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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish, on an emergency basis, due to congressional review, a program to reduce and remove obstacles that low-income households confront as they pursue higher incomes through employment.

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 Congressional Review Emergency Amendment Act of 2022”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Area median income” means the area median income of the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S. Department of Housing and Urban Development.

(2) “Department” means the Department of Human Services.

(3) “Federal poverty guidelines” means the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of section 673(2) of the Community Services Block Grant Act, approved October 27, 1998 (112 Stat. 2729; 42 U.S.C. § 9902(2)).

31 (4) “Low-income household” means a household consisting of one or more
32 individuals with a household income:

33 (A) At or below 185% of federal poverty guidelines for the size of its
34 household; or

35 (B) At or below 40% of the area median income for its size of household.

36 (5) “Program” means the Career Mobility Action Plan program.

37 (6) “Program participant” means a low-income household enrolled in the
38 program.

39 (7) “Support services” means services to program participants provided under this
40 program and may include:

41 (A) Rental assistance;

42 (B) Income support; and

43 (C) Career navigation and advancement services, coaching, case
44 management, and other support services and resources.

45 Sec. 3. Career Mobility Action Plan program authorization.

46 (a) The Department shall establish and administer the Career Mobility Action Plan
47 program for the purpose of reducing and removing obstacles that low-income households
48 confront as they pursue higher incomes through employment, including a decrease in public
49 benefits that may result from an increase in the household’s income.

50 (b)(1) The Department may provide support services to program participants to help
51 achieve the goals of the program.

52 (2) The types and amounts of support services provided shall be determined based
53 on household income, household composition, and other criteria established by the Department.

54 Other criteria may factor in funding availability, reducing the impact of losses of other types of
55 benefits a household may receive as income increases, addressing short-term household
56 emergencies, and supporting career advancement activities.

57 (c) The Department may issue grants to service providers to implement the provisions of
58 this act.

59 Sec. 4. Eligibility, enrollment, and program requirements.

60 (a) To be eligible to participate in the program, a household shall:

61 (1) Reside in the District of Columbia;

62 (2) Be a low-income household at the time that the household's initial eligibility
63 is determined;

64 (3) Contain at least one individual who is currently participating in a housing
65 assistance program administered by the District or federal government at the time that the
66 household's initial eligibility is determined; and

67 (4) Meet any other eligibility criteria established by the Mayor.

68 (b) The Department may establish preference criteria and an application process and may
69 also conduct a randomized lottery to select eligible households to participate in the program and
70 to aid in the evaluation of the program. Preference criteria may factor in whether a household is
71 participating in a time-limited housing-assistance program, includes children under the age of 18,
72 and is willing to participate in career-related and other program activities. Preference criteria
73 may limit participation to households that are participating in one or more specific housing
74 assistance programs at the time their initial eligibility for the program is determined.

75 (c) No provision of this act shall be construed to create an entitlement to the program.

76 (d)(1) A program participant shall remain eligible to participate in the program for no
77 more than 5 years after enrollment regardless of income.

78 (2) To remain eligible to participate in the program, program participants shall
79 maintain residency in the District, participate in any support services mandated as a condition of
80 continued eligibility in the program, and meet requirements and criteria established by the
81 Department.

82 (3) Program participants must exit other housing-assistance programs upon
83 enrollment in the program. A program participant shall cease to be eligible to participate in the
84 program if, during the program participant's enrollment, any member of the program
85 participant's household becomes enrolled in another District- or federal government-funded
86 rental-assistance program.

87 Sec. 5. Notice of changes to services or supports.

88 The Department shall provide written notice to a program participant before terminating,
89 reducing, or changing the program participant's support services. The notice shall advise the
90 program participant of the action the Department plans to take, the reason for the action, the date
91 the action will be taken, and the program participant's right to request a hearing as provided
92 under section 6.

93 Sec. 6. Hearings.

94 (a) A program participant or the program participant's representative may request a
95 hearing to appeal a decision by the Department to:

96 (1) Terminate the program participant from the program after less than 5 years of
97 participation; or

98 (2) Reduce or change the support services provided to the program participant
99 based on the program participant’s failure to comply with the program requirements or based on
100 income, household composition, or other criteria established by the Department.

101 (b) If a program participant requests a hearing, the Department shall give the program
102 participant reasonable notice of the time and location of the hearing.

103 (c) Hearings shall follow the procedures set forth in sections 1003, 1005, 1007, 1008,
104 1010, 1011, 1013, 1014, 1015, and 1017 of the District of Columbia Public Assistance Act of
105 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code §§ 4-210.03, 4-210.05, 4-
106 210.07, 4-210.08, 4-210.10, 4-210.11, 4-210.13, 4-210.14, 4-210.15, and 4-210.17).

107 (d) A request for a hearing shall be made by the following deadlines:

108 (1) If the notice was sent by postal mail, within 30 days after the postmark date of
109 the notice;

110 (2) If the notice was sent by email, within 30 days after the date of the email; or

111 (3) If the notice was sent by both postal mail and email, by the earlier deadline set
112 forth in paragraphs (1) and (2) of this subsection.

113 (e) A hearing shall be held after the administrative review if the administrative review
114 does not lead to the withdrawal of the hearing request.

115 (f) A program participant that timely requests a hearing shall continue to receive the
116 program services or supports provided prior to the adverse action pending a final decision.

117 (g)(1) If a program participant prevails in a hearing, the Mayor shall authorize corrected
118 payments and services if applicable retroactively to the date the incorrect action was taken.

119 (2) Notwithstanding 1011(b) of the District of Columbia Public Assistance Act of
120 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-210.11(b)), the findings
121 of the hearing officer shall be considered the final decision of the Mayor's agent.

122 Sec. 7. Confidentiality.

123 (a) The Department shall not use or disclose information collected from or about a
124 program participant or applicant except as provided in subsection (b) of this section and section
125 6(c).

126 (b) The Department may use and disclose to other District agencies, contractors, grantees,
127 auditors, and program evaluators information in program records concerning current or former
128 program participants or applicants without prior consent from any individual to whom the
129 information pertains for the following purposes; provided, that the use or disclosure is not
130 otherwise prohibited under District or federal law:

131 (1) To establish an applicant's eligibility for, or to determine their amount and
132 type of, support services;

133 (2) To coordinate for the program participant their support with other services
134 provided by the District government, federal government, or a private individual or entity;

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

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

140 Sec. 8. Exclusion from income for certain purposes.

141 Support services shall not be considered income or an asset for purposes of the District of
142 Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official
143 Code § 4-201.01 *et seq.*).

144 Sec. 9. Rulemaking.

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

148 Sec. 10. Fiscal impact statement.

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

152 Sec. 11. Effective date.

153 This act shall take effect following approval by the Mayor (or in the event of a veto by
154 the Mayor, action by the Council to override the veto), and shall remain in effect for no longer
155 than 90 days, as provided for emergency acts of the Council of the District of Columbia in
156 section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87
157 Stat. 788; D.C. Official Code § 1-204.12(a)).