

FINAL BILL REPORT

E2SHB 2782

PARTIAL VETO C 8 L 10 E1 Synopsis as Enacted

Brief Description: Concerning the security lifeline act.

Sponsors: House Committee on Ways & Means (originally sponsored by Representatives Dickerson, Appleton, McCoy, Carlyle, Morrell, Kagi, Kessler, Green, Ericks, Moeller, Roberts, Nelson and Orwall).

House Committee on Human Services
House Committee on Ways & Means
Senate Committee on Human Services & Corrections
Senate Committee on Ways & Means

Background:

Access to Benefits.

Individuals may apply for and renew public assistance benefits online from their home and from kiosks located in the waiting areas in the offices of the Department of Social and Health Services (DSHS). The benefits available through this online service access application include food assistance, cash assistance, medical assistance, drug or alcohol treatment, assisted living, child care, and in-home care.

Since the summer of 2009, the DSHS has been working with a steering committee composed of nonprofit organizations, government agencies, and community organizations to develop a web-based benefits portal to allow eligible persons to apply for and access additional benefits such as energy assistance, federal student aid, housing assistance, and others. A Request for Proposals is being developed, and the steering committee is seeking private funding for the portal project.

Food Stamp Employment and Training Program.

The Food Stamp Employment and Training Program (Program) was established and administered through the Employment Security Department and the DSHS pursuant to a provision in the Washington Administrative Code. Recipients of assistance under the Basic

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.

Food Program, unless they are exempt, are required to participate in the Program. Participants engage in job search workshops and receive assistance in job placement.

Emphasis in the Program is given to participants who have been assessed as needing basic education, a General Equivalency Diploma (GED), English as a second language, or vocational training in order to increase their opportunity for employment. Currently 12 community colleges participate in the Program.

General Assistance Program.

The General Assistance Program (General Assistance) is a public assistance program for low income individuals. Recipients are eligible for a cash grant, food assistance, and medical care, including mental health care. Individuals who are eligible for General Assistance are not eligible for other federal assistance other than food assistance, and they are incapacitated from gainful employment because of a physical or mental infirmity that will likely continue for at least 90 days. If the infirmity is primarily due to a drug or alcohol addiction, a person is not eligible for General Assistance. The monthly cash grant amount for general assistance is \$339.

Summary:

Opportunity Portal.

The Secretary of the DSHS will act as the executive branch sponsor of the portal planning process. The DSHS must:

- identify and select an appropriate solution and acquisition approach to integrate technology systems for a user-friendly electronic tool for Washington residents to apply for benefits;
- facilitate the adaptation of state information technology systems to allow applications for benefits generated through the Opportunity Portal and other compatible electronic application systems to seamlessly link to state information systems;
- ensure that the Opportunity Portal provides access to state, federal, and local services which include health care services, higher education financial aid, tax credits, civic engagement, nutrition assistance, energy assistance, family support, and disability lifeline benefits;
- maximize collaboration with community-based organizations to facilitate use by low-income individuals and families;
- provide access to the Opportunity Portal through many and varied locations;
- maximize available federal and private funds for the development and initial operation of the Opportunity Portal; and
- determine a solution and acquisition approach by June 1, 2010.

Paperless Application Processes. The DSHS must develop a plan for implementing paperless application processes for the services included in the Opportunity Portal. The plan should include the goal of achieving the transition of the services offered through the Opportunity Portal to paperless application processes by July 1, 2012.

Funding and Contracting. The Secretary of the DSHS must seek private funding for the development and initial operation of the Opportunity Portal. Incidental costs to state agencies are to be derived from existing resources. If private funding sufficient to implement and operate the Opportunity Portal is not secured by December 31, 2010, the section authorizing its implementation becomes null and void.

Any contract that DSHS enters into to implement the Opportunity Portal must be performance-based.

Reporting. The DSHS must submit an annual report to the Legislature and the Governor regarding implementation, outcomes, and use of the Opportunity Portal. The first report is due on December 1, 2011.

Expanding the Basic Food Employment and Training Program.

The DSHS, the Employment Security Department, and the State Board for Community and Technical Colleges must work in a partnership to expand the Basic Food Employment and Training Program (Program). Subject to federal approval, the Program will be expanded to three additional community colleges or other community-based locations in 2010 and will expand the capacity of the 12 currently participating colleges.

The agencies working in partnership must seek out community organizations that can provide support services and case management to participants in the Program, and they must identify funds with which to draw down federal matching funds for employment and training services. Support services provided by community-based organizations must supplement, and not replace, the positions or work of employees of the DSHS.

Employment and training funds may be allocated for skill development for employment, vocational education, English as a second language, job readiness, tuition, housing, counseling, transportation, and other services.

Reporting. The DSHS must annually track and report outcomes, including federal funding received, the number of participants served, completion rates, wages, and other outcome-related data. The report must be submitted to the Governor and appropriate legislative committees on November 1 of each year, beginning in 2010.

Disability Lifeline Program.

The General Assistance Program is renamed the "Disability Lifeline Program." All of the eligibility requirements and conditions that were in place for the General Assistance Program, including the cash benefit amount, remain in place. An individual may not continue to receive Disability Lifeline benefits if he or she refuses without good cause to participate in needed treatment or other program services. Good cause includes an emotional or physical disability that prevents participation or the unavailability of treatment.

The DSHS must adopt medical criteria for Disability Lifeline incapacity determinations to ensure that the eligibility decisions are consistent with statutory requirements and are based on clear, objective medical information. The standard for incapacity is not intended to be as

stringent as the federal Supplemental Security Income (SSI) disability standards. In any event, the criteria for eligibility must not be more restrictive than the standards for federal SSI standards. Any eligibility decision which rejects uncontroverted medical opinion must set forth clear and convincing reasons for such action.

There are additional provisions contained in the Disability Lifeline Program:

Eligibility Time Limits. As of September 1, 2010, a person will not be eligible to receive Disability Lifeline benefits for more than 24 months in a 5-year period. This time limit is retroactive, and applies to persons already receiving benefits. The months spent receiving General Assistance-Unemployable (GA-U) benefits prior to the effective date of the act will be counted towards the 24-month limit. Months spent on the Disability Lifeline or the GA-U expedited program or the General Disability Lifeline or GA programs under the categories of aged, blind, or disabled do not count toward the 24-month limit.

By July 1, 2010, the DSHS must review the cases of all persons who have received Disability Lifeline or GA-U benefits for at least 20 months as of that date. The review should determine whether the person meets the federal SSI income disability standard and whether the receipt of additional services could lead to employability. Beginning on September 1, 2010, the DSHS must review clients who have been receiving benefits for more than 12 months as of that date. If the DSHS identifies a need for additional services, it must provide case management services such as assistance with transportation or housing to facilitate access to needed services. A person may not be deemed to have exceeded the time limit unless he or she has received a case review.

The time-limit provisions of the act expire June 30, 2013.

Early Supplemental Security Income Transition Project. The DSHS must implement the Early Supplemental Security Income Transition Project (Project) starting in King, Pierce, and Spokane counties. The program in these three counties must be implemented no later than July 1, 2010 and extend statewide no later than October 1, 2011, and must use performance-based contracts.

The Project must systematically screen Disability Lifeline applicants to determine whether they are likely eligible for federal SSI. The Project must also maintain a centralized appointment and clinical data system and assist persons receiving Disability Lifeline Benefits with obtaining additional medical or behavioral health examinations needed to meet the federal SSI disability standard. Persons under this Project who are found to be likely eligible for federal Supplemental Security Income (SSI) will be moved into the Disability Lifeline Expedited program.

The Project will have the following performance goals:

- persons receiving Disability Lifeline benefits should be screened within 30 days of entering the Project to determine the propriety of their transfer to the Disability Lifeline Expedited program; and
- 75 percent of persons receiving Disability Lifeline benefits that appear likely to qualify for federal SSI benefits must be transferred to the Disability Lifeline

Expedited program within four months of their application for Disability Lifeline benefits.

By December 1, 2011, the DSHS must report to the Governor and the appropriate policy and fiscal committees regarding the project's performance goals.

Housing Voucher Program. The Department of Commerce and the DSHS must jointly develop a Housing Voucher (HV) Program. To the greatest extent possible, the housing resources provided by the HV Program must follow the supportive housing model. The Department of Commerce must administer the HV Program and identify the current supply of private and public housing, including acquisition and rental of existing housing stock. The Department of Commerce must develop funding strategies and design the HV Program to maximize the ability of the DSHS to recover federal funding.

Applicants who are homeless and have been assessed as needing chemical dependency or mental health treatment, or both, must agree as a condition of eligibility to accept a housing voucher in place of a cash grant if a voucher is available. The dollar-value of the housing voucher is established by the DSHS and may differ from the value of the cash grant. Persons receiving a housing voucher will also receive a \$50 cash stipend per month. Persons who refuse to accept a housing voucher, but are otherwise eligible for Disability Lifeline Benefits, remain eligible for medical care services benefits.

If the Department of Commerce determines that sufficient housing is not available, persons who are homeless and have mental health or chemical dependency needs will receive a cash grant instead of a housing voucher.

The Department of Commerce and the DSHS must evaluate the impact of the use of the housing vouchers and report to the Governor and Legislature by November 30, 2012, regarding supply, affordability, appropriateness, and use of housing; outcomes; participation in chemical dependency or mental health treatment; contact with law enforcement; use of hospital emergency room services; and commitments under the Involuntary Treatment Act.

Referral to the Division of Vocational Rehabilitation. The Economic Services Administration (ESA) must work jointly with the Division of Vocational Rehabilitation (DVR) to develop an assessment tool to determine whether the programs offered by the DVR could assist persons receiving Disability Lifeline benefits in returning to the work force. The assessment tool must be completed no later than December 1, 2010. The ESA must begin using the tool no later than January 1, 2011. By December 10, 2011, the Department must report on the use of the tool and the success of DVR programs in returning persons to the work force.

Referral to the Department of Veterans Affairs. During the application process for Disability Lifeline benefits, the DSHS must inquire whether the applicant has ever served in the U.S. military. For any applicant who has served, the DSHS must confer with a veteran's benefit specialist with the Washington State Department of Veterans Affairs to determine whether the applicant is eligible for any benefits or programs offered by either the state or federal government.

Basic Health Plan Enrollment. Individuals who have lost eligibility for Disability Lifeline Program benefits due to improvements in their health status and who are eligible for subsidized basic health coverage must be given high priority for enrollment in the Basic Health Plan.

Access to Chemical Dependency Treatment. If the DSHS or an entity that has contracted with the DSHS to provide medical care services to Disability Lifeline Program clients determines that chemical dependency treatment is necessary to improve a client's health status for transition to employment or transition to federal disability benefits, the DSHS or the contracting entity must give the client high priority to enroll in chemical dependency treatment within funds appropriated for chemical dependency treatment. The first priority goes to pregnant women and parents. This requirement expires on June 30, 2013.

Report by the Washington State Institute for Public Policy. By December 1, 2012, the Washington State Institute for Public Policy (WSIPP) must submit a report to the Governor and the Legislature that analyzes the experience of persons terminated from Disability Lifeline Benefits. The report must include: the number of persons terminated who transferred to federal SSI benefits; the number of persons who became employed; the rate of use of hospital emergency room services; arrest and criminal conviction data; mortality rate; and whether the case review and performance goal standards of the Early Supplemental Security Income Transition Project have been met.

Funding for the Act.

The provisions of this act must be implemented within the amounts appropriated specifically for this purpose in the State Omnibus Operating Appropriations Act.

Votes on Final Passage:

House 55 41

First Special Session

House 59 36

Senate 28 16 (Senate amended)

House 57 40 (House concurred)

Effective: March 29, 2010
July 1, 2010 (Section 10)

Partial Veto Summary: Removes the section which gives priority to former Disability Lifeline clients for enrollment the Basic Health Plan.