
Early Learning & Human Services Committee

SSB 6211

Brief Description: Concerning the termination of basic food benefits to incarcerated persons.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Fain, Padden, Sheldon, O'Ban, Becker, Dammeier, Brown, Honeyford, Hill and Benton).

Brief Summary of Substitute Bill

- Directs the Department of Social and Health Services (DSHS) to terminate basic food benefits if a recipient of basic food benefits is incarcerated for 30 consecutive days or more.
- Directs the DSHS to exclude an incarcerated person from an assistance unit when determining basic food benefits.
- Directs the DSHS to enter into agreement with the Washington Association of Sheriffs and Police Chiefs and the Department of Corrections to allow for data-matching of basic food recipients with the Washington Association of Sheriffs and Police Chiefs jail booking and the reporting system and data base of incarcerated people.
- Specifies that data matches must be conducted at least every five days.

Hearing Date: 2/24/14

Staff: Lindsay Lanham (786-7120).

Background:

The Basic Food Program is a food and nutrition program that helps eligible households purchase food. The Basic Food Program provides benefits under the federally supported Supplemental Nutrition Assistance Program (SNAP) and the state-funded Food Assistance Program (FAP).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Individuals residing in Washington and households in Washington that have income below 200 percent of the federal poverty level (FPL) and meet certain citizenship or alien status requirements may be eligible for the Basic Food Program. When determining eligibility, a household is referred to as an assistance unit and is defined as a group of people who live together and whose income and resources are counted to determine eligibility and the amount of benefits. Once determined eligible, benefits are provided to recipients through an electronic benefits transfer (EBT) card. Electronic benefits transfer cards are used like a debit card and may be used at participating grocery stores, convenience stores, and farmers markets.

When a basic food recipient becomes incarcerated, the impact on eligibility to continue those benefits depends on the recipient's length of time out of the home and on the change in reporting requirements. If a person moves out of the home for at least a full issuance month or moves into an institution that provides the person the majority of their meals as part of the institution's normal service, then the recipient is not eligible for basic food as an individual or as part of the assistance unit, unless the household is receiving Transitional Food Assistance.

Washington's Basic Food Program exercises an option under federal law to allow for simplified reporting, which means that from eligibility determination to eligibility recertification the only change that must be reported by recipients receiving only basic food benefits is if the gross monthly income exceeds 200 percent of the federal poverty level for the given household.

Half-way through the certification period, the Department of Social and Health Services (DSHS) mails the recipient a mid-certification review (MCR) form and directs the recipient to report changes in household composition, household incomes, and certain expenses. If the recipient does not complete the MCR on time, then food assistance would stop immediately. If a recipient is able to complete the MCR while incarcerated, then the recipient would need to report the incarceration status, which would also trigger a close in benefits.

Currently, DSHS does not have an automated data match that allows the DSHS to receive information on incarcerated people or the legal authority to obtain identifying data from local or county jails or Department of Corrections (DOC) facilities regarding recipients of basic food.

Summary of Bill:

When a person is committed to the custody of the DOC, a county jail, or a municipal jail for a period of incarceration that lasts for 30 consecutive days or more, the DSHS is directed to take appropriate actions to terminate basic food benefits. Appropriate action includes, but is not limited to, deactivating the EBT card.

Additionally, if an incarcerated person is included in the assistance unit of a multiple person household, the DSHS is directed to exclude the incarcerated person when determining basic food benefits. It is further established that once an incarcerated person is released from custody, it is this person's responsibility to apply for basic food benefits lost during the incarceration.

The DSHS is also required to enter into an agreement with the Washington Association of Sheriffs and Police Chiefs and the Department of Corrections to allow for data-matching of basic food recipients with the Washington Association of Sheriffs and Police Chiefs jail booking and

the reporting system and data base of incarcerated people. Data matches must be conducted at least every five days. The DSHS is identified as an agency that may receive identifying information of a person confined in jail.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.