
HOUSE BILL 1242

State of Washington

54th Legislature

1995 Regular Session

By Representatives Sommers, McMorris, Thibaudeau, Wolfe, Patterson, Mitchell, Regala, Kessler and Valle

Read first time 01/18/95. Referred to Committee on Children & Family Services.

1 AN ACT Relating to services for public assistance recipients;
2 amending RCW 74.25.020 and 74.12.420; adding new sections to chapter
3 74.25 RCW; creating a new section; providing an effective date; and
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.25 RCW
7 to read as follows:

8 TRANSITIONAL SERVICES TO LONG-TERM RECIPIENTS. To prepare long-
9 term recipients to increase their earnings, the department of social
10 and health services shall offer a recipient the services of the job
11 opportunities and basic skills program at least one year prior to
12 applying the benefit reduction under RCW 74.12.420. The department of
13 social and health services shall develop a realistic schedule for the
14 phase-in of client participation in the job opportunities and basic
15 skills program based on the availability of state and federal funding.

16 **Sec. 2.** RCW 74.25.020 and 1993 c 312 s 7 are each amended to read
17 as follows:

1 JOBS--DEPARTMENT AUTHORIZATION. (1) The department of social and
2 health services is authorized to contract with public and private
3 employment and training agencies and other public service entities to
4 provide services prescribed or allowed under the federal social
5 security act, as amended, to carry out the purposes of the jobs
6 training program. In contracting for job placement, job search, and
7 other job opportunities and basic skills services, the department is
8 encouraged to structure payments to the contractor on a performance
9 basis. The department of social and health services has sole authority
10 and responsibility to carry out the job opportunities and basic skills
11 training program. No contracting entity shall have the authority to
12 review, change, or disapprove any administrative decision, or otherwise
13 substitute its judgment for that of the department of social and health
14 services as to the application of policies and rules adopted by the
15 department of social and health services.

16 ~~(2) ((To the extent feasible under federal law, the department of~~
17 ~~social and health services and all entities contracting with it shall~~
18 ~~give first priority of service to individuals volunteering for program~~
19 ~~participation.~~

20 (3)) The department of social and health services shall adopt
21 rules under chapter 34.05 RCW establishing criteria constituting
22 circumstances of good cause for an individual failing or refusing to
23 participate in an assigned program component, or failing or refusing to
24 accept or retain employment. These criteria shall include, but not be
25 limited to, the following circumstances: (a) If the individual is a
26 parent or other relative personally providing care for a child under
27 age ~~((six))~~ three years~~((, and the employment would require the~~
28 ~~individual to work more than twenty hours per week))~~; (b) if child
29 care, or day care for an incapacitated individual living in the same
30 home as a dependent child, is necessary for an individual to
31 participate or continue participation in the program or accept
32 employment, and such care is not available, and the department of
33 social and health services fails to provide such care; (c) the
34 employment would result in the family of the participant experiencing
35 a net loss of cash income; or (d) circumstances that are beyond the
36 control of the individual's household, either on a short-term or on an
37 ongoing basis.

1 ((+4)) (3) The department of social and health services shall
2 adopt rules under chapter 34.05 RCW as necessary to effectuate the
3 intent and purpose of this chapter.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.25 RCW
5 to read as follows:

6 TARGETING OF JOBS SERVICES. Prior to a comprehensive and
7 individualized assessment, the first phase of job opportunities and
8 basic skills program services shall be provided to participants based
9 on level of educational attainment. Participants who have not
10 completed a high school degree or its equivalent shall be given the
11 choice between participating in a secondary education component or job
12 search. If the participant chooses job search and fails to find a job,
13 the individual shall enter a secondary education program. Participants
14 who have completed a high school degree or its equivalent shall
15 participate in job search. If the initial activities do not result in
16 employment, an individualized assessment may be used to develop an
17 employability plan describing a second phase of job opportunities and
18 basic skills program services, which may include additional job search,
19 skills training, or work experience.

20 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.25 RCW
21 to read as follows:

22 JOBS PARTICIPANTS TO TAKE ANY JOB OFFERED. Participants in the job
23 opportunities and basic skills program shall take any job offered
24 unless there is good cause to refuse to accept a job. Good cause shall
25 be found pursuant to RCW 74.25.020(2).

26 **Sec. 5.** RCW 74.12.420 and 1994 c 299 s 9 are each amended to read
27 as follows:

28 LENGTH OF STAY BENEFIT REDUCTION. The legislature recognizes that
29 long-term recipients of aid to families with dependent children may
30 require a period of several years to attain economic self-sufficiency.
31 To provide incentives for long-term recipients to leave public
32 assistance and accept paid employment, the legislature finds that less
33 punitive and onerous sanctions than those required by ((the federal
34 government)) other states are appropriate. The legislature finds that
35 a ten percent reduction in grants for long-term recipients that may be
36 replaced through earned income is a more positive approach than

1 sanctions (~~required by the federal government for long-term~~) for
2 recipients who fail to comply with requirements of the job
3 opportunities and basic skills program. A long-term recipient shall
4 not be subject to two simultaneous sanctions for failure to comply with
5 the participation requirements of the job opportunities and basic
6 skills program and for exceeding the length of stay provisions of this
7 section.

8 (1) After forty-eight monthly benefit payments in a sixty-month
9 period, and after each additional twelve monthly benefit payments, the
10 aid to families with dependent children monthly benefit payment shall
11 be reduced by ten percent of the payment standard, except that after
12 forty-eight monthly payments in a sixty-month period, full monthly
13 benefit payments may be made if:

14 (a) The person is incapacitated or is needed in the home to care
15 for a member of the household who is incapacitated;

16 (b) The person is needed in the home to care for a child who is
17 under three years of age;

18 (c) There are no adults in the assistance unit;

19 (d) The person is (~~cooperating in the development and~~
20 ~~implementation of an employability plan~~) actively participating in the
21 job opportunities and basic skills program while receiving aid to
22 families with dependent children and no present full-time, part-time,
23 or unpaid work experience job is offered; (~~or~~)

24 (e) During a month in which a grant reduction would be imposed
25 under this section, the person is participating in an unpaid work
26 experience program; or

27 (f) The person was not offered services by the job opportunities
28 and basic skills program at least twelve months prior to the benefit
29 reduction.

30 (2) (~~For purposes of determining the amount of the food stamp~~
31 ~~benefit for recipients subject to benefit reductions provided for in~~
32 ~~subsection (1) of this section, countable income from the aid to~~
33 ~~families with dependent children program shall be set at the payment~~
34 ~~standard.~~

35 (3)) For purposes of determining monthly benefit payments for two-
36 parent aid to families with dependent children households, the length
37 of stay criterion will be applied to the parent with the longer history
38 of public assistance receipt.

1 (3) A recipient's length of stay shall be determined based on
2 actual months of receipt of public assistance, including months of
3 receipt of public assistance prior to the effective date of this
4 section. Benefits shall not be reduced under this section before July
5 1, 1996.

6 NEW SECTION. Sec. 6. CAPTIONS. Captions used in this act do not
7 constitute part of the law.

8 NEW SECTION. Sec. 7. SEVERABILITY CLAUSE. If any provision of
9 this act or its application to any person or circumstance is held
10 invalid, the remainder of the act or the application of the provision
11 to other persons or circumstances is not affected.

12 NEW SECTION. Sec. 8. EFFECTIVE DATE. This act is necessary for
13 the immediate preservation of the public peace, health, or safety, or
14 support of the state government and its existing public institutions,
15 and shall take effect July 1, 1995.

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