For the second violation, the department  
464 shall terminate the TANF assistance otherwise payable to the



465 family for a six-month period or until the person has complied  
466 with the required work activity, whichever is longer;

467 (iii) For the third violation, the department  
468 shall terminate the TANF assistance otherwise payable to the  
469 family for a twelve-month period or until the person has complied  
470 with the required work activity, whichever is longer;

471 (iv) For the fourth violation, the person shall be  
472 permanently disqualified.

473 For a two-parent family, unless prohibited by state or  
474 federal law, Medicaid assistance shall be terminated only for the  
475 person whose failure to participate in allowable work activity  
476 caused the family's TANF assistance to be sanctioned under this  
477 subsection (6)(e), unless an individual is pregnant, but shall not  
478 be terminated for any other person in the family who is meeting  
479 that person's applicable work requirement or who is not required  
480 to work. Minor children shall continue to be eligible for  
481 Medicaid benefits regardless of the disqualification of their  
482 parent or caretaker relative for TANF assistance under this  
483 subsection (6), unless prohibited by state or federal law.

484 (f) Any person enrolled in a two-year or four-year  
485 college program who meets the eligibility requirements to receive  
486 TANF benefits, and who is meeting the applicable work requirements  
487 and all other applicable requirements of the TANF program, shall  
488 continue to be eligible for TANF benefits while enrolled in the



489 college program for as long as the person meets the requirements  
490 of the TANF program, unless prohibited by federal law.

491 (g) No adult in a work activity required under this  
492 subsection (6) shall be employed or assigned (i) when any other  
493 individual is on layoff from the same or any substantially  
494 equivalent job within six (6) months before the date of the TANF  
495 recipient's employment or assignment; or (ii) if the employer has  
496 terminated the employment of any regular employee or otherwise  
497 caused an involuntary reduction of its workforce in order to fill  
498 the vacancy so created with an adult receiving TANF assistance.  
499 The Mississippi Department of Employment Security, established  
500 under Section 71-5-101, shall appoint one or more impartial  
501 hearing officers to hear and decide claims by employees of  
502 violations of this paragraph (g). The hearing officer shall hear  
503 all the evidence with respect to any claim made hereunder and such  
504 additional evidence as he may require and shall make a  
505 determination and the reason therefor. The claimant shall be  
506 promptly notified of the decision of the hearing officer and the  
507 reason therefor. Within ten (10) days after the decision of the  
508 hearing officer has become final, any party aggrieved thereby may  
509 secure judicial review thereof by commencing an action, in the  
510 circuit court of the county in which the claimant resides, against  
511 the department for the review of such decision, in which action  
512 any other party to the proceeding before the hearing officer shall  
513 be made a defendant. Any such appeal shall be on the record which



514 shall be certified to the court by the department in the manner  
515 provided in Section 71-5-531, and the jurisdiction of the court  
516 shall be confined to questions of law which shall render its  
517 decision as provided in that section.

518 (7) The Department of Human Services may provide child care  
519 for eligible participants who require such care so that they may  
520 accept employment or remain employed. The department may also  
521 provide child care for those participating in the TANF program  
522 when it is determined that they are satisfactorily involved in  
523 education, training or other allowable work activities. The  
524 department may contract with Head Start agencies to provide child  
525 care services to TANF recipients. The department may also arrange  
526 for child care by use of contract or vouchers, provide vouchers in  
527 advance to a caretaker relative, reimburse a child care provider,  
528 or use any other arrangement deemed appropriate by the department,  
529 and may establish different reimbursement rates for child care  
530 services depending on the category of the facility or home. Any  
531 center-based or group home child care facility under this  
532 subsection shall be licensed by the State Department of Health  
533 pursuant to law. When child care is being provided in the child's  
534 own home, in the home of a relative of the child, or in any other  
535 unlicensed setting, the provision of such child care may be  
536 monitored on a random basis by the Department of Human Services or  
537 the State Department of Health. Transitional child care  
538 assistance may be continued if it is necessary for parents to



539 maintain employment once support has ended, unless prohibited  
540 under state or federal law. Transitional child care assistance  
541 may be provided for up to twenty-four (24) months after the last  
542 month during which the family was eligible for TANF assistance, if  
543 federal funds are available for such child care assistance.

544 (8) The Department of Human Services may provide  
545 transportation or provide reasonable reimbursement for  
546 transportation expenses that are necessary for individuals to be  
547 able to participate in allowable work activity under the TANF  
548 program.

549 (9) Medicaid assistance shall be provided to a family of  
550 TANF program participants for up to twenty-four (24) consecutive  
551 calendar months following the month in which the participating  
552 family would be ineligible for TANF benefits because of increased  
553 income, expiration of earned income disregards, or increased hours  
554 of employment of the caretaker relative; however, Medicaid  
555 assistance for more than twelve (12) months may be provided only  
556 if a federal waiver is obtained to provide such assistance for  
557 more than twelve (12) months and federal and state funds are  
558 available to provide such assistance.

559 (10) The department shall require applicants for and  
560 recipients of public assistance from the department to sign a  
561 personal responsibility contract that will require the applicant  
562 or recipient to acknowledge his or her responsibilities to the  
563 state.



564 (11) The department shall enter into an agreement with the  
565 State Personnel Board and other state agencies that will allow  
566 those TANF participants who qualify for vacant jobs within state  
567 agencies to be placed in state jobs. State agencies participating  
568 in the TANF work program shall receive any and all benefits  
569 received by employers in the private sector for hiring TANF  
570 recipients. This subsection (11) shall be effective only if the  
571 state obtains any necessary federal waiver or approval and if  
572 federal funds are available therefor.

573 (12) Any unspent TANF funds remaining from the prior fiscal  
574 year may be expended for any TANF allowable activities.

575 (13) The Mississippi Department of Human Services shall  
576 provide TANF applicants information and referral to programs that  
577 provide information about birth control, prenatal health care,  
578 abstinence education, marriage education, family preservation and  
579 fatherhood.

580 (14) No new TANF program requirement or restriction  
581 affecting a person's eligibility for TANF assistance, or allowable  
582 work activity, which is not mandated by federal law or regulation  
583 may be implemented by the Department of Human Services after July  
584 1, 2004, unless such is specifically authorized by an amendment to  
585 this section by the Legislature.

586 **SECTION 3.** This act shall take effect and be in force from  
587 and after July 1, 2018.

