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

Sec. 3. Career MAP Pilot Program Establishment.

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

(b) The Mayor shall provide resources to each program participant to decrease the negative effects of benefit cliffs and to support their economic advancement. Resources provided 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.

(c)

(1) The Mayor may contract with, or provide a grant to, one or more qualified organizations or consortia of organizations to operate all or part of the Career MAP services. The Department shall establish the criteria that any entities must meet to be selected to operate Career MAP services.
(2) A grant issued under this subsection shall be administered pursuant to the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11, et seq.).

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

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

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

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

(1) Reside in the District of Columbia;

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

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

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

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

(d) If selected for Career MAP, no household member shall be enrolled in both Career MAP and another District or federal government-funded rental assistance program at the same
time. Enrollment in Career MAP shall not preclude receipt of shelter or rental assistance after participation in Career MAP has ended.

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

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

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

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

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

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

Sec. 5 Notice.

The Mayor shall provide a written notice to a program participant at least 30 calendar days in advance of terminating, reducing, or changing their Career MAP services. The notice shall advise the program participant of the action being taken, the reason for the action, the date the action will be taken, and the program participant’s rights to request a fair hearing.
Sec. 6. Hearings.

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

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

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

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

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

(1) Section 1003. Hearing Officers;

(2) Section 1005. Request for hearing;

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

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

(5) Section 1010. Hearing procedure enumerated;

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

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

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

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

(10) Section 1017. Confidentiality.
(d) A request for a fair hearing to review adverse action by the Mayor to terminate or reduce Career MAP services must be made within 30 days following the postmark of the notification to the program participant of such adverse action or, within 10 days following the action if no notice is issued.

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

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

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

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

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

(3) If the Mayor determines that the factual basis for a reduction of Career MAP services was incorrect, the Mayor shall remedy the error by returning Career MAP services to the
level they were at on the date of the incorrect reduction retroactive to the date of the incorrect
reduction or three months prior to the date the fair hearing request was filed, whichever is later.

Sec. 7. Confidentiality.

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

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

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

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

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

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

Sec. 8. Mayor to issue rules.
(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue rules to implement the provisions of this act.

Sec. 9. Fiscal impact statement.


Sec. 10. Effective date.

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

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