

117TH CONGRESS  
1ST SESSION

# H. R. 4538

To amend title IV–A of the Social Security Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2021

Mr. SMITH of Missouri (for himself and Mrs. WALORSKI) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title IV–A of the Social Security Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Benefits to Employ-  
5       ment Act”.

6       **SEC. 2. EXPECTING UNIVERSAL ENGAGEMENT AND CASE**  
7       **MANAGEMENT.**

8       Section 408(b) of the Social Security Act (42 U.S.C.  
9       608(b)) is amended to read as follows:

10       “(b) INDIVIDUAL OPPORTUNITY PLANS.—

1           “(1) ASSESSMENT.—The State agency respon-  
2           sible for administering the State program funded  
3           under this part shall make an initial assessment of  
4           the following for each recipient of assistance who is  
5           required to be engaged in work pursuant to section  
6           407(c):

7                   “(A) The education obtained, skills, prior  
8                   work experience, work readiness, and barriers  
9                   to work of the individual.

10                   “(B) The well-being of the children in the  
11                   family of the individual and, where appropriate,  
12                   activities or services (such as services offered by  
13                   a program funded under section 511) to im-  
14                   prove the well-being of the children.

15           “(2) CONTENTS OF PLANS.—On the basis of  
16           the assessment required by paragraph (1) of this  
17           subsection, the State agency, in consultation with  
18           the individual, shall develop an individual oppor-  
19           tunity plan that—

20                   “(A) includes a personal responsibility  
21                   agreement in which the individual acknowledges  
22                   receipt of publicly-funded benefits and responsi-  
23                   bility to comply with program requirements in  
24                   order to receive the benefits;

1 “(B) sets forth the obligations of the indi-  
2 vidual to participate in work activities, and the  
3 number of hours per month for which the indi-  
4 vidual will so participate pursuant to section  
5 407(c);

6 “(C) sets forth an employment goal and  
7 planned short-, intermediate-, and long-term ac-  
8 tions to achieve the goal, and, in the case of an  
9 individual who has not attained 24 years of age  
10 and is in secondary school or the equivalent, the  
11 intermediate action may be completion of sec-  
12 ondary school or the equivalent;

13 “(D) describes the job counseling and  
14 other services the State will provide to the indi-  
15 vidual to enable the individual to obtain and  
16 keep employment in the private sector;

17 “(E) may include referral to appropriate  
18 substance abuse or mental health treatment;  
19 and

20 “(F) is signed by the individual.

21 “(3) TIMING.—The State agency shall comply  
22 with paragraph (1) and (2) with respect to a work-  
23 eligible individual—

24 “(A) within 180 days after the effective  
25 date of this subsection, in the case of an indi-

vidual who, as of such effective date, is a recipient of assistance under the State program funded under this part (as in effect immediately before such effective date); or

“(B) within 60 days after the individual is determined to be eligible for the assistance, in the case of any other individual.

“(4) PENALTY FOR NONCOMPLIANCE BY INDIVIDUAL.—In addition to any other penalties required under the State program funded under this part, the State may reduce, by such amount as the State considers appropriate, the amount of assistance otherwise payable under the State program to a family that includes an individual who fails without good cause to comply with an individual opportunity plan developed pursuant to this subsection, that is signed by the individual.

“(5) PERIODIC REVIEW.—The State shall meet with each work-eligible individual assessed by the State under paragraph (1), not less frequently than every 90 days, to—

“(A) review the individual opportunity plan developed for the individual;

1           “(B) discuss with the individual the  
2           progress made by the individual in achieving  
3           the goals specified in the plan; and

4           “(C) update the plan, as necessary, to re-  
5           flect any changes in the circumstances of the  
6           individual since the plan was last reviewed.

7           “(6) STATE DISCRETION.—A State shall have  
8           sole discretion, consistent with section 407, to define  
9           and design activities for families for purposes of this  
10          subsection, to develop methods for monitoring and  
11          reviewing progress pursuant to this subsection, and  
12          to make modifications to the plans developed pursu-  
13          ant to this subsection as the State deems appro-  
14          priate to assist families in increasing their degree of  
15          self-sufficiency.”.

16 **SEC. 3. EFFECTIVE DATE.**

17          The amendment made by this Act shall take effect  
18          on October 1, 2022.

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