

By Mr. Mofenson of Newton, petition of David J. Mofenson, Sandra Graham, Barbara E. Gray and Barney Frank that provision be made for public assistance payments to eligible families during periods that said families are ineligible for the aid for dependent children program. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT PERTAINING TO THE PROVISION OF PAYMENTS IN LIEU OF AFDC FOR OTHERWISE ELIGIBLE FAMILIES DURING THE TEMPORARY ABSENCE OF CHILDREN FROM THE HOME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 26 of chapter 119 of the General Laws as
2 most recently amended by chapter 1076 section 3 of the Acts of
3 1973 is hereby further amended by striking out subsection (2) and
4 inserting in place thereof the following: —

5 (2) It may, subject to such conditions and limitations as it may
6 prescribe, transfer temporary legal custody to any of the
7 following: —

8 (i) any individual who, after study by a probation officer or other
9 person or agency designated by the court, is found by the court to
10 be qualified to give care to the child;

11 (ii) any agency or other private organization licensed or
12 otherwise authorized by law to receive and provide care for the
13 child; and

14 (iii) the department of public welfare.

15 Conditions and limitations to be prescribed by the court shall
16 include all services necessary to ensure that the child or children
17 may eventually be returned to their home, including the provision
18 of maintenance payments to parents who are recipients of aid to
19 families of dependent children under chapter one hundred and
20 eighteen and who may become ineligible for such payment if their
21 child or children are temporarily removed. The court shall set a

22 time limit for such payments consistent with the time necessary to
23 adequately prepare the parent or parents and the child for reunion,
24 with a minimum time limit of six months, subject to review at the
25 time of termination.

1 SECTION 2 Chapter 118 of the General Laws is hereby
2 amended by inserting, after section 2B, a new section 2C to read as
3 follows:—

4 When one or more children who are recipients of aid to families
5 of dependent children under this chapter are temporarily removed
6 from their home under the provisions of General Laws chapter one
7 hundred nineteen section twenty-six (two); and their removal
8 causes their parent or parents to become ineligible for aid to
9 families of dependent children because the child or children are
10 no longer in the home, the department shall provide a bi-monthly
11 payment to the parent or parents equal to the payments made to
12 one or two adult aid to families of dependent children recipients,
13 for such period of time as is ordered by a court under chapter one
14 hundred nineteen section twenty-six (two), in order to ensure that
15 the parent or parents will be able to maintain a home suitable for
16 the eventual return of the child or children.