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**SENATE BILL 5079**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator Muzzall; by request of Department of Social and Health Services

Prefiled 12/19/24.

1 AN ACT Relating to addressing the burden of unintentional  
2 overpayments on older adults and adults with disabilities served by  
3 the department of social and health services; amending RCW  
4 43.20B.030; providing an effective date; and declaring an emergency.

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

6 **Sec. 1.** RCW 43.20B.030 and 2012 c 258 s 1 are each amended to  
7 read as follows:

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

18 (2) There will be no collection of debts due the department after  
19 the expiration of (~~twenty~~) 20 years from the date a lien is  
20 recorded pursuant to RCW 43.20B.080.

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

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

12 (5) Beginning July 1, 2025, the department may waive all efforts  
13 to collect overpayments of the aged, blind, or disabled assistance  
14 program under RCW 74.62.030 and to functionally disabled clients  
15 receiving services and supports provided under chapters 74.39, 74.39A  
16 and 71A.12 RCW. The department shall adopt rules establishing the  
17 circumstances when the department will waive efforts at collection.

18 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
19 preservation of the public peace, health, or safety, or support of  
20 the state government and its existing public institutions, and takes  
21 effect July 1, 2025.

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