

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6508

62nd Legislature
2012 Regular Session

Passed by the Senate March 3, 2012
YEAS 33 NAYS 16

President of the Senate

Passed by the House February 29, 2012
YEAS 63 NAYS 35

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6508** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6508

AS AMENDED BY THE HOUSE

Passed Legislature - 2012 Regular Session

State of Washington 62nd Legislature 2012 Regular Session

By Senate Human Services & Corrections (originally sponsored by
Senator Pridemore)

READ FIRST TIME 02/03/12.

1 AN ACT Relating to department of social and health services waivers
2 of overpayment recoveries; amending RCW 43.20B.030; and creating new
3 sections.

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

5 **Sec. 1.** RCW 43.20B.030 and 2005 c 292 s 5 are each amended to read
6 as follows:

7 (1) Except as otherwise provided by law, including subsection (2)
8 of this section, there will be no collection of overpayments and other
9 debts due the department after the expiration of six years from the
10 date of notice of such overpayment or other debt unless the department
11 has commenced recovery action in a court of law or unless an
12 administrative remedy authorized by statute is in place. However, any
13 amount due in a case thus extended shall cease to be a debt due the
14 department at the expiration of ten years from the date of the notice
15 of the overpayment or other debt unless a court-ordered remedy would be
16 in effect for a longer period.

17 (2) There will be no collection of debts due the department after
18 the expiration of twenty years from the date a lien is recorded
19 pursuant to RCW 43.20B.080.

1 (3) The department, at any time, may accept offers of compromise of
2 disputed claims or may grant partial or total write-off of any debt due
3 the department if it is no longer cost-effective to pursue. The
4 department shall adopt rules establishing the considerations to be made
5 in the granting or denial of a partial or total write-off of debts.

6 (4) Notwithstanding the requirements of RCW 43.20B.630, 43.20B.635,
7 43.20B.640, and 43.20B.645, the department may waive all efforts to
8 collect overpayments from a client when the department determines that
9 the elements of equitable estoppel as set forth in WAC 388-02-0495, as
10 it existed on January 1, 2012, are met.

11 NEW SECTION. Sec. 2. If any part of this act is found to be in
12 conflict with federal requirements that are a prescribed condition to
13 the allocation of federal funds to the state, the conflicting part of
14 this act is inoperative solely to the extent of the conflict and with
15 respect to the agencies directly affected, and this finding does not
16 affect the operation of the remainder of this act in its application to
17 the agencies concerned. Rules adopted under this act must meet federal
18 requirements that are a necessary condition to the receipt of federal
19 funds by the state.

20 NEW SECTION. Sec. 3. No later than October 1, 2013, the office of
21 fraud and accountability within the department of social and health
22 services, along with the state auditor's office and the department of
23 early learning, shall collaborate in an effort to identify, review, and
24 provide the legislature with recommendations for integrated monitoring
25 and detection systems to prevent overpayments of public assistance from
26 occurring.

--- END ---