

# SENATE BILL REPORT

## SHB 2476

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As of February 15, 1996

**Title:** An act relating to requiring a determination of paternity for receiving certain benefits.

**Brief Description:** Requiring a determination of paternity for receiving certain benefits.

**Sponsors:** House Committee on Children & Family Services (originally sponsored by Representatives Boldt, Mulliken, Stevens, Beeksma, Cooke and Goldsmith).

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/16/96.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Staff:** Joanne Conrad (786-7472)

**Background:** Current federal law requires applicants and recipients of aid to families with dependent children (AFDC) to cooperate in establishing paternity and securing support for their children, as a condition of eligibility. Persons failing or refusing to cooperate, absent good cause, are subject to the sanction of grant reduction. The current practice of the Department of Social and Health Services (DSHS) Division of Child Support is to attempt to establish paternity, and to provide evaluative hearings for those who allege "good cause" for noncooperation.

Several criteria constitute "good cause" for failure to establish paternity, the statutory basis being "circumstances against the best interest of the child." "Good cause" can include, for example, the risk of physical or emotional harm to the child, or to the child's parent or caretaker relative. "Good cause" also applies to cases in which the child was conceived as a result of incest or rape, or where the child is the subject of a pending legal adoption procedure, or the parental recipient is being assisted by a public or private social agency regarding whether or not to relinquish the child for adoption.

The recipient claiming "good cause" for refusal to cooperate has the burden of proof for establishing "good cause."

**Summary of Bill:** Applicants or recipients of AFDC assist the Office of Support Enforcement in determining the paternity of all children in the assistance unit. DSHS establishes "good cause" exemptions, consistent with federal ones. Failure to cooperate results in termination of the adult's grant assistance.

**Appropriation:** None.

**Fiscal Note:** Requested on January 17, 1996.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

