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A BILL
24-800

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



To establish, on a temporary basis, a program to reduce and remove obstacles that low-income households confront as they pursue higher income 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 Temporary 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 of the Community Services Block Grant Act, approved October 27, 1998 (112 Stat. 2729; 42 U.S.C. § 9902(2)).

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

27 “(A) At or below 185% of federal poverty guidelines for the size of its
28 household; or

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

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

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

33 (7) “Support services” means services to program participants provided under this
34 program and includes:

35 (A) Rental assistance;

36 (B) Income support; and

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

39 Sec. 3. Career mobility program authorization.

40 (a) The Department of Human Services shall establish and administer the Career Mobility
41 Action Plan program to reduce and remove obstacles that low-income households confront as
42 they pursue higher incomes through employment, including a decrease in public benefits that
43 may result from an increase in the household’s income.

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

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

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

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

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

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

55 (1) Reside in the District of Columbia;

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

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

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

62 (b) The Department may establish preference criteria, and an application process, and
63 may also conduct a randomized lottery to select eligible households to participate in the program
64 and to aid in the evaluation of the program. Preference criteria may factor in whether a
65 household is participating in a time-limited housing-assistance program, includes children under
66 the age of 18, and ~~or~~ is willing to participate in career-related and other program activities.
67 Preference criteria may limit participation to households that are participating in one or more

68 specific housing-assistance programs at the time their initial eligibility for the program is
69 determined.

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

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

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

77 (3) Participants must exit other housing-assistance programs upon enrollment in
78 the program. A program participant shall cease to be eligible to participate in the program if,
79 during the program participant's enrollment, any member of the program participant's household
80 becomes enrolled in another District or federal government-funded rental assistance program.

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

82 The Department shall provide written notice to a program participant before terminating,
83 reducing, or changing their support services. The notice shall advise the program participant of
84 the action the Department plans to take, the reason for the action, the date the action will be
85 taken, and the program participant's right to request a hearing under section 6.

86 Sec. 6. Hearings.

87 (a) A program participant or their representative may request a hearing to appeal a
88 decision by the Department to:

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

91 (2) Reduce or change the support services provided to the program participant
92 based on the program participant's failure to comply with the program requirements or based on
93 income, household composition, or other criteria established by the Department.

94 (b) If a program participant requests a hearing, the Department shall give the program
95 participant reasonable notice of the time and location where the hearing will take place.

96 (c) Hearings shall follow the procedures set forth in sections 1003, 1005, 1007, 1008,
97 1010, 1011, 1013, 1014, 1015, and 1017 of the District of Columbia Public Assistance Act of
98 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code §§ 4-210.03, 4-210.05, 4-
99 210.07, 4-210.08, 4-210.10, 4-210.11, 4-210.13, 4-210.14, 4-210.15, and 4-210.17).

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

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

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

104 (3) If the notice was sent by both postal mail and email, by the earlier deadline set
105 forth in sub-paragraphs (A) and (B) of this paragraph.

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

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

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

113 Sec. 7. Confidentiality.

114 (a) The Department shall not use or disclose information collected from or about a
115 program participant or applicant except as provided in subsection (b) of this section and section
116 6(c).

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

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

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

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

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

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

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

135 Sec. 9. Rulemaking.

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

139 Sec. 10. Fiscal impact statement.

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

143 Sec. 11. Effective date.

144 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
145 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
146 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
147 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
148 Columbia Register.

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