
SENATE BILL 5497

State of Washington

55th Legislature

1997 Regular Session

By Senators Hochstatter, Schow and Oke

Read first time 01/29/97. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to public assistance; amending RCW 74.12.340;
2 reenacting and amending RCW 74.15.020; adding new sections to chapter
3 74.12 RCW; creating new sections; repealing RCW 74.12.420; and
4 prescribing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
7 establish as a state goal the delivery of transitional public
8 assistance. The goal should commit the state to supporting eligible
9 families seeking state financial assistance in times of financial need
10 on a temporary time-limited basis. Furthermore, the state should help
11 eligible families solve their problems through relationships rather
12 than through increased use of taxpayers money.

13 In addition, it is the intent of this act to encourage the
14 development of positive relationships among people on public
15 assistance, to stabilize family life, improve the health and well-being
16 of women, men, and children, and increase the likelihood of marriage.

17 It is the intent of the state of Washington to provide temporary
18 transition public assistance to families with children who are
19 experiencing financial hardship. This financial aid is time-limited

1 and intended to provide financial support while a family finds stable
2 work. The legislature finds that a time limitation on public
3 assistance coupled with an immediate but gradual reduction in grant
4 amounts is more beneficial to establishing self-sufficiency than are
5 other public assistance programs.

6 Single parents raising children are more likely to be living in
7 poverty than two-parent families. Common sense tells us that when
8 single women and children live communally with other women their
9 ability to reduce their dependency on public assistance and improve the
10 health and safety of their children is increased. Requiring recipients
11 to live with other recipients of the same gender on public assistance
12 will reduce the state's expenditures for child care by enabling them to
13 share child care responsibilities and to share living expenses. Single
14 parents raising children alone on public assistance is expensive and
15 difficult. Child care costs are high and parents are isolated from the
16 support of other adults. In hard financial times common sense tells us
17 that people make sacrifices for their children and the state has a
18 responsibility to establish a system of transitional services that
19 places the greatest responsibility for self-sufficiency on the parents
20 of children in need.

21 To further this goal, when an individual seeks temporary financial
22 aid from the state it is in the individual's best interest and the best
23 interest of the individual's children to make choices regarding their
24 living situation. The state must provide the opportunity for parents
25 to make the best use of the taxpayers' money that is provided to them
26 by the working citizens of this state. Furthermore, it is in the best
27 interest of children living on public assistance to be cared for by
28 people who are selected by their parents.

29 A family that shares living expenses such as rent, heating,
30 electricity, phone, and water will have greater discretion in the use
31 of its combined benefits, yielding more money for other needs of
32 children. In addition, it is more economical to live as a group than
33 to live as an individual, which is known to all married couples.
34 Therefore, as a requirement to receive a larger financial grant from
35 the state, a recipient must make a choice to either live communally
36 with other recipients of the same gender in housing of his or her
37 choice or to receive a reduced financial grant.

38 It is the intent of the legislature that the temporary assistance
39 for needy families program encourage marriage. The legislature finds

1 that ninety-five and two-tenths of one percent of Washington parents
2 expressed the belief that divorce is harmful to children.

3 NEW SECTION. **Sec. 2.** A family or assistance unit is not eligible
4 to participate in the shared housing arrangement provided for in
5 section 3 of this act if the recipient is a minor.

6 NEW SECTION. **Sec. 3.** A recipient under eighteen years of age,
7 unmarried, and either pregnant or having a dependent child or children
8 in the recipient's care is eligible for a grant equal to fifty percent
9 of the payment standard based on family size.

10 NEW SECTION. **Sec. 4.** SHARED HOUSING ARRANGEMENT. (1) A family or
11 assistance unit is not eligible for a full welfare grant in any month
12 if for that month the family or assistance unit cannot prove to the
13 department that it is complying with the shared housing arrangement
14 requirements under this section.

15 (2) Within the first ninety days after eligibility is determined,
16 an unmarried recipient of temporary assistance for needy families must
17 show proof as determined by department rule that he or she is living
18 with another public assistance recipient of the same gender. If the
19 recipient proves that he or she is participating in the shared housing
20 arrangement the recipient is eligible for the full public assistance
21 grant for up to an additional six months. Each quarter thereafter, the
22 financial grant for the assistance unit shall be reduced by twenty-five
23 percent until a total of twenty-seven months has passed, at which time
24 the recipient is no longer eligible for public assistance for two
25 hundred thirteen months.

26 (3) The department shall provide individuals choosing to
27 participate in the shared housing arrangement with a preprinted post
28 card on which to list their name, address, phone number, and ages of
29 children of the recipient. The department shall also provide a
30 one-sheet public information guide as a public service to help
31 recipients in interviewing other recipients for a shared housing
32 arrangement. The public information guide shall provide questions that
33 will help recipients in developing successful, long-term, mutually
34 beneficial relationships in a shared housing arrangement, but shall not
35 place the state in the position of any responsibility for approving or
36 disapproving any shared housing arrangement relationship.

1 (4) If after ninety days a recipient has not declared that he or
2 she wishes to participate in a shared housing arrangement, the
3 recipient is eligible for fifty percent of the financial benefits for
4 which he or she is eligible beginning on the following month and for up
5 to an additional twelve months of eligibility, at which point his or
6 her grant shall be reduced each quarter by twenty-five percent for the
7 remaining twelve months of eligibility, at which time the recipient is
8 ineligible for public assistance for two hundred thirteen months. In
9 any month that the recipient can show proof that he or she is living in
10 an approved shared living arrangement, the recipient is eligible for
11 the full grant that he or she will receive on the first day of the
12 following month.

13 (5) If a recipient moves out of a shared housing arrangement and
14 makes the remaining members of the shared housing arrangement
15 ineligible for the full grant, the remaining recipient has sixty days
16 to locate another recipient of the same gender to create a shared
17 housing arrangement to continue in order to participate in the benefits
18 of the shared housing arrangement.

19 (6) Unless the context clearly requires otherwise, as used in
20 sections 2 through 10 of this act, "shared housing arrangement" means
21 the living situation where an eligible unmarried recipient, as part of
22 the requirements of eligibility for temporary assistance for needy
23 families grants, lives with no more than three recipients of public
24 assistance of the same gender in order to receive a full public
25 assistance grant. The household may not be larger than six individuals
26 and be eligible for increased benefits under the shared housing
27 arrangement.

28 NEW SECTION. Sec. 5. ADDITIONAL ELIGIBILITY REQUIREMENTS--SHARED
29 HOUSING ARRANGEMENT--PARTIAL GRANT. (1) Proof that a recipient of
30 public assistance under chapter 74.08 RCW is living in a shared housing
31 arrangement with another recipient of public assistance eligible to
32 receive assistance under chapter 74.08 RCW may be established as
33 provided by the rules of the department.

34 (2) If an applicant is unable to establish proof of living
35 situation, he or she is eligible for fifty percent of the financial
36 grant he or she would otherwise be eligible for twelve months.
37 Thereafter, the grant shall be reduced by twenty-five percent each
38 quarter.

1 (3) A recipient who willfully makes a false statement as to his or
2 her living situation is guilty of an unlawful practice under RCW
3 74.08.331.

4 NEW SECTION. **Sec. 6.** TRANSITIONAL SERVICES--TIME LIMITS--GRANT
5 REDUCTIONS. The legislature finds that it is in the public's interest
6 that recipients on public assistance use state financial resources only
7 as transitional financial assistance as they work toward self-
8 sufficiency. To provide incentives for long-term recipients to leave
9 public assistance and accept paid employment, the legislature finds it
10 is necessary to reduce recipients' dependence on financial grants from
11 the state gradually by reducing the amount of these grants by twenty
12 percent each six months over a twenty-four month period. This
13 reduction may be replaced with income earned in unsubsidized employment
14 with no loss of eligibility. Recipients of public assistance under
15 this chapter may retain seventy-five cents of every dollar they earn
16 while working in gainful employment while receiving public assistance
17 and not lose eligibility for the entire period of time they are
18 eligible for and are receiving public assistance.

19 NEW SECTION. **Sec. 7.** DURATION OF ELIGIBILITY. Recipients of
20 public assistance are eligible for a total of twenty-seven months of
21 public assistance in a lifetime, except that an individual may receive
22 an additional twenty-seven months of public assistance after two
23 hundred thirteen months have elapsed from the last day of the initial
24 period of eligibility.

25 NEW SECTION. **Sec. 8.** RESUMPTION OF ELIGIBILITY. If a public
26 assistance recipient terminates eligibility for public assistance for
27 any reason other than welfare fraud before the recipient's twenty-seven
28 months are completed, the recipient may reapply and if found eligible
29 may receive a financial grant from the transitional public assistance
30 program for an amount equal to the amount of the grant received in the
31 last month in which the recipient was previously eligible, subject to
32 statutory reductions.

33 If the recipient has received a lump sum payment under section 9 of
34 this act, four months shall be added to the actual number of months the
35 recipient has received public assistance, and this number shall be used

1 in determining eligibility under this section for a financial grant
2 from the transitional public assistance program.

3 NEW SECTION. **Sec. 9.** EFFECT OF MARRIAGE. If a recipient of
4 public assistance marries, ends eligibility for public assistance, and
5 lives with and remains married to his or her spouse as a legally
6 married couple for twelve months, the recipient shall receive a lump
7 sum check at that time from the state for four times the monthly
8 financial benefit level he or she would have received immediately
9 following the marriage had he or she remained on public assistance.

10 If the recipient receives a lump sum payment under this section,
11 four months shall be added to determine the number of months for which
12 the recipient received public assistance, as provided in section 8 of
13 this act.

14 NEW SECTION. **Sec. 10.** NONCITIZENS. (1) It is the intent of the
15 legislature that new immigrants to Washington state provide for
16 themselves and their families. It is the intent of the legislature to
17 limit access to certain public assistance benefits by noncitizens.

18 (2) Noncitizens are not eligible for financial grants; medical
19 assistance; food stamps; or nutrition services including school
20 lunches, breakfasts, child care nutrition programs, and women, infant,
21 and children's nutrition program.

22 **Sec. 11.** RCW 74.12.340 and 1973 1st ex.s. c 154 s 111 are each
23 amended to read as follows:

24 The department (~~(is authorized to promulgate)~~) may adopt rules
25 (~~(and regulations)~~) governing the provision of day care as a part of
26 child welfare services when the secretary determines that a need exists
27 for such day care and that it is in the best interests of the child,
28 the parents, or the custodial parent and in determining the need for
29 such day care priority shall be given to geographical areas having the
30 greatest need for such care and to members of low income groups in the
31 population: PROVIDED, That where the family is financially able to pay
32 part or all of the costs of such care, fees shall be imposed and paid
33 according to the financial ability of the family. Recipients
34 participating in a shared housing arrangement under section 5 of this
35 act are eligible for state or federally funded child care.

1 **Sec. 12.** RCW 74.15.020 and 1995 c 311 s 18 and 1995 c 302 s 3 are
2 each reenacted and amended to read as follows:

3 For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless
4 otherwise clearly indicated by the context thereof, the following terms
5 shall mean:

6 (1) "Department" means the state department of social and health
7 services;

8 (2) "Secretary" means the secretary of social and health services;

9 (3) "Agency" means any person, firm, partnership, association,
10 corporation, or facility which receives children, expectant mothers, or
11 persons with developmental disabilities for control, care, or
12 maintenance outside their own homes, or which places, arranges the
13 placement of, or assists in the placement of children, expectant
14 mothers, or persons with developmental disabilities for foster care or
15 placement of children for adoption, and shall include the following
16 irrespective of whether there is compensation to the agency or to the
17 children, expectant mothers or persons with developmental disabilities
18 for services rendered:

19 (a) "Group-care facility" means an agency, other than a foster-
20 family home, which is maintained and operated for the care of a group
21 of children on a twenty-four hour basis;

22 (b) "Child-placing agency" means an agency which places a child or
23 children for temporary care, continued care, or for adoption;

24 (c) "Maternity service" means an agency which provides or arranges
25 for care or services to expectant mothers, before or during
26 confinement, or which provides care as needed to mothers and their
27 infants after confinement;

28 (d) "Child day-care center" means an agency which regularly
29 provides care for a group of children for periods of less than twenty-
30 four hours;

31 (e) "Family day-care provider" means a child day-care provider who
32 regularly provides child day care for not more than twelve children in
33 the provider's home in the family living quarters;

34 (f) "Foster-family home" means an agency which regularly provides
35 care on a twenty-four hour basis to one or more children, expectant
36 mothers, or persons with developmental disabilities in the family abode
37 of the person or persons under whose direct care and supervision the
38 child, expectant mother, or person with a developmental disability is
39 placed;

1 (g) "Crisis residential center" means an agency which is a
2 temporary protective residential facility operated to perform the
3 duties specified in chapter 13.32A RCW, in the manner provided in RCW
4 74.13.032 through 74.13.036.

5 (4) "Agency" shall not include the following:

6 (a) Persons related to the child, expectant mother, or person with
7 developmental disabilities in the following ways:

8 (i) Any blood relative, including those of half-blood, and
9 including first cousins, nephews or nieces, and persons of preceding
10 generations as denoted by prefixes of grand, great, or great-great;

11 (ii) Stepfather, stepmother, stepbrother, and stepsister;

12 (iii) A person who legally adopts a child or the child's parent as
13 well as the natural and other legally adopted children of such persons,
14 and other relatives of the adoptive parents in accordance with state
15 law;

16 (iv) Spouses of any persons named in (i), (ii), or (iii) of this
17 subsection (4)(a), even after the marriage is terminated; or

18 (v) "Extended family members," as defined by the law or custom of
19 the Indian child's tribe or, in the absence of such law or custom, a
20 person who has reached the age of eighteen and who is the Indian
21 child's grandparent, aunt or uncle, brother or sister, brother-in-law
22 or sister-in-law, niece or nephew, first or second cousin, or
23 stepparent who provides care in the family abode on a twenty-four-hour
24 basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

25 (b) Persons who are legal guardians of the child, expectant mother,
26 or persons with developmental disabilities;

27 (c) Persons who care for a neighbor's or friend's child or
28 children, with or without compensation, where: (i) The person
29 providing care for periods of less than twenty-four hours does not
30 conduct such activity on an ongoing, regularly scheduled basis for the
31 purpose of engaging in business, which includes, but is not limited to,
32 advertising such care; or (ii) the parent and person providing care on
33 a twenty-four-hour basis have agreed to the placement in writing and
34 the state is not providing any payment for the care;

35 (d) Parents on a mutually cooperative basis exchange care of one
36 another's children;

37 (e) Parents who are recipients of public assistance living in a
38 shared living arrangement under section 4 of this act who care for each
39 others' children;

1 ~~(f)~~ A person, partnership, corporation, or other entity that
2 provides placement or similar services to exchange students or
3 international student exchange visitors or persons who have the care of
4 an exchange student in their home;

5 ~~((f))~~ (g) Nursery schools or kindergartens which are engaged
6 primarily in educational work with preschool children and in which no
7 child is enrolled on a regular basis for more than four hours per day;

8 ~~((g))~~ (h) Schools, including boarding schools, which are engaged
9 primarily in education, operate on a definite school year schedule,
10 follow a stated academic curriculum, accept only school-age children
11 and do not accept custody of children;

12 ~~((h))~~ (i) Seasonal camps of three months' or less duration
13 engaged primarily in recreational or educational activities;

14 ~~((i))~~ (j) Hospitals licensed pursuant to chapter 70.41 RCW when
15 performing functions defined in chapter 70.41 RCW, nursing homes
16 licensed under chapter 18.51 RCW and boarding homes licensed under
17 chapter 18.20 RCW;

18 ~~((j))~~ (k) Licensed physicians or lawyers;

19 ~~((k))~~ (l) Facilities providing care to children for periods of
20 less than twenty-four hours whose parents remain on the premises to
21 participate in activities other than employment;

22 ~~((l))~~ (m) Facilities approved and certified under chapter 71A.22
23 RCW;

24 ~~((m))~~ (n) Any agency having been in operation in this state ten
25 years prior to June 8, 1967, and not seeking or accepting moneys or
26 assistance from any state or federal agency, and is supported in part
27 by an endowment or trust fund;

28 ~~((n))~~ (o) Persons who have a child in their home for purposes of
29 adoption, if the child was placed in such home by a licensed child-
30 placing agency, an authorized public or tribal agency or court or if a
31 replacement report has been filed under chapter 26.33 RCW and the
32 placement has been approved by the court;

33 ~~((o))~~ (p) An agency operated by any unit of local, state, or
34 federal government or an agency, located within the boundaries of a
35 federally recognized Indian reservation, licensed by the Indian tribe;

36 ~~((p))~~ (q) An agency located on a federal military reservation,
37 except where the military authorities request that such agency be
38 subject to the licensing requirements of this chapter.

1 (5) "Requirement" means any rule, regulation, or standard of care
2 to be maintained by an agency.

3 (6) "Probationary license" means a license issued as a disciplinary
4 measure to an agency that has previously been issued a full license but
5 is out of compliance with licensing standards.

6 NEW SECTION. **Sec. 13.** RCW 74.12.420 and 1994 c 299 s 9 are each
7 repealed.

8 NEW SECTION. **Sec. 14.** Captions used in sections 4 through 10 of
9 this act do not constitute any part of the law.

10 NEW SECTION. **Sec. 15.** Sections 2 through 10 of this act are each
11 added to chapter 74.12 RCW.

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