

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish, on a temporary basis, the Career Mobility Action Plan (Career MAP) Pilot program to combat the negative economic impacts of the Coronavirus Disease 2019 (COVID-19) by assisting households through removal of financial disincentives to pursuing higher earnings through employment resulting from loss of eligibility for various public assistance programs, commonly referred to as the “benefit cliff” effect.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Career Mobility Action Plan Program Establishment Temporary Act of 2022”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Career MAP” means the Career Mobility Action Plan pilot program created by this act.

(2) “Career MAP services” means any resources or services provided through the Career MAP program, which may include rental assistance, income support, career navigation and advancement services, coaching, case management, and other support services or resources needed to overcome barriers to economic advancement.

(3) “Department” means the Department of Human Services of the District of Columbia, or any successor organizational unit in whole or in part.

27 (4) "Program participants" means households that enroll in the Career MAP
28 program from the time they enroll until they have exited from the program.

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32 Sec. 3. Career MAP Pilot Program Establishment.

33 (a) Career MAP is established within the Department to remove barriers that households
34 with low income confront as they pursue higher earnings through employment. Career MAP
35 shall provide resources to help households avoid the sudden and often unexpected decrease in
36 public benefits that can occur with a small increase in earnings, resulting in a household being
37 financially poorer than before the wage increase. This penalty to economic mobility is
38 commonly referred to as a benefit cliff.

39 (b) The Mayor shall provide resources to each program participant to decrease the
40 negative effects of benefit cliffs and to support their economic advancement. Resources provided
41 may include rental assistance, income support, career navigation and advancement services,
42 coaching, case management, and other support services or resources needed to overcome barriers
43 to economic advancement.

44 (c)

45 (1) The Mayor may contract with, or provide a grant to, one or more qualified
46 organizations or consortia of organizations to operate all or part of the Career MAP services. The
47 Department shall establish the criteria that any entities must meet to be selected to operate Career
48 MAP services.

49 (2) A grant issued under this subsection shall be administered pursuant to the
50 Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official
51 Code § 1-328.11, et seq.).

52 (3) The Department shall not contract with a nongovernmental entity to take
53 responsibility for final decision-making on program planning and design, issuance of rules,
54 regulations, or policy governing participation, providing notice of case actions, determining and
55 applying sanctions, or performing administrative reviews or fair hearings.

56 (d) This section shall expire on September 30, 2028.

57 Sec. 4. Eligibility, Enrollment, and Program Requirements.

58 (a) To establish initial eligibility for Career MAP, a household must:

59 (1) Reside in the District of Columbia;

60 (2) Be a current participant in a qualifying housing-assistance program as defined
61 by the Mayor; and

62 (3) Meet any other initial eligibility criteria established by the Mayor.

63 (b) The Mayor shall establish an application, selection, and enrollment process for
64 households that meet initial eligibility criteria for Career MAP and enroll participants at
65 authorized and funded levels. If Career MAP has more applicants who meet eligibility
66 requirements than funding supports, the Department may conduct a randomized lottery to select
67 participants and aid in the evaluation of Career MAP.

68 (c) Career MAP shall not be an entitlement program. Career MAP is only available to a
69 limited number of participants based on funding availability and capacity.

70 (d) If selected for Career MAP, no household member shall be enrolled in both Career
71 MAP and another District or federal government-funded rental assistance program at the same

72 time. Enrollment in Career MAP shall not preclude receipt of shelter or rental assistance after
73 participation in Career MAP has ended.

74 (e) After enrollment in Career MAP, the following criteria shall apply in determining
75 continuing eligibility:

76 (1) Program participants shall remain eligible for Career MAP for no more than
77 five (5) years after enrollment regardless of income. The nature and levels of benefits provided
78 through Career MAP shall be established based on income, household composition, and other
79 criteria established by the Mayor.

80 (2) No Career MAP services shall be counted as income or an asset for purposes
81 of the District of Columbia Public Assistance Act of 1982 effective April 6, 1982 (D.C. Law 4-
82 101; D.C. Official Code § 4-201.01, et seq.).

83 (3) Program participants shall maintain residency in the District of Columbia.

84 (4) Additional continuing eligibility criteria shall be established by the Mayor,
85 which may include requirements to engage in career and support services provided through
86 Career MAP.

87 (5) The Mayor shall have the authority to sanction program participants for
88 noncompliance with Career MAP eligibility criteria, which may include removal from Career
89 MAP and loss of benefits and services provided.

90 Sec. 5 Notice.

91 The Mayor shall provide a written notice to a program participant at least 30 calendar
92 days in advance of terminating, reducing, or changing their Career MAP services. The notice
93 shall advise the program participant of the action being taken, the reason for the action, the date
94 the action will be taken, and the program participant's rights to request a fair hearing.

95 Sec. 6. Hearings.

96 (a) Each program participant shall be notified of their right to a fair hearing. Upon
97 request for such fair hearing, reasonable notice of the time and place thereof shall be given to
98 such program participant. Such fair hearing shall be conducted in accordance with the
99 provisions of this act.

100 (b) A program participant or their representative may request a fair hearing to appeal:

101 (1) A decision to exit their household from Career MAP and terminate Career
102 MAP services after less than five (5) years of participation; or

103 (2) A reduction in Career MAP services based on income, household
104 composition, and other criteria established by the Mayor.

105 (c) Career MAP fair hearings shall follow the following Hearing Procedures from the
106 District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101;
107 D.C. Official Code § 4-210.01, et seq.):

108 (1) Section 1003. Hearing Officers;

109 (2) Section 1005. Request for hearing;

110 (3) Section 1007. Procedures for administrative review of request;

111 (4) Section 1008. Time, date, and place of hearing;

112 (5) Section 1010. Hearing procedure enumerated;

113 (6) Section 1011. Findings, conclusions, and recommendations by hearing officer;

114 (7) Section 1013. Notification of decision and right to judicial review;

115 (8) Section 1014. Right to request hearing while absent from District;

116 (9) Section 1015. File of hearing decisions; and,

117 (10) Section 1017. Confidentiality.

118 (d) A request for a fair hearing to review adverse action by the Mayor to terminate or
119 reduce Career MAP services must be made within 30 days following the postmark of the
120 notification to the program participant of such adverse action or, within 10 days following the
121 action if no notice is issued.

122 (1) A request for a fair hearing must be granted by the Mayor. Fair hearings shall
123 be held after the administrative review and should occur within 60 days following the initial
124 request for a hearing.

125 (e) Any program participant that requests a fair hearing within 30 days of receipt of
126 written notice of adverse action or within 10 days of an adverse action when no notice is issued
127 shall have the right to the continuation of Career MAP services pending a final decision from the
128 fair hearing proceedings.

129 (f) If a program participant prevails in a fair hearing, the Mayor shall provide only the
130 following remedies:

131 (1) If the Mayor determines that the factual basis for termination or reduction of
132 Career MAP services was correct, but there was a defect in providing written notice to the
133 program participant, the Mayor shall remedy the error by issuing a corrected notice.

134 (2) If the Mayor determines that the factual basis for termination of Career MAP
135 services was incorrect, the Mayor shall remedy the error by re-enrolling the program participant
136 in Career MAP and providing Career MAP services retroactive to the date of the incorrect
137 termination or three months prior to the date the fair hearing request was filed, whichever is later.

138 (3) If the Mayor determines that the factual basis for a reduction of Career MAP
139 services was incorrect, the Mayor shall remedy the error by returning Career MAP services to the

140 level they were at on the date of the incorrect reduction retroactive to the date of the incorrect
141 reduction or three months prior to the date the fair hearing request was filed, whichever is later.

142 Sec. 7. Confidentiality.

143 (a) Except as provided in subsection (b) below, information collected from or about
144 Career MAP program participants and applicants shall be treated as confidential.

145 (b) Without prior consent from the individual to whom information pertains, the Mayor,
146 her designees, and agents are authorized to use and disclose to other District Agencies,
147 contractors, grantees, auditors, and program evaluators identifying information and all
148 information in Career MAP records concerning all current or former program applicants and
149 participants for the following purposes; provided, that the use or disclosure is not specifically
150 prohibited under District or federal law:

151 (1) To establish the individual's eligibility for, or determine their amount and type
152 of Career MAP services, benefits, supports, or assistance;

153 (2) To coordinate for the individual, their Career MAP services, benefits,
154 supports, or assistance;

155 (3) To conduct oversight activities, including management, financial and other
156 audits, program evaluations, planning, investigations, examinations, inspections, quality reviews,
157 licensure, disciplinary actions, or civil, administrative, or criminal proceedings or actions; and

158 (4) To conduct research related to Career MAP services, benefits, supports,
159 assistance, or program outcomes.

160 Sec. 8. Mayor to issue rules.

161 (a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
162 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue
163 rules to implement the provisions of this act.

164 Sec. 9. Fiscal impact statement.

165 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
166 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
167 approved October 16, 2006 (120 Stat. 2038; D.C.Official Code § 1-301.47a).

168 Sec. 10. Effective date.

169 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
170 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
171 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
172 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
173 Columbia Register.

174 (b) This act shall expire after 225 days of its having taken effect.