
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2782

State of Washington

61st Legislature

2010 Regular Session

By House Ways & Means (originally sponsored by Representatives Dickerson, Appleton, McCoy, Carlyle, Morrell, Kagi, Kessler, Green, Ericks, Moeller, Roberts, Nelson, and Orwall)

READ FIRST TIME 02/09/10.

1 AN ACT Relating to establishing the security lifeline act; amending
2 RCW 74.04.005, 10.101.010, 26.19.071, 31.04.540, 70.123.110, 73.08.005,
3 74.04.0052, 74.04.120, 74.04.230, 74.04.266, 74.04.620, 74.04.770,
4 74.08.043, 74.08.278, 74.08.335, 74.08A.210, 74.09.010, 74.09.035,
5 74.09.555, and 74.50.060; reenacting and amending RCW 13.34.030; adding
6 new sections to chapter 74.04 RCW; adding a new section to chapter
7 43.330 RCW; adding a new section to chapter 70.47 RCW; adding a new
8 section to chapter 70.96A RCW; adding a new section to chapter 74.08A
9 RCW; creating new sections; providing an effective date; providing an
10 expiration date; and declaring an emergency.

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

12 NEW SECTION. **Sec. 1.** INTENT. (1) The legislature finds that:

13 (a) Low-income families and individuals often face significant
14 barriers to receiving the services and benefits that they are qualified
15 to receive. These services are essential to meeting individuals' basic
16 needs, and provide critical support to low-income individuals who are
17 working or who have disabilities that prevent them from working;

18 (b) Each year millions of federal dollars go unclaimed due to

1 underutilization of benefits such as tax credits, health care coverage,
2 and food support;

3 (c) State agencies have been engaged in an effort to implement an
4 online benefit portal to simplify and streamline access to state,
5 federal, and local benefits that include a broad array of public
6 benefits;

7 (d) Access to education and training gives low-income individuals
8 and families the opportunity to acquire the skills they need to become
9 successfully employed and attain self-sufficiency; and

10 (e) Agencies have been engaged in efforts to increase access to
11 training and education for recipients of federal food assistance.

12 (2) The legislature therefore intends to strengthen existing
13 efforts by providing enhanced structure and direction to ensure that a
14 strong partnership among colleges, state agencies, community partners,
15 and philanthropy be established. The legislature also intends to
16 provide an efficient, effective, integrated approach to the delivery of
17 basic support services and education and training programs. The
18 integrated approach should include the creation of a one-stop-shop,
19 online benefits portal where individuals can apply for a broad array of
20 services, including public benefits and education and training support,
21 and the expansion of the food stamp employment and training program.

22 (3) The legislature further finds that:

23 (a) The general assistance program can be reformed to better
24 support the ability of persons who are unable to work due to physical
25 or mental health impairments to either return to work, or transition to
26 federal supplemental security income benefits; and

27 (b) Persons who are homeless and suffering from mental illness or
28 chemical dependency are particularly vulnerable, because homelessness
29 is a substantial barrier to successful participation in, and completion
30 of, needed treatment services.

31 (4) Through the reforms included in this act, the legislature
32 intends to end the general assistance program and establish the
33 disability lifeline program, and to implement multiple strategies
34 designed to improve the employment and basic support outcomes of
35 persons receiving disability lifeline benefits. The legislature
36 further intends to focus services on persons who are homeless and have
37 a mental illness or chemical dependency by providing housing vouchers

1 as an alternative to a cash grant so that these persons can be in
2 stable housing and thus have a greater opportunity to succeed in
3 treatment.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.04 RCW
5 to read as follows:

6 OPPORTUNITY PORTAL. (1) An online opportunity portal shall be
7 established to provide the public with more effective access to
8 available state, federal, and local services. The secretary of the
9 department of social and health services shall act as the executive
10 branch sponsor of the portal planning process. Under the leadership of
11 the secretary, the department shall:

12 (a) Identify and select an appropriate solution and acquisition
13 approach to integrate technology systems to create a user-friendly
14 electronic tool for Washington residents to apply for benefits;

15 (b) Facilitate the adaptation of state information technology
16 systems to allow applications generated through the opportunity portal
17 and other compatible electronic application systems to seamlessly link
18 to appropriate state information systems;

19 (c) Ensure that the portal provides access to a broad array of
20 state, federal, and local services, including but not limited to:
21 Health care services, higher education financial aid, tax credits,
22 civic engagement, nutrition assistance, energy assistance, family
23 support, and disability lifeline benefits as defined in sections 4
24 through 13 of this act;

25 (d) Design an implementation strategy for the portal that maximizes
26 collaboration with community-based organizations to facilitate its use
27 by low-income individuals and families;

28 (e) Provide access to the portal at a wide array of locations
29 including but not limited to: Community or technical colleges,
30 community college campuses where community service offices are
31 colocated, community-based organizations, libraries, churches, food
32 banks, state agencies, early childhood education sites, and labor
33 unions;

34 (f) Ensure project resources maximize available federal and private
35 funds for development and initial operation of the opportunity portal.
36 Any incidental costs to state agencies shall be derived from existing

1 resources. This subsection does not obligate or preclude the
2 appropriation of future state funding for the opportunity portal;

3 (g) Determine the solution and acquisition approach by June 1,
4 2010.

5 (2) By December 1, 2011, and annually thereafter, the department of
6 social and health services shall report to the legislature and
7 governor. The report shall include data and information on
8 implementation and outcomes of the opportunity portal, including any
9 increases in the use of public benefits and increases in federal
10 funding.

11 (3) The department shall develop a plan for implementing paperless
12 application processes for the services included in the opportunity
13 portal for which the electronic exchange of application information is
14 possible. The plan should include a goal of achieving, to the extent
15 possible, the transition of these services to paperless application
16 processes by July 1, 2012. The plan must comply with federal statutes
17 and regulations and must allow applicants to submit applications by
18 alternative means to ensure that access to benefits will not be
19 restricted.

20 (4) To the extent that the department enters into a contractual
21 relationship to accomplish the purposes of this section, such contract
22 or contracts shall be performance-based.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.04 RCW
24 to read as follows:

25 BASIC FOOD EMPLOYMENT AND TRAINING PROGRAM. (1) The department,
26 the employment security department, and the state board for community
27 and technical colleges shall work in partnership to expand the food
28 stamp employment and training program. Subject to federal approval,
29 the program shall be expanded to three additional community colleges or
30 other community-based locations in 2010 and shall expand capacity at
31 participating colleges. To the greatest extent possible, expansion
32 shall be geographically diverse. The agencies shall:

33 (a) Identify and seek out partnerships with community-based
34 organizations that can provide support services and case management to
35 participants through performance-based contracts in the food stamp
36 employment and training program, and do not replace the positions or
37 work of department employees;

1 (b) Identify eligible nonfederal matching funds to draw down the
2 federal match for food stamp employment and training services.
3 Matching funds may include: Local funds, foundation grants, employer-
4 paid costs, and the state allocation to community and technical
5 colleges.

6 (2) Employment and training funds may be allocated for:
7 Educational programs to develop skills for employability, vocational
8 education, English as a second language courses, adult basic education,
9 GED courses, remedial programs, job readiness training, case
10 management, intake, assessment, evaluation, and barrier removal and
11 support services such as tuition, books, child care, transportation,
12 housing, and counseling services.

13 (3) The department shall annually track and report outcomes
14 including those achieved through performance-based contracts as
15 follows: Federal funding received, the number of participants served,
16 achievement points, the number of participants who enter employment
17 during or after participation in the food stamp employment and training
18 program, and the average wage of jobs attained. The report shall be
19 submitted to the governor and appropriate committees of the legislature
20 on November 1st of each year, beginning in 2010.

21 (4) For purposes of this section, "food stamp employment and
22 training program" refers to a program established and administered
23 through the employment security department and the department of social
24 and health services.

25 **Sec. 4.** RCW 74.04.005 and 2003 1st sp.s. c 10 s 1 are each amended
26 to read as follows:

27 For the purposes of this title, unless the context indicates
28 otherwise, the following definitions shall apply:

29 (1) "Public assistance" or "assistance"--Public aid to persons in
30 need thereof for any cause, including services, medical care,
31 assistance grants, disbursing orders, work relief, (~~general~~
32 ~~assistance~~) disability lifeline benefits and federal aid assistance.

33 (2) "Department"--The department of social and health services.

34 (3) "County or local office"--The administrative office for one or
35 more counties or designated service areas.

36 (4) "Director" or "secretary" means the secretary of social and
37 health services.

1 (5) "Disability lifeline program" means a program that provides aid
2 and support in accordance with the conditions set out in this
3 subsection.

4 (a) Aid and assistance shall be provided to persons who are not
5 eligible to receive federal aid assistance, other than basic food
6 benefits transferred electronically and medical assistance and meet one
7 of the following conditions:

8 (i) Are pregnant and in need, based upon the current income and
9 resource requirements of the federal temporary assistance for needy
10 families program; or

11 (ii) Are incapacitated from gainful employment by reason of bodily
12 or mental infirmity that will likely continue for a minimum of ninety
13 days as determined by the department; and

14 (A) Are citizens or aliens lawfully admitted for permanent
15 residence or otherwise residing in the United States under color of
16 law;

17 (B) Have furnished the department their social security number. If
18 the social security number cannot be furnished because it has not been
19 issued or is not known, an application for a number shall be made prior
20 to authorization of benefits, and the social security number shall be
21 provided to the department upon receipt;

22 (C) Have not refused or failed without good cause to participate in
23 drug or alcohol treatment if an assessment by a certified chemical
24 dependency counselor indicates a need for such treatment. Good cause
25 must be found to exist when a person's physical or mental condition, as
26 determined by the department, prevents the person from participating in
27 drug or alcohol dependency treatment, when needed outpatient drug or
28 alcohol treatment is not available to the person in the county of his
29 or her residence or when needed inpatient treatment is not available in
30 a location that is reasonably accessible for the person; and

31 (D) Have not refused or failed without good cause to participate in
32 vocational rehabilitation services, if an assessment conducted under
33 section 5 of this act indicates that the person might benefit from such
34 services. Good cause must be found to exist when a person's physical
35 or mental condition, as determined by the department, prevents the
36 person from participating in vocational rehabilitation services, or
37 when vocational rehabilitation services are not available to the person
38 in the county of his or her residence.

1 (b)(i) Persons who initially apply and are found eligible for
2 disability lifeline benefits based upon incapacity from gainful
3 employment under (a) of this subsection on or after September 2, 2010,
4 who are homeless and have been assessed as needing chemical dependency
5 or mental health treatment or both, must agree, as a condition of
6 eligibility for the disability lifeline program, to accept a housing
7 voucher in lieu of a cash grant if a voucher is available. The
8 department shall establish the dollar value of the housing voucher.
9 The dollar value of the housing voucher may differ from the value of
10 the cash grant. Persons receiving a housing voucher under this
11 subsection also shall receive a cash stipend of fifty dollars per
12 month.

13 (ii) If the department of commerce has determined under section 8
14 of this act that sufficient housing is not available, persons described
15 in this subsection who apply for disability lifeline benefits during
16 the time period that housing is not available shall receive a cash
17 grant in lieu of a cash stipend and housing voucher.

18 (iii) Persons who refuse to accept a housing voucher under this
19 subsection but otherwise meet the eligibility requirements of (a) of
20 this subsection are eligible for medical care services benefits under
21 RCW 74.09.035, subject to the time limits in (h) of this subsection.

22 (c) The following persons are not eligible for the disability
23 lifeline program:

24 (i) Persons who are unemployable due primarily to alcohol or drug
25 addiction. These persons shall be referred to appropriate assessment,
26 treatment, shelter, or supplemental security income referral services
27 as authorized under chapter 74.50 RCW. Referrals shall be made at the
28 time of application or at the time of eligibility review. This
29 subsection shall not be construed to prohibit the department from
30 granting disability lifeline benefits to alcoholics and drug addicts
31 who are incapacitated due to other physical or mental conditions that
32 meet the eligibility criteria for the disability lifeline program;

33 (ii) Persons who refuse or fail to cooperate in obtaining federal
34 aid assistance, without good cause.

35 (d) Disability lifeline benefits shall be provided only to persons
36 who are not members of assistance units receiving federal aid
37 assistance, except as provided in (a) of this subsection, and who will
38 accept available services that can reasonably be expected to enable the

1 person to work or reduce the need for assistance unless there is good
2 cause to refuse. Failure to accept such services shall result in
3 termination until the person agrees to cooperate in accepting such
4 services and subject to the following maximum periods of ineligibility
5 after reapplication:

6 (i) First failure: One week;

7 (ii) Second failure within six months: One month;

8 (iii) Third and subsequent failure within one year: Two months.

9 (e) Persons who are likely eligible for federal supplemental
10 security income benefits shall be moved into the disability lifeline
11 expedited component of the disability lifeline program. Persons placed
12 in the expedited component of the program may, if otherwise eligible,
13 receive disability lifeline benefits pending application for federal
14 supplemental security income benefits. The monetary value of any
15 disability lifeline benefit that is subsequently duplicated by the
16 person's receipt of supplemental security income for the same period
17 shall be considered a debt due the state and shall by operation of law
18 be subject to recovery through all available legal remedies.

19 (f) For purposes of determining whether a person is incapacitated
20 from gainful employment under (a) of this subsection:

21 (i) The department shall adopt by rule medical criteria for
22 disability lifeline incapacity determinations to ensure that
23 eligibility decisions are consistent with statutory requirements and
24 are based on clear, objective medical information. The criteria should
25 recognize that the standard for incapacity in this subsection, as
26 evidenced by the ninety-day duration standard, is not intended to be as
27 stringent as federal supplemental security income disability standards.
28 In no case shall the criteria for disability lifeline incapacity
29 determinations be more restrictive than the disability determination
30 standards for the federal supplemental security income program; and

31 (ii) The process implementing the medical criteria shall involve
32 consideration of opinions of the treating or consulting physicians or
33 health care professionals regarding incapacity, and any eligibility
34 decision which rejects uncontroverted medical opinion must set forth
35 clear and convincing reasons for doing so.

36 (g) Persons receiving disability lifeline benefits based upon a
37 finding of incapacity from gainful employment who remain otherwise
38 eligible shall have their benefits discontinued unless the recipient

1 demonstrates no material improvement in their medical or mental health
2 condition. The department may discontinue benefits when there was
3 specific error in the prior determination that found the person
4 eligible by reason of incapacitation.

5 (h)(i) Beginning September 1, 2010, no person who is currently
6 receiving or becomes eligible for disability lifeline program benefits
7 shall be eligible to receive benefits under the program for more than
8 twenty-four months in a sixty-month period. For purposes of this
9 subsection, months of receipt of general assistance-unemployable
10 benefits count toward the twenty-four month limit. Months during which
11 a person received benefits under the expedited component of the
12 disability lifeline or general assistance program or under the aged,
13 blind, or disabled component of the disability lifeline or general
14 assistance program shall not be included when determining whether a
15 person has been receiving benefits for more than twenty-four months.
16 On or before July 1, 2010, the department must review the cases of all
17 persons who have received disability lifeline benefits or general
18 assistance unemployable benefits for at least twelve months as of that
19 date. The review should determine whether the person meets the federal
20 supplemental security income disability standard and, if the person
21 does not meet that standard, whether the receipt of additional services
22 could lead to employability. If a need for additional services is
23 identified, the department shall provide case management services, such
24 as assistance with arranging transportation or locating stable housing,
25 that will facilitate the person's access to needed services. A person
26 may not be determined ineligible due to exceeding the time limit unless
27 he or she has received a case review under this subsection finding that
28 the person does not meet the federal supplemental security income
29 disability standard.

30 (ii) The time limit in (h)(i) of this subsection may be modified to
31 eighteen months in a thirty-six month period if the following
32 conditions are met, as determined by the Washington state institute for
33 public policy:

34 (A) The department is consistently reviewing the cases of all
35 persons who have received disability lifeline benefits or general
36 assistance unemployable benefits for twelve months, as described in
37 (h)(i) of this subsection in a timely manner.

1 (B) The performance goals in section 7(2) of this act have been met
2 consistently on a statewide basis by the department and its contracted
3 entities for a continuous period of twelve months. Any modification of
4 the time limit under this subsection must be accomplished through the
5 adoption of rules under chapter 34.05 RCW.

6 (iii) The time limits established under this subsection expire June
7 30, 2013.

8 (i) No person may be considered an eligible individual for
9 disability lifeline benefits with respect to any month if during that
10 month the person:

11 (i) Is fleeing to avoid prosecution of, or to avoid custody or
12 confinement for conviction of, a felony, or an attempt to commit a
13 felony, under the laws of the state of Washington or the place from
14 which the person flees; or

15 (ii) Is violating a condition of probation, community supervision,
16 or parole imposed under federal or state law for a felony or gross
17 misdemeanor conviction.

18 (6) "Disability lifeline expedited" means a component of the
19 disability lifeline program under which persons receiving disability
20 lifeline benefits have been determined, after examination by an
21 appropriate health care provider, to be likely to be eligible for
22 federal supplemental security income benefits based on medical and
23 behavioral health evidence that meets the disability standards used for
24 the federal supplemental security income program.

25 (7) "Federal aid assistance"--The specific categories of assistance
26 for which provision is made in any federal law existing or hereafter
27 passed by which payments are made from the federal government to the
28 state in aid or in respect to payment by the state for public
29 assistance rendered to any category of needy persons for which
30 provision for federal funds or aid may from time to time be made, or a
31 federally administered needs-based program.

32 ~~((6)(a) "General assistance"--Aid to persons in need who:~~

33 ~~(i) Are not eligible to receive federal aid assistance, other than~~
34 ~~food stamps or food stamp benefits transferred electronically and~~
35 ~~medical assistance; however, an individual who refuses or fails to~~
36 ~~cooperate in obtaining federal aid assistance, without good cause, is~~
37 ~~not eligible for general assistance;~~

38 ~~(ii) Meet one of the following conditions:~~

1 ~~(A) Pregnant: PROVIDED, That need is based on the current income~~
2 ~~and resource requirements of the federal temporary assistance for needy~~
3 ~~families program; or~~

4 ~~(B) Subject to chapter 165, Laws of 1992, incapacitated from~~
5 ~~gainful employment by reason of bodily or mental infirmity that will~~
6 ~~likely continue for a minimum of ninety days as determined by the~~
7 ~~department.~~

8 ~~(C) Persons who are unemployable due to alcohol or drug addiction~~
9 ~~are not eligible for general assistance. Persons receiving general~~
10 ~~assistance on July 26, 1987, or becoming eligible for such assistance~~
11 ~~thereafter, due to an alcohol or drug related incapacity, shall be~~
12 ~~referred to appropriate assessment, treatment, shelter, or supplemental~~
13 ~~security income referral services as authorized under chapter 74.50~~
14 ~~RCW. Referrals shall be made at the time of application or at the time~~
15 ~~of eligibility review. Alcoholic and drug addicted clients who are~~
16 ~~receiving general assistance on July 26, 1987, may remain on general~~
17 ~~assistance if they otherwise retain their eligibility until they are~~
18 ~~assessed for services under chapter 74.50 RCW. Subsection~~
19 ~~(6)(a)(ii)(B) of this section shall not be construed to prohibit the~~
20 ~~department from granting general assistance benefits to alcoholics and~~
21 ~~drug addicts who are incapacitated due to other physical or mental~~
22 ~~conditions that meet the eligibility criteria for the general~~
23 ~~assistance program;~~

24 ~~(iii) Are citizens or aliens lawfully admitted for permanent~~
25 ~~residence or otherwise residing in the United States under color of~~
26 ~~law; and~~

27 ~~(iv) Have furnished the department their social security account~~
28 ~~number. If the social security account number cannot be furnished~~
29 ~~because it has not been issued or is not known, an application for a~~
30 ~~number shall be made prior to authorization of assistance, and the~~
31 ~~social security number shall be provided to the department upon~~
32 ~~receipt.~~

33 ~~(b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),~~
34 ~~and (c) of this section, general assistance shall be provided to the~~
35 ~~following recipients of federal aid assistance:~~

36 ~~(i) Recipients of supplemental security income whose need, as~~
37 ~~defined in this section, is not met by such supplemental security~~
38 ~~income grant because of separation from a spouse; or~~

1 ~~(ii) To the extent authorized by the legislature in the biennial~~
2 ~~appropriations act, to recipients of temporary assistance for needy~~
3 ~~families whose needs are not being met because of a temporary reduction~~
4 ~~in monthly income below the entitled benefit payment level caused by~~
5 ~~loss or reduction of wages or unemployment compensation benefits or~~
6 ~~some other unforeseen circumstances. The amount of general assistance~~
7 ~~authorized shall not exceed the difference between the entitled benefit~~
8 ~~payment level and the amount of income actually received.~~

9 ~~(c) General assistance shall be provided only to persons who are~~
10 ~~not members of assistance units receiving federal aid assistance,~~
11 ~~except as provided in subsection (6)(a)(ii)(A) and (b) of this section,~~
12 ~~and will accept available services which can reasonably be expected to~~
13 ~~enable the person to work or reduce the need for assistance unless~~
14 ~~there is good cause to refuse. Failure to accept such services shall~~
15 ~~result in termination until the person agrees to cooperate in accepting~~
16 ~~such services and subject to the following maximum periods of~~
17 ~~ineligibility after reapplication:~~

18 ~~(i) First failure: One week;~~

19 ~~(ii) Second failure within six months: One month;~~

20 ~~(iii) Third and subsequent failure within one year: Two months.~~

21 ~~(d) Persons found eligible for general assistance based on~~
22 ~~incapacity from gainful employment may, if otherwise eligible, receive~~
23 ~~general assistance pending application for federal supplemental~~
24 ~~security income benefits. Any general assistance that is subsequently~~
25 ~~duplicated by the person's receipt of supplemental security income for~~
26 ~~the same period shall be considered a debt due the state and shall by~~
27 ~~operation of law be subject to recovery through all available legal~~
28 ~~remedies.~~

29 ~~(e) The department shall adopt by rule medical criteria for general~~
30 ~~assistance eligibility to ensure that eligibility decisions are~~
31 ~~consistent with statutory requirements and are based on clear,~~
32 ~~objective medical information.~~

33 ~~(f) The process implementing the medical criteria shall involve~~
34 ~~consideration of opinions of the treating or consulting physicians or~~
35 ~~health care professionals regarding incapacity, and any eligibility~~
36 ~~decision which rejects uncontroverted medical opinion must set forth~~
37 ~~clear and convincing reasons for doing so.~~

1 ~~(g) Recipients of general assistance based upon a finding of~~
2 ~~incapacity from gainful employment who remain otherwise eligible shall~~
3 ~~have their benefits discontinued unless the recipient demonstrates no~~
4 ~~material improvement in their medical or mental condition. The~~
5 ~~department may discontinue benefits when there was specific error in~~
6 ~~the prior determination that found the recipient eligible by reason of~~
7 ~~incapacitation. Recipients of general assistance based upon pregnancy~~
8 ~~who relinquish their child for adoption, remain otherwise eligible, and~~
9 ~~are not eligible to receive benefits under the federal temporary~~
10 ~~assistance for needy families program shall not have their benefits~~
11 ~~terminated until the end of the month in which the period of six weeks~~
12 ~~following the birth of the recipient's child falls. Recipients of the~~
13 ~~federal temporary assistance for needy families program who lose their~~
14 ~~eligibility solely because of the birth and relinquishment of the~~
15 ~~qualifying child may receive general assistance through the end of the~~
16 ~~month in which the period of six weeks following the birth of the child~~
17 ~~falls.~~

18 ~~(h) No person may be considered an eligible individual for general~~
19 ~~assistance with respect to any month if during that month the person:~~

20 ~~(i) Is fleeing to avoid prosecution of, or to avoid custody or~~
21 ~~confinement for conviction of, a felony, or an attempt to commit a~~
22 ~~felony, under the laws of the state of Washington or the place from~~
23 ~~which the person flees; or~~

24 ~~(ii) Is violating a condition of probation, community supervision,~~
25 ~~or parole imposed under federal or state law for a felony or gross~~
26 ~~misdemeanor conviction.~~

27 ~~(7))~~ (8) "Applicant"--Any person who has made a request, or on
28 behalf of whom a request has been made, to any county or local office
29 for assistance.

30 ~~((8))~~ (9) "Recipient"--Any person receiving assistance and in
31 addition those dependents whose needs are included in the recipient's
32 assistance.

33 ~~((9))~~ (10) "Standards of assistance"--The level of income
34 required by an applicant or recipient to maintain a level of living
35 specified by the department.

36 ~~((10))~~ (11) "Resource"--Any asset, tangible or intangible, owned
37 by or available to the applicant at the time of application, which can
38 be applied toward meeting the applicant's need, either directly or by

1 conversion into money or its equivalent. The department may by rule
2 designate resources that an applicant may retain and not be ineligible
3 for public assistance because of such resources. Exempt resources
4 shall include, but are not limited to:

5 (a) A home that an applicant, recipient, or their dependents is
6 living in, including the surrounding property;

7 (b) Household furnishings and personal effects;

8 (c) A motor vehicle, other than a motor home, used and useful
9 having an equity value not to exceed five thousand dollars;

10 (d) A motor vehicle necessary to transport a (~~physically~~
11 ~~disabled~~) household member with a physical disability. This exclusion
12 is limited to one vehicle per (~~physically disabled~~) person with a
13 physical disability;

14 (e) All other resources, including any excess of values exempted,
15 not to exceed one thousand dollars or other limit as set by the
16 department, to be consistent with limitations on resources and
17 exemptions necessary for federal aid assistance. The department shall
18 also allow recipients of temporary assistance for needy families to
19 exempt savings accounts with combined balances of up to an additional
20 three thousand dollars;

21 (f) Applicants for or recipients of (~~general assistance~~)
22 disability lifeline benefits shall have their eligibility based on
23 resource limitations consistent with the temporary assistance for needy
24 families program rules adopted by the department; and

25 (g) If an applicant for or recipient of public assistance possesses
26 property and belongings in excess of the ceiling value, such value
27 shall be used in determining the need of the applicant or recipient,
28 except that: (i) The department may exempt resources or income when
29 the income and resources are determined necessary to the applicant's or
30 recipient's restoration to independence, to decrease the need for
31 public assistance, or to aid in rehabilitating the applicant or
32 recipient or a dependent of the applicant or recipient; and (ii) the
33 department may provide grant assistance for a period not to exceed nine
34 months from the date the agreement is signed pursuant to this section
35 to persons who are otherwise ineligible because of excess real property
36 owned by such persons when they are making a good faith effort to
37 dispose of that property: PROVIDED, That:

1 (A) The applicant or recipient signs an agreement to repay the
2 lesser of the amount of aid received or the net proceeds of such sale;

3 (B) If the owner of the excess property ceases to make good faith
4 efforts to sell the property, the entire amount of assistance may
5 become an overpayment and a debt due the state and may be recovered
6 pursuant to RCW 43.20B.630;

7 (C) Applicants and recipients are advised of their right to a fair
8 hearing and afforded the opportunity to challenge a decision that good
9 faith efforts to sell have ceased, prior to assessment of an
10 overpayment under this section; and

11 (D) At the time assistance is authorized, the department files a
12 lien without a sum certain on the specific property.

13 (~~(11)~~) (12) "Income"--(a) All appreciable gains in real or
14 personal property (cash or kind) or other assets, which are received by
15 or become available for use and enjoyment by an applicant or recipient
16 during the month of application or after applying for or receiving
17 public assistance. The department may by rule and regulation exempt
18 income received by an applicant for or recipient of public assistance
19 which can be used by him or her to decrease his or her need for public
20 assistance or to aid in rehabilitating him or her or his or her
21 dependents, but such exemption shall not, unless otherwise provided in
22 this title, exceed the exemptions of resources granted under this
23 chapter to an applicant for public assistance. In addition, for cash
24 assistance the department may disregard income pursuant to RCW
25 74.08A.230 and 74.12.350.

26 (b) If, under applicable federal requirements, the state has the
27 option of considering property in the form of lump sum compensatory
28 awards or related settlements received by an applicant or recipient as
29 income or as a resource, the department shall consider such property to
30 be a resource.

31 (~~(12)~~) (13) "Need"--The difference between the applicant's or
32 recipient's standards of assistance for himself or herself and the
33 dependent members of his or her family, as measured by the standards of
34 the department, and value of all nonexempt resources and nonexempt
35 income received by or available to the applicant or recipient and the
36 dependent members of his or her family.

37 (~~(13)~~) (14) For purposes of determining eligibility for public
38 assistance and participation levels in the cost of medical care, the

1 department shall exempt restitution payments made to people of Japanese
2 and Aleut ancestry pursuant to the Civil Liberties Act of 1988 and the
3 Aleutian and Pribilof Island Restitution Act passed by congress, P.L.
4 100-383, including all income and resources derived therefrom.

5 ((+14)) (15) In the construction of words and phrases used in this
6 title, the singular number shall include the plural, the masculine
7 gender shall include both the feminine and neuter genders and the
8 present tense shall include the past and future tenses, unless the
9 context thereof shall clearly indicate to the contrary.

10 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.04 RCW
11 to read as follows:

12 REFERRAL TO THE DIVISION OF VOCATIONAL REHABILITATION. (1) The
13 economic services administration shall work jointly with the division
14 of vocational rehabilitation to develop an assessment tool that must be
15 used to determine whether the programs offered by the division of
16 vocational rehabilitation could assist persons receiving disability
17 lifeline benefits in returning to the work force. The assessment tool
18 shall be completed no later than December 1, 2010. The economic
19 services administration shall begin using the tool no later than
20 January 1, 2011. No later than December 30, 2011, the department shall
21 report on the use of the tool and to what extent the programs offered
22 by the division of vocational rehabilitation have been successful in
23 returning persons receiving disability lifeline benefits to the work
24 force.

25 (2) After January 1, 2011, all persons receiving disability
26 lifeline benefits shall be assessed to determine whether they would
27 likely benefit from a program offered by the division of vocational
28 rehabilitation. If the assessment indicates that the person might
29 benefit, the economic services administration shall make a referral to
30 the division of vocational rehabilitation. If the person is found
31 eligible for a program with the division of vocational rehabilitation,
32 he or she must participate in that program to remain eligible for the
33 monthly stipend and housing voucher or a cash grant. If the person
34 refuses to participate or does not complete the program, the department
35 shall terminate the cash stipend and housing voucher or cash grant but
36 may not terminate medical coverage and food benefits.

1 NEW SECTION. **Sec. 6.** A new section is added to chapter 74.04 RCW
2 to read as follows:

3 REFERRAL TO THE DEPARTMENT OF VETERANS AFFAIRS. During the
4 application process for disability lifeline benefits, the department
5 shall inquire of each applicant whether he or she has ever served in
6 the United States military service. If the applicant answers in the
7 affirmative, the department shall confer with a veterans benefit
8 specialist with the Washington state department of veterans affairs or
9 a contracted veterans service officer in the community to determine
10 whether the applicant is eligible for any benefits or programs offered
11 to veterans by either the state or the federal government.

12 NEW SECTION. **Sec. 7.** A new section is added to chapter 74.04 RCW
13 to read as follows:

14 EARLY SSI TRANSITION PROJECT. (1) To ensure that persons who are
15 likely eligible for supplemental security income benefits are
16 transitioned from disability lifeline benefits to disability lifeline
17 expedited and the medicaid program, and then to the supplemental
18 security income program as quickly as practicable, the department shall
19 implement the early supplemental security income transition project
20 starting in King, Pierce, and Spokane counties no later than July 1,
21 2010, and extending statewide no later than October 1, 2011. The
22 program shall be implemented through performance-based contracts with
23 managed health care systems providing medical care services under RCW
24 74.09.035 or other qualified entities. The participants shall have the
25 following responsibilities and duties under this program:

26 (a) The entities with whom the department contracts to provide the
27 program shall be responsible for:

28 (i) Systematically screening persons receiving disability lifeline
29 benefits at the point of eligibility determination or shortly
30 thereafter to determine if the persons should be referred for medical
31 or behavioral health evaluations to determine whether they are likely
32 eligible for supplemental security income;

33 (ii) Immediately sharing the results of the disability screening
34 with the department;

35 (iii) Managing disability lifeline incapacity evaluation
36 examinations to provide timely access to needed medical and behavioral
37 health evaluations and standardizing health care providers' conduct of

1 incapacity evaluations. To maximize the timeliness and efficiency of
2 incapacity evaluation examinations, the department must strongly
3 consider contracting with a managed health care system with a network
4 of health care providers that are trained and have agreed to conduct
5 disability lifeline medical and psychological incapacity and
6 recertification exams. The department may obtain medical evidence and
7 other relevant information from sources other than the contracted
8 entity if such evidence is available at the time of a person's
9 application for disability lifeline benefits and is sufficient to
10 support a determination that the person is incapacitated;

11 (iv) Maintaining a centralized appointment and clinical data
12 system; and

13 (v) Assisting persons receiving disability lifeline benefits with
14 obtaining additional medical or behavioral health examinations needed
15 to meet the disability standard for federal supplemental security
16 income benefits and with submission of applications for supplemental
17 security income benefits.

18 (b) The department shall be responsible for:

19 (i) Determining incapacity and eligibility for disability lifeline
20 benefits;

21 (ii) Making timely determinations that a person receiving
22 disability lifeline benefits is likely eligible for supplemental
23 security income based on medical evidence and other relevant
24 information provided by a contracted entity, and immediately referring
25 such persons to a contracted entity for services;

26 (iii) Developing standardized procedures for sharing data and
27 information with the contracted entities to ensure timely
28 identification of clients who have not been transferred to the
29 disability lifeline expedited program within four months of their date
30 of application, but who may, upon further review, be appropriately
31 transferred to that program;

32 (iv) Providing case management, in partnership with the managed
33 health care system or contracted entity, to support persons' transition
34 to federal supplemental security income and medicaid benefits; and

35 (v) Identifying a savings determination methodology, in
36 consultation with the contracted entities, the office of financial
37 management, and the legislature, on or before implementation of the
38 project.

1 (2) Early supplemental security income transition project contracts
2 shall include the following performance goals:

3 (a) Persons receiving disability lifeline benefits should be
4 screened within thirty days of entering the program to determine the
5 propriety of their transfer to the disability lifeline expedited
6 program; and

7 (b) Seventy-five percent of persons receiving disability lifeline
8 benefits that are likely to qualify for supplemental security income
9 benefits shall be transferred to the disability lifeline expedited
10 program within four months of their application for disability lifeline
11 benefits.

12 (3) The initial focus of the efforts of the early supplemental
13 security income transition project shall be on persons who have been
14 receiving disability lifeline or general assistance unemployable
15 benefits for twelve or more months as of September 1, 2010.

16 (4) No later than December 1, 2011, the department shall report to
17 the governor and appropriate policy and fiscal committees on whether
18 the early supplemental security income transition project performance
19 goals in subsection (2) of this section were met, including the reasons
20 those goals were or were not met.

21 (5) Pursuant to RCW 41.06.142(3), performance-based contracting
22 under this section is expressly mandated by the legislature and is not
23 subject to the processes set forth in RCW 41.06.142 (1), (4), and (5).

24 The statewide expansion of the program under this section shall be
25 considered expressly mandated by the legislature and not be subject to
26 the provisions of RCW 41.06.142 (1), (4), and (5).

27 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.330 RCW
28 to read as follows:

29 **DISABILITY LIFELINE HOUSING VOUCHER PROGRAM.** (1) To address the
30 housing issues faced by the disability lifeline applicants in RCW
31 74.04.005(5)(b), the department of commerce and the department of
32 social and health services shall jointly develop a housing voucher
33 program. The departments also shall develop housing resources to be
34 used by the applicants in RCW 74.04.005(5)(b). To the greatest extent
35 possible, the housing resources shall follow the supportive housing
36 model. The department of commerce shall administer the housing voucher
37 program and shall:

1 (a) Identify the current supply of private and public housing
2 including acquisition and rental of existing housing stock;

3 (b) Develop funding strategies for the development of housing
4 resources; and

5 (c) Design the voucher program to maximize the ability of the
6 department of social and health services to recover federal funding.

7 (2) If the department of commerce determines that the housing
8 supply is inadequate to meet the need for those applicants qualifying
9 for housing vouchers under RCW 74.04.005(5)(b), those applicants shall
10 instead receive a cash grant administered by the department of social
11 and health services. Upon the department of commerce's determination
12 that the housing supply is adequate to meet the needs of the applicants
13 in RCW 74.04.005(5)(b), housing vouchers rather than cash grants shall
14 be issued to these applicants who apply on or after the department's
15 determination.

16 (3) The department of commerce and the department of social and
17 health services shall evaluate the impact of the use of housing
18 vouchers under this section and report to the governor and relevant
19 policy and fiscal committees of the legislature by November 30, 2012,
20 on the following items:

21 (a) The supply, affordability, appropriateness, and use of stable
22 housing;

23 (b) The following outcomes for persons receiving disability
24 lifeline housing vouchers:

25 (i) Participation in and completion of chemical dependency or
26 mental health treatment;

27 (ii) Contact with law enforcement, including arrest and conviction
28 data;

29 (iii) Use of emergency room services; and

30 (iv) Involuntary commitment under chapter 71.05 RCW.

31 NEW SECTION. **Sec. 9.** A new section is added to chapter 70.47 RCW
32 to read as follows:

33 BASIC HEALTH PLAN ENROLLMENT. In order to ensure continuity of
34 health care coverage and avoid deterioration in health status, persons
35 who have lost eligibility for disability lifeline benefits under RCW
36 74.04.005(5) due to improvement in their health status and who are
37 eligible for subsidized basic health coverage shall be given priority

1 for enrollment in the basic health plan. If the administrator closes
2 or limits subsidized enrollment, to the extent funding is available,
3 the basic health plan must continue to accept and process applications
4 for subsidized enrollment from persons described in this section.

5 NEW SECTION. **Sec. 10.** A new section is added to chapter 70.96A
6 RCW to read as follows:

7 ACCESS TO CHEMICAL DEPENDENCY TREATMENT. If an assessment by a
8 certified chemical dependency counselor indicates a need for drug or
9 alcohol treatment, in order to enable a person receiving disability
10 lifeline benefits to improve his or her health status and transition
11 from disability lifeline benefits to employment, or transition to
12 federal disability benefits, the person must be given high priority for
13 enrollment in treatment, within funds appropriated for that treatment.
14 However, first priority for receipt of treatment services must be given
15 to pregnant women and parents of young children. This section expires
16 June 30, 2013. Persons who are terminated from disability lifeline
17 benefits under RCW 74.04.005(5)(h) and are actively engaged in chemical
18 dependency treatment during the month they are terminated shall be
19 provided the opportunity to complete their current course of treatment.

20 NEW SECTION. **Sec. 11.** A new section is added to chapter 74.04 RCW
21 to read as follows:

22 By December 1, 2012, the Washington state institute for public
23 policy shall submit a report to the governor and the relevant policy
24 and fiscal committees of the legislature that:

25 (1) Analyzes the experience of persons who have been terminated
26 from disability lifeline benefits pursuant to RCW 74.04.005(5). The
27 report shall include at least the following information:

28 (a) The number of persons terminated from the program who
29 transition to supplemental security income benefits;

30 (b) The number of persons who become employed;

31 (c) The rate at which the affected persons use hospital emergency
32 room services;

33 (d) The number of persons involuntarily committed under chapter
34 71.05 RCW;

35 (e) The number of persons arrested or convicted of criminal
36 offenses; and

- 1 (f) The mortality rate of the affected persons; and
2 (2) Reports as to whether the case review standards and early
3 supplemental security income transition project performance goals in
4 RCW 74.04.005(5) have been met by the department.

5 **Sec. 12.** RCW 10.101.010 and 1998 c 79 s 2 are each amended to read
6 as follows:

7 The following definitions shall be applied in connection with this
8 chapter:

9 (1) "Indigent" means a person who, at any stage of a court
10 proceeding, is:

11 (a) Receiving one of the following types of public assistance:
12 Temporary assistance for needy families, (~~general—assistance~~)
13 disability lifeline benefits, poverty-related veterans' benefits, food
14 stamps or food stamp benefits transferred electronically, refugee
15 resettlement benefits, medicaid, or supplemental security income; or

16 (b) Involuntarily committed to a public mental health facility; or

17 (c) Receiving an annual income, after taxes, of one hundred twenty-
18 five percent or less of the current federally established poverty
19 level; or

20 (d) Unable to pay the anticipated cost of counsel for the matter
21 before the court because his or her available funds are insufficient to
22 pay any amount for the retention of counsel.

23 (2) "Indigent and able to contribute" means a person who, at any
24 stage of a court proceeding, is unable to pay the anticipated cost of
25 counsel for the matter before the court because his or her available
26 funds are less than the anticipated cost of counsel but sufficient for
27 the person to pay a portion of that cost.

28 (3) "Anticipated cost of counsel" means the cost of retaining
29 private counsel for representation on the matter before the court.

30 (4) "Available funds" means liquid assets and disposable net
31 monthly income calculated after provision is made for bail obligations.
32 For the purpose of determining available funds, the following
33 definitions shall apply:

34 (a) "Liquid assets" means cash, savings accounts, bank accounts,
35 stocks, bonds, certificates of deposit, equity in real estate, and
36 equity in motor vehicles. A motor vehicle necessary to maintain

1 employment and having a market value not greater than three thousand
2 dollars shall not be considered a liquid asset.

3 (b) "Income" means salary, wages, interest, dividends, and other
4 earnings which are reportable for federal income tax purposes, and cash
5 payments such as reimbursements received from pensions, annuities,
6 social security, and public assistance programs. It includes any
7 contribution received from any family member or other person who is
8 domiciled in the same residence as the defendant and who is helping to
9 defray the defendant's basic living costs.

10 (c) "Disposable net monthly income" means the income remaining each
11 month after deducting federal, state, or local income taxes, social
12 security taxes, contributory retirement, union dues, and basic living
13 costs.

14 (d) "Basic living costs" means the average monthly amount spent by
15 the defendant for reasonable payments toward living costs, such as
16 shelter, food, utilities, health care, transportation, clothing, loan
17 payments, support payments, and court-imposed obligations.

18 **Sec. 13.** RCW 13.34.030 and 2009 c 520 s 21 and 2009 c 397 s 1 are
19 each reenacted and amended to read as follows:

20 For purposes of this chapter:

21 (1) "Abandoned" means when the child's parent, guardian, or other
22 custodian has expressed, either by statement or conduct, an intent to
23 forego, for an extended period, parental rights or responsibilities
24 despite an ability to exercise such rights and responsibilities. If
25 the court finds that the petitioner has exercised due diligence in
26 attempting to locate the parent, no contact between the child and the
27 child's parent, guardian, or other custodian for a period of three
28 months creates a rebuttable presumption of abandonment, even if there
29 is no expressed intent to abandon.

30 (2) "Child" and "juvenile" means any individual under the age of
31 eighteen years.

32 (3) "Current placement episode" means the period of time that
33 begins with the most recent date that the child was removed from the
34 home of the parent, guardian, or legal custodian for purposes of
35 placement in out-of-home care and continues until: (a) The child
36 returns home; (b) an adoption decree, a permanent custody order, or

1 guardianship order is entered; or (c) the dependency is dismissed,
2 whichever occurs first.

3 (4) "Department" means the department of social and health
4 services.

5 (5) "Dependency guardian" means the person, nonprofit corporation,
6 or Indian tribe appointed by the court pursuant to this chapter for the
7 limited purpose of assisting the court in the supervision of the
8 dependency.

9 (6) "Dependent child" means any child who:

10 (a) Has been abandoned;

11 (b) Is abused or neglected as defined in chapter 26.44 RCW by a
12 person legally responsible for the care of the child; or

13 (c) Has no parent, guardian, or custodian capable of adequately
14 caring for the child, such that the child is in circumstances which
15 constitute a danger of substantial damage to the child's psychological
16 or physical development.

17 (7) "Developmental disability" means a disability attributable to
18 mental retardation, cerebral palsy, epilepsy, autism, or another
19 neurological or other condition of an individual found by the secretary
20 to be closely related to mental retardation or to require treatment
21 similar to that required for individuals with mental retardation, which
22 disability originates before the individual attains age eighteen, which
23 has continued or can be expected to continue indefinitely, and which
24 constitutes a substantial handicap to the individual.

25 (8) "Guardian" means the person or agency that: (a) Has been
26 appointed as the guardian of a child in a legal proceeding other than
27 a proceeding under this chapter; and (b) has the legal right to custody
28 of the child pursuant to such appointment. The term "guardian" shall
29 not include a "dependency guardian" appointed pursuant to a proceeding
30 under this chapter.

31 (9) "Guardian ad litem" means a person, appointed by the court to
32 represent the best interests of a child in a proceeding under this
33 chapter, or in any matter which may be consolidated with a proceeding
34 under this chapter. A "court-appointed special advocate" appointed by
35 the court to be the guardian ad litem for the child, or to perform
36 substantially the same duties and functions as a guardian ad litem,
37 shall be deemed to be guardian ad litem for all purposes and uses of
38 this chapter.

1 (10) "Guardian ad litem program" means a court-authorized volunteer
2 program, which is or may be established by the superior court of the
3 county in which such proceeding is filed, to manage all aspects of
4 volunteer guardian ad litem representation for children alleged or
5 found to be dependent. Such management shall include but is not
6 limited to: Recruitment, screening, training, supervision, assignment,
7 and discharge of volunteers.

8 (11) "Housing assistance" means appropriate referrals by the
9 department or other supervising agencies to federal, state, local, or
10 private agencies or organizations, assistance with forms, applications,
11 or financial subsidies or other monetary assistance for housing. For
12 purposes of this chapter, "housing assistance" is not a remedial
13 service or time-limited family reunification service as described in
14 RCW 13.34.025(2).

15 (12) "Indigent" means a person who, at any stage of a court
16 proceeding, is:

17 (a) Receiving one of the following types of public assistance:
18 Temporary assistance for needy families, (~~general—assistance~~)
19 disability lifeline benefits, poverty-related veterans' benefits, food
20 stamps or food stamp benefits transferred electronically, refugee
21 resettlement benefits, medicaid, or supplemental security income; or

22 (b) Involuntarily committed to a public mental health facility; or

23 (c) Receiving an annual income, after taxes, of one hundred twenty-
24 five percent or less of the federally established poverty level; or

25 (d) Unable to pay the anticipated cost of counsel for the matter
26 before the court because his or her available funds are insufficient to
27 pay any amount for the retention of counsel.

28 (13) "Out-of-home care" means placement in a foster family home or
29 group care facility licensed pursuant to chapter 74.15 RCW or placement
30 in a home, other than that of the child's parent, guardian, or legal
31 custodian, not required to be licensed pursuant to chapter 74.15 RCW.

32 (14) "Preventive services" means preservation services, as defined
33 in chapter 74.14C RCW, and other reasonably available services,
34 including housing assistance, capable of preventing the need for out-
35 of-home placement while protecting the child.

36 (15) "Shelter care" means temporary physical care in a facility
37 licensed pursuant to RCW 74.15.030 or in a home not required to be
38 licensed pursuant to RCW 74.15.030.

1 (16) "Sibling" means a child's birth brother, birth sister,
2 adoptive brother, adoptive sister, half-brother, or half-sister, or as
3 defined by the law or custom of the Indian child's tribe for an Indian
4 child as defined in 25 U.S.C. Sec. 1903(4).

5 (17) "Social study" means a written evaluation of matters relevant
6 to the disposition of the case and shall contain the following
7 information:

8 (a) A statement of the specific harm or harms to the child that
9 intervention is designed to alleviate;

10 (b) A description of the specific services and activities, for both
11 the parents and child, that are needed in order to prevent serious harm
12 to the child; the reasons why such services and activities are likely
13 to be useful; the availability of any proposed services; and the
14 agency's overall plan for ensuring that the services will be delivered.
15 The description shall identify the services chosen and approved by the
16 parent;

17 (c) If removal is recommended, a full description of the reasons
18 why the child cannot be protected adequately in the home, including a
19 description of any previous efforts to work with the parents and the
20 child in the home; the in-home treatment programs that have been
21 considered and rejected; the preventive services, including housing
22 assistance, that have been offered or provided and have failed to
23 prevent the need for out-of-home placement, unless the health, safety,
24 and welfare of the child cannot be protected adequately in the home;
25 and the parents' attitude toward placement of the child;

26 (d) A statement of the likely harms the child will suffer as a
27 result of removal;

28 (e) A description of the steps that will be taken to minimize the
29 harm to the child that may result if separation occurs including an
30 assessment of the child's relationship and emotional bond with any
31 siblings, and the agency's plan to provide ongoing contact between the
32 child and the child's siblings if appropriate; and

33 (f) Behavior that will be expected before determination that
34 supervision of the family or placement is no longer necessary.

35 (18) "Supervising agency" means an agency licensed by the state
36 under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 with whom
37 the department has entered into a performance-based contract to provide
38 child welfare services as defined in RCW 74.13.020.

1 **Sec. 14.** RCW 26.19.071 and 2009 c 84 s 3 are each amended to read
2 as follows:

3 (1) **Consideration of all income.** All income and resources of each
4 parent's household shall be disclosed and considered by the court when
5 the court determines the child support obligation of each parent. Only
6 the income of the parents of the children whose support is at issue
7 shall be calculated for purposes of calculating the basic support
8 obligation. Income and resources of any other person shall not be
9 included in calculating the basic support obligation.

10 (2) **Verification of income.** Tax returns for the preceding two
11 years and current paystubs shall be provided to verify income and
12 deductions. Other sufficient verification shall be required for income
13 and deductions which do not appear on tax returns or paystubs.

14 (3) **Income sources included in gross monthly income.** Except as
15 specifically excluded in subsection (4) of this section, monthly gross
16 income shall include income from any source, including:

- 17 (a) Salaries;
- 18 (b) Wages;
- 19 (c) Commissions;
- 20 (d) Deferred compensation;
- 21 (e) Overtime, except as excluded for income in subsection (4)(h) of
22 this section;
- 23 (f) Contract-related benefits;
- 24 (g) Income from second jobs, except as excluded for income in
25 subsection (4)(h) of this section;
- 26 (h) Dividends;
- 27 (i) Interest;
- 28 (j) Trust income;
- 29 (k) Severance pay;
- 30 (l) Annuities;
- 31 (m) Capital gains;
- 32 (n) Pension retirement benefits;
- 33 (o) Workers' compensation;
- 34 (p) Unemployment benefits;
- 35 (q) Maintenance actually received;
- 36 (r) Bonuses;
- 37 (s) Social security benefits;
- 38 (t) Disability insurance benefits; and

1 (u) Income from self-employment, rent, royalties, contracts,
2 proprietorship of a business, or joint ownership of a partnership or
3 closely held corporation.

4 (4) **Income sources excluded from gross monthly income.** The
5 following income and resources shall be disclosed but shall not be
6 included in gross income:

7 (a) Income of a new spouse or new domestic partner or income of
8 other adults in the household;

9 (b) Child support received from other relationships;

10 (c) Gifts and prizes;

11 (d) Temporary assistance for needy families;

12 (e) Supplemental security income;

13 (f) (~~General assistance~~) Disability lifeline benefits;

14 (g) Food stamps; and

15 (h) Overtime or income from second jobs beyond forty hours per week
16 averaged over a twelve-month period worked to provide for a current
17 family's needs, to retire past relationship debts, or to retire child
18 support debt, when the court finds the income will cease when the party
19 has paid off his or her debts.

20 Receipt of income and resources from temporary assistance for needy
21 families, supplemental security income, (~~general — assistance~~)
22 disability lifeline benefits, and food stamps shall not be a reason to
23 deviate from the standard calculation.

24 (5) **Determination of net income.** The following expenses shall be
25 disclosed and deducted from gross monthly income to calculate net
26 monthly income:

27 (a) Federal and state income taxes;

28 (b) Federal insurance contributions act deductions;

29 (c) Mandatory pension plan payments;

30 (d) Mandatory union or professional dues;

31 (e) State industrial insurance premiums;

32 (f) Court-ordered maintenance to the extent actually paid;

33 (g) Up to five thousand dollars per year in voluntary retirement
34 contributions actually made if the contributions show a pattern of
35 contributions during the one-year period preceding the action
36 establishing the child support order unless there is a determination
37 that the contributions were made for the purpose of reducing child
38 support; and

1 (h) Normal business expenses and self-employment taxes for self-
2 employed persons. Justification shall be required for any business
3 expense deduction about which there is disagreement.

4 Items deducted from gross income under this subsection shall not be
5 a reason to deviate from the standard calculation.

6 (6) **Imputation of income.** The court shall impute income to a
7 parent when the parent is voluntarily unemployed or voluntarily
8 underemployed. The court shall determine whether the parent is
9 voluntarily underemployed or voluntarily unemployed based upon that
10 parent's work history, education, health, and age, or any other
11 relevant factors. A court shall not impute income to a parent who is
12 gainfully employed on a full-time basis, unless the court finds that
13 the parent is voluntarily underemployed and finds that the parent is
14 purposely underemployed to reduce the parent's child support
15 obligation. Income shall not be imputed for an unemployable parent.
16 Income shall not be imputed to a parent to the extent the parent is
17 unemployed or significantly underemployed due to the parent's efforts
18 to comply with court-ordered reunification efforts under chapter 13.34
19 RCW or under a voluntary placement agreement with an agency supervising
20 the child. In the absence of records of a parent's actual earnings,
21 the court shall impute a parent's income in the following order of
22 priority:

23 (a) Full-time earnings at the current rate of pay;

24 (b) Full-time earnings at the historical rate of pay based on
25 reliable information, such as employment security department data;

26 (c) Full-time earnings at a past rate of pay where information is
27 incomplete or sporadic;

28 (d) Full-time earnings at minimum wage in the jurisdiction where
29 the parent resides if the parent has a recent history of minimum wage
30 earnings, is recently coming off public assistance, (~~general~~
31 ~~assistance-unemployable~~) disability lifeline benefits, supplemental
32 security income, or disability, has recently been released from
33 incarceration, or is a high school student;

34 (e) Median net monthly income of year-round full-time workers as
35 derived from the United States bureau of census, current population
36 reports, or such replacement report as published by the bureau of
37 census.

1 **Sec. 15.** RCW 31.04.540 and 2009 c 149 s 8 are each amended to read
2 as follows:

3 (1) To the extent that implementation of this section does not
4 conflict with federal law resulting in the loss of federal funding,
5 proprietary reverse mortgage loan advances made to a borrower must be
6 treated as proceeds from a loan and not as income for the purpose of
7 determining eligibility and benefits under means-tested programs of aid
8 to individuals.

9 (2) Undisbursed reverse mortgage funds must be treated as equity in
10 the borrower's home and not as proceeds from a loan, resources, or
11 assets for the purpose of determining eligibility and benefits under
12 means-tested programs of aid to individuals.

13 (3) This section applies to any law or program relating to
14 payments, allowances, benefits, or services provided on a means-tested
15 basis by this state including, but not limited to, optional state
16 supplements to the federal supplemental security income program, low-
17 income energy assistance, property tax relief, (~~general assistance~~)
18 disability lifeline benefits, and medical assistance only to the extent
19 this section does not conflict with Title 19 of the federal social
20 security act.

21 **Sec. 16.** RCW 70.123.110 and 1997 c 59 s 9 are each amended to read
22 as follows:

23 (~~General assistance~~) Disability lifeline benefits or temporary
24 assistance for needy families payments shall be made to otherwise
25 eligible individuals who are residing in a secure shelter, a housing
26 network or other shelter facility which provides shelter services to
27 persons who are victims of domestic violence. Provisions shall be made
28 by the department for the confidentiality of the shelter addresses
29 where victims are residing.

30 **Sec. 17.** RCW 73.08.005 and 2009 c 35 s 1 are each amended to read
31 as follows:

32 The definitions in this section apply throughout this chapter
33 unless the context clearly requires otherwise.

34 (1) "Direct costs" includes those allowable costs that can be
35 readily assigned to the statutory objectives of this chapter,

1 consistent with the cost principles promulgated by the federal office
2 of management and budget in circular No. A-87, dated May 10, 2004.

3 (2) "Family" means the spouse or domestic partner, surviving
4 spouse, surviving domestic partner, and dependent children of a living
5 or deceased veteran.

6 (3) "Indigent" means a person who is defined as such by the county
7 legislative authority using one or more of the following definitions:

8 (a) Receiving one of the following types of public assistance:
9 Temporary assistance for needy families, (~~general—assistance~~)
10 disability lifeline benefits, poverty-related veterans' benefits, food
11 stamps or food stamp benefits transferred electronically, refugee
12 resettlement benefits, medicaid, or supplemental security income;

13 (b) Receiving an annual income, after taxes, of up to one hundred
14 fifty percent or less of the current federally established poverty
15 level, or receiving an annual income not exceeding a higher qualifying
16 income established by the county legislative authority; or

17 (c) Unable to pay reasonable costs for shelter, food, utilities,
18 and transportation because his or her available funds are insufficient.

19 (4) "Indirect costs" includes those allowable costs that are
20 generally associated with carrying out the statutory objectives of this
21 chapter, but the identification and tracking of those costs cannot be
22 readily assigned to a specific statutory objective without an
23 accounting effort that is disproportionate to the benefit received. A
24 county legislative authority may allocate allowable indirect costs to
25 its veterans' assistance fund if it is accomplished in a manner
26 consistent with the cost principles promulgated by the federal office
27 of management and budget in circular No. A-87, dated May 10, 2004.

28 (5) "Veteran" has the same meaning as defined in RCW 41.04.005 and
29 41.04.007, and includes a current member of the national guard or armed
30 forces reserves who has been deployed to serve in an armed conflict.

31 (6) "Veterans' advisory board" means a board established by a
32 county legislative authority under the authority of RCW 73.08.035.

33 (7) "Veterans' assistance fund" means an account in the custody of
34 the county auditor, or the chief financial officer in a county
35 operating under a charter, that is funded by taxes levied under the
36 authority of RCW 73.08.080.

37 (8) "Veterans' assistance program" means a program approved by the

1 county legislative authority under the authority of RCW 73.08.010 that
2 is fully or partially funded by the veterans' assistance fund
3 authorized by RCW 73.08.080.

4 **Sec. 18.** RCW 74.04.0052 and 1997 c 58 s 502 are each amended to
5 read as follows:

6 (1) The department shall determine, after consideration of all
7 relevant factors and in consultation with the applicant, the most
8 appropriate living situation for applicants under eighteen years of
9 age, unmarried, and pregnant who are eligible for (~~general assistance~~
10 ~~as defined in RCW 74.04.005(6)(a)(ii)(A))~~ disability lifeline
11 benefits. An appropriate living situation shall include a place of
12 residence that is maintained by the applicant's parents, parent, legal
13 guardian, or other adult relative as their or his or her own home and
14 that the department finds would provide an appropriate supportive
15 living arrangement. It also includes a living situation maintained by
16 an agency that is licensed under chapter 74.15 RCW that the department
17 finds would provide an appropriate supportive living arrangement.
18 Grant assistance shall not be provided under this chapter if the
19 applicant does not reside in the most appropriate living situation, as
20 determined by the department.

21 (2) A pregnant minor residing in the most appropriate living
22 situation, as provided under subsection (1) of this section, is
23 presumed to be unable to manage adequately the funds paid to the minor
24 or on behalf of the dependent child or children and, unless the minor
25 provides sufficient evidence to rebut the presumption, shall be subject
26 to the protective payee requirements provided for under RCW 74.12.250
27 and 74.08.280.

28 (3) The department shall consider any statements or opinions by
29 either parent of the unmarried minor parent or pregnant minor applicant
30 as to an appropriate living situation for the minor, whether in the
31 parental home or other situation. If the parents or a parent of the
32 minor request, they or he or she shall be entitled to a hearing in
33 juvenile court regarding designation of the parental home or other
34 relative placement as the most appropriate living situation for the
35 pregnant or parenting minor.

36 The department shall provide the parents or parent with the
37 opportunity to make a showing that the parental home, or home of the

1 other relative placement, is the most appropriate living situation. It
2 shall be presumed in any administrative or judicial proceeding
3 conducted under this subsection that the parental home or other
4 relative placement requested by the parents or parent is the most
5 appropriate living situation. This presumption is rebuttable.

6 (4) In cases in which the minor is unmarried and unemployed, the
7 department shall, as part of the determination of the appropriate
8 living situation, provide information about adoption including referral
9 to community-based organizations providing counseling.

10 (5) For the purposes of this section, "most appropriate living
11 situation" shall not include a living situation including an adult male
12 who fathered the qualifying child and is found to meet the elements of
13 rape of a child as set forth in RCW 9A.44.079.

14 **Sec. 19.** RCW 74.04.120 and 1979 c 141 s 301 are each amended to
15 read as follows:

16 Allocations of state and federal funds shall be made upon the basis
17 of need within the respective counties as disclosed by the quarterly
18 budgets, considered in conjunction with revenues available for the
19 satisfaction of that need: PROVIDED, That in preparing his quarterly
20 budget for federal aid assistance, the administrator shall include the
21 aggregate of the individual case load approved by the department to
22 date on the basis of need and the secretary shall approve and allocate
23 an amount sufficient to service the aggregate case load as included in
24 said budget, and in the event any portion of the budgeted case load
25 cannot be serviced with moneys available for the particular category
26 for which an application is made the committee may on the
27 administrator's request authorize the transfer of sufficient (~~general~~
28 ~~assistance~~) disability lifeline program funds to the appropriation for
29 such category to service such case load and secure the benefit of
30 federal matching funds.

31 **Sec. 20.** RCW 74.04.230 and 1982 c 204 s 16 are each amended to
32 read as follows:

33 Persons eligible for (~~general assistance under RCW 74.04.005~~)
34 disability lifeline benefits are eligible for mental health services to
35 the extent that they meet the client definitions and priorities
36 established by chapter 71.24 RCW.

1 **Sec. 21.** RCW 74.04.266 and 1977 ex.s. c 215 s 1 are each amended
2 to read as follows:

3 In determining need for (~~general assistance for unemployable~~
4 ~~persons as defined in RCW 74.04.005(6)(a))~~ disability lifeline
5 benefits, the department may by rule and regulation establish a monthly
6 earned income exemption in an amount not to exceed the exemption
7 allowable under disability programs authorized in Title XVI of the
8 federal social security act.

9 **Sec. 22.** RCW 74.04.620 and 1983 1st ex.s. c 41 s 37 are each
10 amended to read as follows:

11 (1) The department is authorized to establish a program of state
12 supplementation to the national program of supplemental security income
13 consistent with Public Law 92-603 and Public Law 93-66 to those persons
14 who are in need thereof in accordance with eligibility requirements
15 established by the department.

16 (2) The department is authorized to establish reasonable standards
17 of assistance and resource and income exemptions specifically for such
18 program of state supplementation which shall be consistent with the
19 provisions of the Social Security Act.

20 (3) The department is authorized to make payments to applicants for
21 supplemental security income, pursuant to agreements as provided in
22 Public Law 93-368, who are otherwise eligible for (~~general~~
23 ~~assistance~~) disability lifeline benefits.

24 (4) Any agreement between the department and a supplemental
25 security income applicant providing for the reimbursement of interim
26 assistance to the department shall provide, if the applicant has been
27 represented by an attorney, that twenty-five percent of the
28 reimbursement received shall be withheld by the department and all or
29 such portion thereof as has been approved as a fee by the United States
30 department of health and human services shall be released directly to
31 the applicant's attorney. The secretary may maintain such records as
32 are deemed appropriate to measure the cost and effectiveness of such
33 agreements and may make recommendations concerning the continued use of
34 such agreements to the legislature.

35 **Sec. 23.** RCW 74.04.770 and 1997 c 59 s 11 are each amended to read
36 as follows:

1 The department shall establish consolidated standards of need each
2 fiscal year which may vary by geographical areas, program, and family
3 size, for temporary assistance for needy families, refugee assistance,
4 supplemental security income, and ((~~general assistance~~)) disability
5 lifeline benefits. Standards for temporary assistance for needy
6 families, refugee assistance, and ((~~general assistance~~)) disability
7 lifeline benefits shall be based on studies of actual living costs and
8 generally recognized inflation indices and shall include reasonable
9 allowances for shelter, fuel, food, transportation, clothing, household
10 maintenance and operations, personal maintenance, and necessary
11 incidentals. The standard of need may take into account the economies
12 of joint living arrangements, but unless explicitly required by federal
13 statute, there shall not be proration of any portion of assistance
14 grants unless the amount of the grant standard is equal to the standard
15 of need.

16 The department is authorized to establish rateable reductions and
17 grant maximums consistent with federal law.

18 Payment level will be equal to need or a lesser amount if rateable
19 reductions or grant maximums are imposed. In no case shall a recipient
20 of supplemental security income receive a state supplement less than
21 the minimum required by federal law.

22 The department may establish a separate standard for shelter
23 provided at no cost.

24 **Sec. 24.** RCW 74.08.043 and 1981 1st ex.s. c 6 s 12 are each
25 amended to read as follows:

26 In determining the living requirements of otherwise eligible
27 applicants and recipients of supplemental security income and ((~~general~~
28 ~~assistance~~)) disability lifeline benefits, the department is authorized
29 to consider the need for personal and special care and supervision due
30 to physical and mental conditions.

31 **Sec. 25.** RCW 74.08.278 and 1979 c 141 s 327 are each amended to
32 read as follows:

33 In order to comply with federal statutes and regulations pertaining
34 to federal matching funds and to provide for the prompt payment of
35 initial grants and adjusting payments of grants the secretary is
36 authorized to make provisions for the cash payment of assistance by the

1 secretary or county administrators by the establishment of a central
2 operating fund. The secretary may establish such a fund with the
3 approval of the state auditor from moneys appropriated to the
4 department for the payment of ((~~general—assistance~~)) disability
5 lifeline benefits in a sum not to exceed one million dollars. Such
6 funds shall be deposited as agreed upon by the secretary and the state
7 auditor in accordance with the laws regulating the deposits of public
8 funds. Such security shall be required of the depository in connection
9 with the fund as the state treasurer may prescribe. Moneys remaining
10 in the fund shall be returned to the general fund at the end of the
11 biennium, or an accounting of proper expenditures from the fund shall
12 be made to the state auditor. All expenditures from such central
13 operating fund shall be reimbursed out of and charged to the proper
14 program appropriated by the use of such forms and vouchers as are
15 approved by the secretary of the department and the state auditor.
16 Expenditures from such fund shall be audited by the director of
17 financial management and the state auditor from time to time and a
18 report shall be made by the state auditor and the secretary as are
19 required by law.

20 **Sec. 26.** RCW 74.08.335 and 1997 c 59 s 13 are each amended to read
21 as follows:

22 Temporary assistance for needy families and ((~~general—assistance~~))
23 disability lifeline benefits shall not be granted to any person who has
24 made an assignment or transfer of property for the purpose of rendering
25 himself or herself eligible for the assistance. There is a rebuttable
26 presumption that a person who has transferred or transfers any real or
27 personal property or any interest in property within two years of the
28 date of application for the assistance without receiving adequate
29 monetary consideration therefor, did so for the purpose of rendering
30 himself or herself eligible for the assistance. Any person who
31 transfers property for the purpose of rendering himself or herself
32 eligible for assistance, or any person who after becoming a recipient
33 transfers any property or any interest in property without the consent
34 of the secretary, shall be ineligible for assistance for a period of
35 time during which the reasonable value of the property so transferred
36 would have been adequate to meet the person's needs under normal

1 conditions of living: PROVIDED, That the secretary is hereby
2 authorized to allow exceptions in cases where undue hardship would
3 result from a denial of assistance.

4 **Sec. 27.** RCW 74.08A.210 and 1997 c 58 s 302 are each amended to
5 read as follows:

6 (1) In order to prevent some families from developing dependency on
7 temporary assistance for needy families, the department shall make
8 available to qualifying applicants a diversion program designed to
9 provide brief, emergency assistance for families in crisis whose income
10 and assets would otherwise qualify them for temporary assistance for
11 needy families.

12 (2) Diversion assistance may include cash or vouchers in payment
13 for the following needs:

14 (a) Child care;

15 (b) Housing assistance;

16 (c) Transportation-related expenses;

17 (d) Food;

18 (e) Medical costs for the recipient's immediate family;

19 (f) Employment-related expenses which are necessary to keep or
20 obtain paid unsubsidized employment.

21 (3) Diversion assistance is available once in each twelve-month
22 period for each adult applicant. Recipients of diversion assistance
23 are not included in the temporary assistance for needy families
24 program.

25 (4) Diversion assistance may not exceed one thousand five hundred
26 dollars for each instance.

27 (5) To be eligible for diversion assistance, a family must
28 otherwise be eligible for temporary assistance for needy families.

29 (6) Families ineligible for temporary assistance for needy families
30 or (~~general assistance~~) disability lifeline benefits due to sanction,
31 noncompliance, the lump sum income rule, or any other reason are not
32 eligible for diversion assistance.

33 (7) Families must provide evidence showing that a bona fide need
34 exists according to subsection (2) of this section in order to be
35 eligible for diversion assistance.

36 An adult applicant may receive diversion assistance of any type no
37 more than once per twelve-month period. If the recipient of diversion

1 assistance is placed on the temporary assistance for needy families
2 program within twelve months of receiving diversion assistance, the
3 prorated dollar value of the assistance shall be treated as a loan from
4 the state, and recovered by deduction from the recipient's cash grant.

5 **Sec. 28.** RCW 74.09.010 and 2007 c 3 s 2 are each amended to read
6 as follows:

7 As used in this chapter:

8 (1) "Children's health program" means the health care services
9 program provided to children under eighteen years of age and in
10 households with incomes at or below the federal poverty level as
11 annually defined by the federal department of health and human services
12 as adjusted for family size, and who are not otherwise eligible for
13 medical assistance or the limited casualty program for the medically
14 needy.

15 (2) "Committee" means the children's health services committee
16 created in section 3 of this act.

17 (3) "County" means the board of county commissioners, county
18 council, county executive, or tribal jurisdiction, or its designee. A
19 combination of two or more county authorities or tribal jurisdictions
20 may enter into joint agreements to fulfill the requirements of RCW
21 74.09.415 through 74.09.435.

22 (4) "Department" means the department of social and health
23 services.

24 (5) "Department of health" means the Washington state department of
25 health created pursuant to RCW 43.70.020.

26 (6) "Internal management" means the administration of medical
27 assistance, medical care services, the children's health program, and
28 the limited casualty program.

29 (7) "Limited casualty program" means the medical care program
30 provided to medically needy persons as defined under Title XIX of the
31 federal social security act, and to medically indigent persons who are
32 without income or resources sufficient to secure necessary medical
33 services.

34 (8) "Medical assistance" means the federal aid medical care program
35 provided to categorically needy persons as defined under Title XIX of
36 the federal social security act.

1 (9) "Medical care services" means the limited scope of care
2 financed by state funds and provided to (~~general—assistance~~)
3 disability lifeline benefits recipients, and recipients of alcohol and
4 drug addiction services provided under chapter 74.50 RCW.

5 (10) "Nursing home" means nursing home as defined in RCW 18.51.010.

6 (11) "Poverty" means the federal poverty level determined annually
7 by the United States department of health and human services, or
8 successor agency.

9 (12) "Secretary" means the secretary of social and health services.

10 (13) "Full benefit dual eligible beneficiary" means an individual
11 who, for any month: Has coverage for the month under a medicare
12 prescription drug plan or medicare advantage plan with part D coverage;
13 and is determined eligible by the state for full medicaid benefits for
14 the month under any eligibility category in the state's medicaid plan
15 or a section 1115 demonstration waiver that provides pharmacy benefits.

16 **Sec. 29.** RCW 74.09.035 and 1987 c 406 s 12 are each amended to
17 read as follows:

18 (1) To the extent of available funds, medical care services may be
19 provided to recipients of (~~general—assistance~~) disability lifeline
20 benefits, persons denied disability lifeline benefits under RCW
21 74.04.005(5)(b) or section 5 of this act who otherwise meet the
22 requirements of RCW 74.04.005(5)(a), and recipients of alcohol and drug
23 addiction services provided under chapter 74.50 RCW, in accordance with
24 medical eligibility requirements established by the department. To the
25 extent authorized in the operating budget, upon implementation of a
26 federal medicaid 1115 waiver providing federal matching funds for
27 medical care services, these services also may be provided to persons
28 who have been terminated from disability lifeline benefits under RCW
29 74.04.005(5)(h).

30 (2) Determination of the amount, scope, and duration of medical
31 care services shall be limited to coverage as defined by the
32 department, except that adult dental, and routine foot care shall not
33 be included unless there is a specific appropriation for these
34 services.

35 (3) The department shall enter into performance-based contracts
36 with one or more managed health care systems for the provision of

1 medical care services to recipients of disability lifeline benefits.
2 The contract must provide for integrated delivery of medical and mental
3 health services.

4 (4) The department shall establish standards of assistance and
5 resource and income exemptions, which may include deductibles and co-
6 insurance provisions. In addition, the department may include a
7 prohibition against the voluntary assignment of property or cash for
8 the purpose of qualifying for assistance.

9 ((+4)) (5) Residents of skilled nursing homes, intermediate care
10 facilities, and intermediate care facilities for the mentally retarded,
11 as that term is described by federal law, who are eligible for medical
12 care services shall be provided medical services to the same extent as
13 provided to those persons eligible under the medical assistance
14 program.

15 ((+5)) (6) Payments made by the department under this program
16 shall be the limit of expenditures for medical care services solely
17 from state funds.

18 ((+6)) (7) Eligibility for medical care services shall commence
19 with the date of certification for ~~((general assistance))~~ disability
20 lifeline benefits or the date of eligibility for alcohol and drug
21 addiction services provided under chapter 74.50 RCW.

22 **Sec. 30.** RCW 74.09.555 and 2005 c 503 s 12 are each amended to
23 read as follows:

24 (1) The department shall adopt rules and policies providing that
25 when persons with a mental disorder, who were enrolled in medical
26 assistance immediately prior to confinement, are released from
27 confinement, their medical assistance coverage will be fully reinstated
28 on the day of their release, subject to any expedited review of their
29 continued eligibility for medical assistance coverage that is required
30 under federal or state law.

31 (2) The department, in collaboration with the Washington
32 association of sheriffs and police chiefs, the department of
33 corrections, and the regional support networks, shall establish
34 procedures for coordination between department field offices,
35 institutions for mental disease, and correctional institutions, as
36 defined in RCW 9.94.049, that result in prompt reinstatement of

1 eligibility and speedy eligibility determinations for persons who are
2 likely to be eligible for medical assistance services upon release from
3 confinement. Procedures developed under this subsection must address:

4 (a) Mechanisms for receiving medical assistance services
5 applications on behalf of confined persons in anticipation of their
6 release from confinement;

7 (b) Expeditious review of applications filed by or on behalf of
8 confined persons and, to the extent practicable, completion of the
9 review before the person is released;

10 (c) Mechanisms for providing medical assistance services identity
11 cards to persons eligible for medical assistance services immediately
12 upon their release from confinement; and

13 (d) Coordination with the federal social security administration,
14 through interagency agreements or otherwise, to expedite processing of
15 applications for federal supplemental security income or social
16 security disability benefits, including federal acceptance of
17 applications on behalf of confined persons.

18 (3) Where medical or psychiatric examinations during a person's
19 confinement indicate that the person is disabled, the correctional
20 institution or institution for mental diseases shall provide the
21 department with that information for purposes of making medical
22 assistance eligibility and enrollment determinations prior to the
23 person's release from confinement. The department shall, to the
24 maximum extent permitted by federal law, use the examination in making
25 its determination whether the person is disabled and eligible for
26 medical assistance.

27 (4) For purposes of this section, "confined" or "confinement" means
28 incarcerated in a correctional institution, as defined in RCW 9.94.049,
29 or admitted to an institute for mental disease, as defined in 42 C.F.R.
30 part 435, Sec. 1009 on July 24, 2005.

31 (5) For purposes of this section, "likely to be eligible" means
32 that a person:

33 (a) Was enrolled in medicaid or supplemental security income or
34 (~~general-assistance~~) the disability lifeline program immediately
35 before he or she was confined and his or her enrollment was terminated
36 during his or her confinement; or

37 (b) Was enrolled in medicaid or supplemental security income or
38 (~~general-assistance~~) the disability lifeline program at any time

1 during the five years before his or her confinement, and medical or
2 psychiatric examinations during the person's confinement indicate that
3 the person continues to be disabled and the disability is likely to
4 last at least twelve months following release.

5 (6) The economic services administration shall adopt standardized
6 statewide screening and application practices and forms designed to
7 facilitate the application of a confined person who is likely to be
8 eligible for medicaid.

9 **Sec. 31.** RCW 74.50.060 and 1989 1st ex.s. c 18 s 3 are each
10 amended to read as follows:

11 (1) The department shall establish a shelter assistance program to
12 provide, within available funds, shelter for persons eligible under
13 this chapter. "Shelter," "shelter support," or "shelter assistance"
14 means a facility under contract to the department providing room and
15 board in a supervised living arrangement, normally in a group or
16 dormitory setting, to eligible recipients under this chapter. This may
17 include supervised domiciliary facilities operated under the auspices
18 of public or private agencies. No facility under contract to the
19 department shall allow the consumption of alcoholic beverages on the
20 premises. The department may contract with counties and cities for
21 such shelter services. To the extent possible, the department shall
22 not displace existing emergency shelter beds for use as shelter under
23 this chapter. In areas of the state in which it is not feasible to
24 develop shelters, due to low numbers of people needing shelter
25 services, or in which sufficient numbers of shelter beds are not
26 available, the department may provide shelter through an intensive
27 protective payee program, unless the department grants an exception on
28 an individual basis for less intense supervision.

29 (2) Persons continuously eligible for the (~~general assistance—~~
30 ~~unemployable program~~) disability lifeline program since July 25, 1987,
31 who transfer to the program established by this chapter, have the
32 option to continue their present living situation, but only through a
33 protective payee.

34 NEW SECTION. **Sec. 32.** A new section is added to chapter 74.08A
35 RCW to read as follows:

36 Recipients exempted from active work search activities due to

1 incapacity or a disability shall receive disability lifeline benefits
2 as they relate to the facilitation of enrollment in the federal
3 supplemental security income program, access to chemical dependency
4 treatment, referrals to vocational rehabilitation, and other services
5 needed to assist the recipient in becoming employable. Disability
6 lifeline benefits shall not supplant cash assistance and other services
7 provided through the temporary assistance for needy families program.
8 To the greatest extent possible, services shall be funded through the
9 temporary assistance for needy families appropriations.

10 NEW SECTION. **Sec. 33.** This act shall be known and cited as the
11 security lifeline act.

12 NEW SECTION. **Sec. 34.** Except for section 10 of this act, this act
13 is necessary for the immediate preservation of the public peace,
14 health, or safety, or support of the state government and its existing
15 public institutions, and takes effect immediately.

16 NEW SECTION. **Sec. 35.** Section 10 of this act takes effect July 1,
17 2010.

18 NEW SECTION. **Sec. 36.** If private funding sufficient to implement
19 and operate the portal authorized under section 2 of this act is not
20 secured by December 31, 2010, section 2 of this act is null and void.

21 NEW SECTION. **Sec. 37.** Sections 1 through 10 and 29 of this act
22 shall be implemented within the amounts appropriated specifically for
23 these purposes in the omnibus operating appropriations act.

--- END ---