

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2782

Chapter 8, Laws of 2010

(partial veto)

61st Legislature
2010 1st Special Session

SECURITY LIFELINE ACT

EFFECTIVE DATE: 03/29/10 - Except section 10, which becomes effective 07/01/10.

Passed by the House March 22, 2010
Yeas 57 Nays 40

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 22, 2010
Yeas 28 Nays 16

BRAD OWEN

President of the Senate

Approved March 29, 2010, 2:48 p.m., with the exception of Section 9 which is vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2782** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 30, 2010

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2782

AS AMENDED BY THE SENATE

Passed Legislature - 2010 1st Special Session

State of Washington 61st Legislature 2010 Regular Session

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

READ FIRST TIME 02/09/10.

1 AN ACT Relating to establishing the security lifeline act; amending
2 RCW 74.04.005, 10.101.010, 26.19.071, 31.04.540, 70.123.110, 73.08.005,
3 74.04.0052, 74.04.120, 74.04.230, 74.04.266, 74.04.620, 74.04.770,
4 74.08.043, 74.08.278, 74.08.335, 74.08A.210, 74.09.010, 74.09.035,
5 74.09.555, and 74.50.060; reenacting and amending RCW 13.34.030; adding
6 new sections to chapter 74.04 RCW; adding a new section to chapter
7 43.330 RCW; adding a new section to chapter 70.47 RCW; adding a new
8 section to chapter 70.96A RCW; adding a new section to chapter 74.08A
9 RCW; creating new sections; providing an effective date; providing an
10 expiration date; and declaring an emergency.

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

12 NEW SECTION. **Sec. 1.** INTENT. (1) The legislature finds that:

13 (a) Low-income families and individuals often face significant
14 barriers to receiving the services and benefits that they are qualified
15 to receive. These services are essential to meeting individuals' basic
16 needs, and provide critical support to low-income individuals who are
17 working or who have disabilities that prevent them from working;

18 (b) Each year millions of federal dollars go unclaimed due to

1 underutilization of benefits such as tax credits, health care coverage,
2 and food support;

3 (c) State agencies have been engaged in an effort to implement an
4 online benefit portal to simplify and streamline access to state,
5 federal, and local benefits that include a broad array of public
6 benefits;

7 (d) Access to education and training gives low-income individuals
8 and families the opportunity to acquire the skills they need to become
9 successfully employed and attain self-sufficiency; and

10 (e) Agencies have been engaged in efforts to increase access to
11 training and education for recipients of federal food assistance.

12 (2) The legislature therefore intends to strengthen existing
13 efforts by providing enhanced structure and direction to ensure that a
14 strong partnership among colleges, state agencies, community partners,
15 and philanthropy be established. The legislature also intends to
16 provide an efficient, effective, integrated approach to the delivery of
17 basic support services and education and training programs. The
18 integrated approach should include the creation of a one-stop-shop,
19 online benefits portal where individuals can apply for a broad array of
20 services, including public benefits and education and training support,
21 and the expansion of the food stamp employment and training program.

22 (3) The legislature further finds that:

23 (a) The general assistance program can be reformed to better
24 support the ability of persons who are unable to work due to physical
25 or mental health impairments to either return to work, or transition to
26 federal supplemental security income benefits; and

27 (b) Persons who are homeless and suffering from mental illness or
28 chemical dependency are particularly vulnerable, because homelessness
29 is a substantial barrier to successful participation in, and completion
30 of, needed treatment services.

31 (4) Through the reforms included in this act, the legislature
32 intends to end the general assistance program and establish the
33 disability lifeline program, and to implement multiple strategies
34 designed to improve the employment and basic support outcomes of
35 persons receiving disability lifeline benefits. The legislature
36 further intends to focus services on persons who are homeless and have
37 a mental illness or chemical dependency by providing housing vouchers

1 as an alternative to a cash grant so that these persons can be in
2 stable housing and thus have a greater opportunity to succeed in
3 treatment.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.04 RCW
5 to read as follows:

6 OPPORTUNITY PORTAL. (1) An online opportunity portal shall be
7 established to provide the public with more effective access to
8 available state, federal, and local services. The secretary of the
9 department of social and health services shall act as the executive
10 branch sponsor of the portal planning process. Under the leadership of
11 the secretary, the department shall:

12 (a) Identify and select an appropriate solution and acquisition
13 approach to integrate technology systems to create a user-friendly
14 electronic tool for Washington residents to apply for benefits;

15 (b) Facilitate the adaptation of state information technology
16 systems to allow applications generated through the opportunity portal
17 and other compatible electronic application systems to seamlessly link
18 to appropriate state information systems;

19 (c) Ensure that the portal provides access to a broad array of
20 state, federal, and local services, including but not limited to:
21 Health care services, higher education financial aid, tax credits,
22 civic engagement, nutrition assistance, energy assistance, family
23 support, and disability lifeline benefits as defined in sections 4
24 through 13 of this act;

25 (d) Design an implementation strategy for the portal that maximizes
26 collaboration with community-based organizations to facilitate its use
27 by low-income individuals and families;

28 (e) Provide access to the portal at a wide array of locations
29 including but not limited to: Community or technical colleges,
30 community college campuses where community service offices are
31 colocated, community-based organizations, libraries, churches, food
32 banks, state agencies, early childhood education sites, and labor
33 unions;

34 (f) Ensure project resources maximize available federal and private
35 funds for development and initial operation of the opportunity portal.
36 Any incidental costs to state agencies shall be derived from existing

1 resources. This subsection does not obligate or preclude the
2 appropriation of future state funding for the opportunity portal;

3 (g) Determine the solution and acquisition approach by June 1,
4 2010.

5 (2) By December 1, 2011, and annually thereafter, the department of
6 social and health services shall report to the legislature and
7 governor. The report shall include data and information on
8 implementation and outcomes of the opportunity portal, including any
9 increases in the use of public benefits and increases in federal
10 funding.

11 (3) The department shall develop a plan for implementing paperless
12 application processes for the services included in the opportunity
13 portal for which the electronic exchange of application information is
14 possible. The plan should include a goal of achieving, to the extent
15 possible, the transition of these services to paperless application
16 processes by July 1, 2012. The plan must comply with federal statutes
17 and regulations and must allow applicants to submit applications by
18 alternative means to ensure that access to benefits will not be
19 restricted.

20 (4) To the extent that the department enters into a contractual
21 relationship to accomplish the purposes of this section, such contract
22 or contracts shall be performance-based.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.04 RCW
24 to read as follows:

25 BASIC FOOD EMPLOYMENT AND TRAINING PROGRAM. (1) The department,
26 the employment security department, and the state board for community
27 and technical colleges shall work in partnership to expand the food
28 stamp employment and training program. Subject to federal approval,
29 the program shall be expanded to three additional community colleges or
30 other community-based locations in 2010 and shall expand capacity at
31 participating colleges. To the greatest extent possible, expansion
32 shall be geographically diverse. The agencies shall:

33 (a) Identify and seek out partnerships with community-based
34 organizations that can provide support services and case management to
35 participants through performance-based contracts in the food stamp
36 employment and training program, and do not replace the positions or
37 work of department employees;

1 (b) Identify eligible nonfederal matching funds to draw down the
2 federal match for food stamp employment and training services.
3 Matching funds may include: Local funds, foundation grants, employer-
4 paid costs, and the state allocation to community and technical
5 colleges.

6 (2) Employment and training funds may be allocated for:
7 Educational programs to develop skills for employability, vocational
8 education, English as a second language courses, adult basic education,
9 GED courses, remedial programs, job readiness training, case
10 management, intake, assessment, evaluation, and barrier removal and
11 support services such as tuition, books, child care, transportation,
12 housing, and counseling services.

13 (3) The department shall annually track and report outcomes
14 including those achieved through performance-based contracts as
15 follows: Federal funding received, the number of participants served,
16 achievement points, the number of participants who enter employment
17 during or after participation in the food stamp employment and training
18 program, and the average wage of jobs attained. The report shall be
19 submitted to the governor and appropriate committees of the legislature
20 on November 1st of each year, beginning in 2010.

21 (4) For purposes of this section, "food stamp employment and
22 training program" refers to a program established and administered
23 through the employment security department and the department of social
24 and health services.

25 **Sec. 4.** RCW 74.04.005 and 2003 1st sp.s. c 10 s 1 are each amended
26 to read as follows:

27 For the purposes of this title, unless the context indicates
28 otherwise, the following definitions shall apply:

29 (1) "Public assistance" or "assistance"--Public aid to persons in
30 need thereof for any cause, including services, medical care,
31 assistance grants, disbursing orders, work relief, (~~general~~
32 ~~assistance~~) disability lifeline benefits and federal aid assistance.

33 (2) "Department"--The department of social and health services.

34 (3) "County or local office"--The administrative office for one or
35 more counties or designated service areas.

36 (4) "Director" or "secretary" means the secretary of social and
37 health services.

1 (5) "Disability lifeline program" means a program that provides aid
2 and support in accordance with the conditions set out in this
3 subsection.

4 (a) Aid and assistance shall be provided to persons who are not
5 eligible to receive federal aid assistance, other than basic food
6 benefits transferred electronically and medical assistance and meet one
7 of the following conditions:

8 (i) Are pregnant and in need, based upon the current income and
9 resource requirements of the federal temporary assistance for needy
10 families program; or

11 (ii) Are incapacitated from gainful employment by reason of bodily
12 or mental infirmity that will likely continue for a minimum of ninety
13 days as determined by the department. The standard for incapacity in
14 this subsection, as evidenced by the ninety-day duration standard, is
15 not intended to be as stringent as federal supplemental security income
16 disability standards; and

17 (A) Are citizens or aliens lawfully admitted for permanent
18 residence or otherwise residing in the United States under color of
19 law;

20 (B) Have furnished the department their social security number. If
21 the social security number cannot be furnished because it has not been
22 issued or is not known, an application for a number shall be made prior
23 to authorization of benefits, and the social security number shall be
24 provided to the department upon receipt;

25 (C) Have not refused or failed without good cause to participate in
26 drug or alcohol treatment if an assessment by a certified chemical
27 dependency counselor indicates a need for such treatment. Good cause
28 must be found to exist when a person's physical or mental condition, as
29 determined by the department, prevents the person from participating in
30 drug or alcohol dependency treatment, when needed outpatient drug or
31 alcohol treatment is not available to the person in the county of his
32 or her residence or when needed inpatient treatment is not available in
33 a location that is reasonably accessible for the person; and

34 (D) Have not refused or failed without good cause to participate in
35 vocational rehabilitation services, if an assessment conducted under
36 section 5 of this act indicates that the person might benefit from such
37 services. Good cause must be found to exist when a person's physical
38 or mental condition, as determined by the department, prevents the

1 person from participating in vocational rehabilitation services, or
2 when vocational rehabilitation services are not available to the person
3 in the county of his or her residence.

4 (b)(i) Persons who initially apply and are found eligible for
5 disability lifeline benefits based upon incapacity from gainful
6 employment under (a) of this subsection on or after September 2, 2010,
7 who are homeless and have been assessed as needing chemical dependency
8 or mental health treatment or both, must agree, as a condition of
9 eligibility for the disability lifeline program, to accept a housing
10 voucher in lieu of a cash grant if a voucher is available. The
11 department shall establish the dollar value of the housing voucher.
12 The dollar value of the housing voucher may differ from the value of
13 the cash grant. Persons receiving a housing voucher under this
14 subsection also shall receive a cash stipend of fifty dollars per
15 month.

16 (ii) If the department of commerce has determined under section 8
17 of this act that sufficient housing is not available, persons described
18 in this subsection who apply for disability lifeline benefits during
19 the time period that housing is not available shall receive a cash
20 grant in lieu of a cash stipend and housing voucher.

21 (iii) Persons who refuse to accept a housing voucher under this
22 subsection but otherwise meet the eligibility requirements of (a) of
23 this subsection are eligible for medical care services benefits under
24 RCW 74.09.035, subject to the time limits in (h) of this subsection.

25 (c) The following persons are not eligible for the disability
26 lifeline program:

27 (i) Persons who are unemployable due primarily to alcohol or drug
28 addiction. These persons shall be referred to appropriate assessment,
29 treatment, shelter, or supplemental security income referral services
30 as authorized under chapter 74.50 RCW. Referrals shall be made at the
31 time of application or at the time of eligibility review. This
32 subsection shall not be construed to prohibit the department from
33 granting disability lifeline benefits to alcoholics and drug addicts
34 who are incapacitated due to other physical or mental conditions that
35 meet the eligibility criteria for the disability lifeline program;

36 (ii) Persons who refuse or fail to cooperate in obtaining federal
37 aid assistance, without good cause.

1 (d) Disability lifeline benefits shall be provided only to persons
2 who are not members of assistance units receiving federal aid
3 assistance, except as provided in (a) of this subsection, and who will
4 accept available services that can reasonably be expected to enable the
5 person to work or reduce the need for assistance unless there is good
6 cause to refuse. Failure to accept such services shall result in
7 termination until the person agrees to cooperate in accepting such
8 services and subject to the following maximum periods of ineligibility
9 after reapplication:

10 (i) First failure: One week;

11 (ii) Second failure within six months: One month;

12 (iii) Third and subsequent failure within one year: Two months.

13 (e) Persons who are likely eligible for federal supplemental
14 security income benefits shall be moved into the disability lifeline
15 expedited component of the disability lifeline program. Persons placed
16 in the expedited component of the program may, if otherwise eligible,
17 receive disability lifeline benefits pending application for federal
18 supplemental security income benefits. The monetary value of any
19 disability lifeline benefit that is subsequently duplicated by the
20 person's receipt of supplemental security income for the same period
21 shall be considered a debt due the state and shall by operation of law
22 be subject to recovery through all available legal remedies.

23 (f) For purposes of determining whether a person is incapacitated
24 from gainful employment under (a) of this subsection:

25 (i) The department shall adopt by rule medical criteria for
26 disability lifeline incapacity determinations to ensure that
27 eligibility decisions are consistent with statutory requirements and
28 are based on clear, objective medical information; and

29 (ii) The process implementing the medical criteria shall involve
30 consideration of opinions of the treating or consulting physicians or
31 health care professionals regarding incapacity, and any eligibility
32 decision which rejects uncontroverted medical opinion must set forth
33 clear and convincing reasons for doing so.

34 (g) Persons receiving disability lifeline benefits based upon a
35 finding of incapacity from gainful employment who remain otherwise
36 eligible shall have their benefits discontinued unless the recipient
37 demonstrates no material improvement in their medical or mental health

1 condition. The department may discontinue benefits when there was
2 specific error in the prior determination that found the person
3 eligible by reason of incapacitation.

4 (h)(i) Beginning September 1, 2010, no person who is currently
5 receiving or becomes eligible for disability lifeline program benefits
6 shall be eligible to receive benefits under the program for more than
7 twenty-four months in a sixty-month period. For purposes of this
8 subsection, months of receipt of general assistance-unemployable
9 benefits count toward the twenty-four month limit. Months during which
10 a person received benefits under the expedited component of the
11 disability lifeline or general assistance program or under the aged,
12 blind, or disabled component of the disability lifeline or general
13 assistance program shall not be included when determining whether a
14 person has been receiving benefits for more than twenty-four months.
15 On or before July 1, 2010, the department must review the cases of all
16 persons who have received disability lifeline benefits or general
17 assistance unemployable benefits for at least twenty months as of that
18 date. On or before September 1, 2010, the department must review the
19 cases of all remaining persons who have received disability lifeline
20 benefits for at least twelve months as of that date. The review should
21 determine whether the person meets the federal supplemental security
22 income disability standard and, if the person does not meet that
23 standard, whether the receipt of additional services could lead to
24 employability. If a need for additional services is identified, the
25 department shall provide case management services, such as assistance
26 with arranging transportation or locating stable housing, that will
27 facilitate the person's access to needed services. A person may not be
28 determined ineligible due to exceeding the time limit unless he or she
29 has received a case review under this subsection finding that the
30 person does not meet the federal supplemental security income
31 disability standard.

32 (ii) The time limits established under this subsection expire June
33 30, 2013.

34 (i) No person may be considered an eligible individual for
35 disability lifeline benefits with respect to any month if during that
36 month the person:

37 (i) Is fleeing to avoid prosecution of, or to avoid custody or

1 confinement for conviction of, a felony, or an attempt to commit a
2 felony, under the laws of the state of Washington or the place from
3 which the person flees; or

4 (ii) Is violating a condition of probation, community supervision,
5 or parole imposed under federal or state law for a felony or gross
6 misdemeanor conviction.

7 (6) "Disability lifeline expedited" means a component of the
8 disability lifeline program under which persons receiving disability
9 lifeline benefits have been determined, after examination by an
10 appropriate health care provider, to be likely to be eligible for
11 federal supplemental security income benefits based on medical and
12 behavioral health evidence that meets the disability standards used for
13 the federal supplemental security income program.

14 (7) "Federal aid assistance"--The specific categories of assistance
15 for which provision is made in any federal law existing or hereafter
16 passed by which payments are made from the federal government to the
17 state in aid or in respect to payment by the state for public
18 assistance rendered to any category of needy persons for which
19 provision for federal funds or aid may from time to time be made, or a
20 federally administered needs-based program.

21 ~~((6)(a) "General assistance"--Aid to persons in need who:~~

22 ~~(i) Are not eligible to receive federal aid assistance, other than~~
23 ~~food stamps or food stamp benefits transferred electronically and~~
24 ~~medical assistance; however, an individual who refuses or fails to~~
25 ~~cooperate in obtaining federal aid assistance, without good cause, is~~
26 ~~not eligible for general assistance;~~

27 ~~(ii) Meet one of the following conditions:~~

28 ~~(A) Pregnant: PROVIDED, That need is based on the current income~~
29 ~~and resource requirements of the federal temporary assistance for needy~~
30 ~~families program; or~~

31 ~~(B) Subject to chapter 165, Laws of 1992, incapacitated from~~
32 ~~gainful employment by reason of bodily or mental infirmity that will~~
33 ~~likely continue for a minimum of ninety days as determined by the~~
34 ~~department.~~

35 ~~(C) Persons who are unemployable due to alcohol or drug addiction~~
36 ~~are not eligible for general assistance. Persons receiving general~~
37 ~~assistance on July 26, 1987, or becoming eligible for such assistance~~
38 ~~thereafter, due to an alcohol or drug related incapacity, shall be~~

1 referred to appropriate assessment, treatment, shelter, or supplemental
2 security income referral services as authorized under chapter 74.50
3 RCW. Referrals shall be made at the time of application or at the time
4 of eligibility review. Alcoholic and drug addicted clients who are
5 receiving general assistance on July 26, 1987, may remain on general
6 assistance if they otherwise retain their eligibility until they are
7 assessed for services under chapter 74.50 RCW. Subsection
8 (6)(a)(ii)(B) of this section shall not be construed to prohibit the
9 department from granting general assistance benefits to alcoholics and
10 drug addicts who are incapacitated due to other physical or mental
11 conditions that meet the eligibility criteria for the general
12 assistance program:

13 (iii) Are citizens or aliens lawfully admitted for permanent
14 residence or otherwise residing in the United States under color of
15 law; and

16 (iv) Have furnished the department their social security account
17 number. If the social security account number cannot be furnished
18 because it has not been issued or is not known, an application for a
19 number shall be made prior to authorization of assistance, and the
20 social security number shall be provided to the department upon
21 receipt.

22 (b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),
23 and (c) of this section, general assistance shall be provided to the
24 following recipients of federal aid assistance:

25 (i) Recipients of supplemental security income whose need, as
26 defined in this section, is not met by such supplemental security
27 income grant because of separation from a spouse; or

28 (ii) To the extent authorized by the legislature in the biennial
29 appropriations act, to recipients of temporary assistance for needy
30 families whose needs are not being met because of a temporary reduction
31 in monthly income below the entitled benefit payment level caused by
32 loss or reduction of wages or unemployment compensation benefits or
33 some other unforeseen circumstances. The amount of general assistance
34 authorized shall not exceed the difference between the entitled benefit
35 payment level and the amount of income actually received.

36 (c) General assistance shall be provided only to persons who are
37 not members of assistance units receiving federal aid assistance,
38 except as provided in subsection (6)(a)(ii)(A) and (b) of this section,

1 and will accept available services which can reasonably be expected to
2 enable the person to work or reduce the need for assistance unless
3 there is good cause to refuse. Failure to accept such services shall
4 result in termination until the person agrees to cooperate in accepting
5 such services and subject to the following maximum periods of
6 ineligibility after reapplication:

7 (i) First failure: One week;

8 (ii) Second failure within six months: One month;

9 (iii) Third and subsequent failure within one year: Two months.

10 (d) Persons found eligible for general assistance based on
11 incapacity from gainful employment may, if otherwise eligible, receive
12 general assistance pending application for federal supplemental
13 security income benefits. Any general assistance that is subsequently
14 duplicated by the person's receipt of supplemental security income for
15 the same period shall be considered a debt due the state and shall by
16 operation of law be subject to recovery through all available legal
17 remedies.

18 (e) The department shall adopt by rule medical criteria for general
19 assistance eligibility to ensure that eligibility decisions are
20 consistent with statutory requirements and are based on clear,
21 objective medical information.

22 (f) The process implementing the medical criteria shall involve
23 consideration of opinions of the treating or consulting physicians or
24 health care professionals regarding incapacity, and any eligibility
25 decision which rejects uncontroverted medical opinion must set forth
26 clear and convincing reasons for doing so.

27 (g) Recipients of general assistance based upon a finding of
28 incapacity from gainful employment who remain otherwise eligible shall
29 have their benefits discontinued unless the recipient demonstrates no
30 material improvement in their medical or mental condition. The
31 department may discontinue benefits when there was specific error in
32 the prior determination that found the recipient eligible by reason of
33 incapacitation. Recipients of general assistance based upon pregnancy
34 who relinquish their child for adoption, remain otherwise eligible, and
35 are not eligible to receive benefits under the federal temporary
36 assistance for needy families program shall not have their benefits
37 terminated until the end of the month in which the period of six weeks
38 following the birth of the recipient's child falls. Recipients of the

1 ~~federal temporary assistance for needy families program who lose their~~
2 ~~eligibility solely because of the birth and relinquishment of the~~
3 ~~qualifying child may receive general assistance through the end of the~~
4 ~~month in which the period of six weeks following the birth of the child~~
5 ~~falls.~~

6 ~~(h) No person may be considered an eligible individual for general~~
7 ~~assistance with respect to any month if during that month the person:~~

8 ~~(i) Is fleeing to avoid prosecution of, or to avoid custody or~~
9 ~~confinement for conviction of, a felony, or an attempt to commit a~~
10 ~~felony, under the laws of the state of Washington or the place from~~
11 ~~which the person flees; or~~

12 ~~(ii) Is violating a condition of probation, community supervision,~~
13 ~~or parole imposed under federal or state law for a felony or gross~~
14 ~~misdemeanor conviction.~~

15 ~~(7))~~ (8) "Applicant"--Any person who has made a request, or on
16 behalf of whom a request has been made, to any county or local office
17 for assistance.

18 ~~((8))~~ (9) "Recipient"--Any person receiving assistance and in
19 addition those dependents whose needs are included in the recipient's
20 assistance.

21 ~~((9))~~ (10) "Standards of assistance"--The level of income
22 required by an applicant or recipient to maintain a level of living
23 specified by the department.

24 ~~((10))~~ (11) "Resource"--Any asset, tangible or intangible, owned
25 by or available to the applicant at the time of application, which can
26 be applied toward meeting the applicant's need, either directly or by
27 conversion into money or its equivalent. The department may by rule
28 designate resources that an applicant may retain and not be ineligible
29 for public assistance because of such resources. Exempt resources
30 shall include, but are not limited to:

31 (a) A home that an applicant, recipient, or their dependents is
32 living in, including the surrounding property;

33 (b) Household furnishings and personal effects;

34 (c) A motor vehicle, other than a motor home, used and useful
35 having an equity value not to exceed five thousand dollars;

36 (d) A motor vehicle necessary to transport a ~~((physically~~
37 ~~disabled))~~ household member with a physical disability. This exclusion

1 is limited to one vehicle per (~~physically disabled~~) person with a
2 physical disability;

3 (e) All other resources, including any excess of values exempted,
4 not to exceed one thousand dollars or other limit as set by the
5 department, to be consistent with limitations on resources and
6 exemptions necessary for federal aid assistance. The department shall
7 also allow recipients of temporary assistance for needy families to
8 exempt savings accounts with combined balances of up to an additional
9 three thousand dollars;

10 (f) Applicants for or recipients of (~~general assistance~~)
11 disability lifeline benefits shall have their eligibility based on
12 resource limitations consistent with the temporary assistance for needy
13 families program rules adopted by the department; and

14 (g) If an applicant for or recipient of public assistance possesses
15 property and belongings in excess of the ceiling value, such value
16 shall be used in determining the need of the applicant or recipient,
17 except that: (i) The department may exempt resources or income when
18 the income and resources are determined necessary to the applicant's or
19 recipient's restoration to independence, to decrease the need for
20 public assistance, or to aid in rehabilitating the applicant or
21 recipient or a dependent of the applicant or recipient; and (ii) the
22 department may provide grant assistance for a period not to exceed nine
23 months from the date the agreement is signed pursuant to this section
24 to persons who are otherwise ineligible because of excess real property
25 owned by such persons when they are making a good faith effort to
26 dispose of that property: PROVIDED, That:

27 (A) The applicant or recipient signs an agreement to repay the
28 lesser of the amount of aid received or the net proceeds of such sale;

29 (B) If the owner of the excess property ceases to make good faith
30 efforts to sell the property, the entire amount of assistance may
31 become an overpayment and a debt due the state and may be recovered
32 pursuant to RCW 43.20B.630;

33 (C) Applicants and recipients are advised of their right to a fair
34 hearing and afforded the opportunity to challenge a decision that good
35 faith efforts to sell have ceased, prior to assessment of an
36 overpayment under this section; and

37 (D) At the time assistance is authorized, the department files a
38 lien without a sum certain on the specific property.

1 (~~(11)~~) (12) "Income"--(a) All appreciable gains in real or
2 personal property (cash or kind) or other assets, which are received by
3 or become available for use and enjoyment by an applicant or recipient
4 during the month of application or after applying for or receiving
5 public assistance. The department may by rule and regulation exempt
6 income received by an applicant for or recipient of public assistance
7 which can be used by him or her to decrease his or her need for public
8 assistance or to aid in rehabilitating him or her or his or her
9 dependents, but such exemption shall not, unless otherwise provided in
10 this title, exceed the exemptions of resources granted under this
11 chapter to an applicant for public assistance. In addition, for cash
12 assistance the department may disregard income pursuant to RCW
13 74.08A.230 and 74.12.350.

14 (b) If, under applicable federal requirements, the state has the
15 option of considering property in the form of lump sum compensatory
16 awards or related settlements received by an applicant or recipient as
17 income or as a resource, the department shall consider such property to
18 be a resource.

19 (~~(12)~~) (13) "Need"--The difference between the applicant's or
20 recipient's standards of assistance for himself or herself and the
21 dependent members of his or her family, as measured by the standards of
22 the department, and value of all nonexempt resources and nonexempt
23 income received by or available to the applicant or recipient and the
24 dependent members of his or her family.

25 (~~(13)~~) (14) For purposes of determining eligibility for public
26 assistance and participation levels in the cost of medical care, the
27 department shall exempt restitution payments made to people of Japanese
28 and Aleut ancestry pursuant to the Civil Liberties Act of 1988 and the
29 Aleutian and Pribilof Island Restitution Act passed by congress, P.L.
30 100-383, including all income and resources derived therefrom.

31 (~~(14)~~) (15) In the construction of words and phrases used in this
32 title, the singular number shall include the plural, the masculine
33 gender shall include both the feminine and neuter genders and the
34 present tense shall include the past and future tenses, unless the
35 context thereof shall clearly indicate to the contrary.

36 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.04 RCW
37 to read as follows:

1 REFERRAL TO THE DIVISION OF VOCATIONAL REHABILITATION. (1) The
2 economic services administration shall work jointly with the division
3 of vocational rehabilitation to develop an assessment tool that must be
4 used to determine whether the programs offered by the division of
5 vocational rehabilitation could assist persons receiving disability
6 lifeline benefits in returning to the work force. The assessment tool
7 shall be completed no later than December 1, 2010. The economic
8 services administration shall begin using the tool no later than
9 January 1, 2011. No later than December 30, 2011, the department shall
10 report on the use of the tool and to what extent the programs offered
11 by the division of vocational rehabilitation have been successful in
12 returning persons receiving disability lifeline benefits to the work
13 force.

14 (2) After January 1, 2011, all persons receiving disability
15 lifeline benefits shall be assessed to determine whether they would
16 likely benefit from a program offered by the division of vocational
17 rehabilitation. If the assessment indicates that the person might
18 benefit, the economic services administration shall make a referral to
19 the division of vocational rehabilitation. If the person is found
20 eligible for a program with the division of vocational rehabilitation,
21 he or she must participate in that program to remain eligible for the
22 monthly stipend and housing voucher or a cash grant. If the person
23 refuses to participate or does not complete the program, the department
24 shall terminate the cash stipend and housing voucher or cash grant but
25 may not terminate medical coverage and food benefits.

26 NEW SECTION. **Sec. 6.** A new section is added to chapter 74.04 RCW
27 to read as follows:

28 REFERRAL TO THE DEPARTMENT OF VETERANS AFFAIRS. During the
29 application process for disability lifeline benefits, the department
30 shall inquire of each applicant whether he or she has ever served in
31 the United States military service. If the applicant answers in the
32 affirmative, the department shall confer with a veterans benefit
33 specialist with the Washington state department of veterans affairs or
34 a contracted veterans service officer in the community to determine
35 whether the applicant is eligible for any benefits or programs offered
36 to veterans by either the state or the federal government.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 74.04 RCW
2 to read as follows:

3 EARLY SSI TRANSITION PROJECT. (1) To ensure that persons who are
4 likely eligible for supplemental security income benefits are
5 transitioned from disability lifeline benefits to disability lifeline
6 expedited and the medicaid program, and then to the supplemental
7 security income program as quickly as practicable, the department shall
8 implement the early supplemental security income transition project
9 starting in King, Pierce, and Spokane counties no later than July 1,
10 2010, and extending statewide no later than October 1, 2011. The
11 program shall be implemented through performance-based contracts with
12 managed health care systems providing medical care services under RCW
13 74.09.035 or other qualified entities. The participants shall have the
14 following responsibilities and duties under this program:

15 (a) The entities with whom the department contracts to provide the
16 program shall be responsible for:

17 (i) Systematically screening persons receiving disability lifeline
18 benefits at the point of eligibility determination or shortly
19 thereafter to determine if the persons should be referred for medical
20 or behavioral health evaluations to determine whether they are likely
21 eligible for supplemental security income;

22 (ii) Immediately sharing the results of the disability screening
23 with the department;

24 (iii) Managing disability lifeline incapacity evaluation
25 examinations to provide timely access to needed medical and behavioral
26 health evaluations and standardizing health care providers' conduct of
27 incapacity evaluations. To maximize the timeliness and efficiency of
28 incapacity evaluation examinations, the department must strongly
29 consider contracting with a managed health care system with a network
30 of health care providers that are trained and have agreed to conduct
31 disability lifeline medical and psychological incapacity and
32 recertification exams. The department may obtain medical evidence and
33 other relevant information from sources other than the contracted
34 entity if such evidence is available at the time of a person's
35 application for disability lifeline benefits and is sufficient to
36 support a determination that the person is incapacitated;

37 (iv) Maintaining a centralized appointment and clinical data
38 system; and

1 (v) Assisting persons receiving disability lifeline benefits with
2 obtaining additional medical or behavioral health examinations needed
3 to meet the disability standard for federal supplemental security
4 income benefits and with submission of applications for supplemental
5 security income benefits.

6 (b) The department shall be responsible for:

7 (i) Determining incapacity and eligibility for disability lifeline
8 benefits;

9 (ii) Making timely determinations that a person receiving
10 disability lifeline benefits is likely eligible for supplemental
11 security income based on medical evidence and other relevant
12 information provided by a contracted entity, and immediately referring
13 such persons to a contracted entity for services;

14 (iii) Developing standardized procedures for sharing data and
15 information with the contracted entities to ensure timely
16 identification of clients who have not been transferred to the
17 disability lifeline expedited program within four months of their date
18 of application, but who may, upon further review, be appropriately
19 transferred to that program;

20 (iv) Providing case management, in partnership with the managed
21 health care system or contracted entity, to support persons' transition
22 to federal supplemental security income and medicaid benefits; and

23 (v) Identifying a savings determination methodology, in
24 consultation with the contracted entities, the office of financial
25 management, and the legislature, on or before implementation of the
26 project.

27 (2) Early supplemental security income transition project contracts
28 shall include the following performance goals:

29 (a) Persons receiving disability lifeline benefits should be
30 screened within thirty days of entering the program to determine the
31 propriety of their transfer to the disability lifeline expedited
32 program; and

33 (b) Seventy-five percent of persons receiving disability lifeline
34 benefits that appear likely to qualify for supplemental security income
35 benefits shall be transferred to the disability lifeline expedited
36 program within four months of their application for disability lifeline
37 benefits.

1 (3) The initial focus of the efforts of the early supplemental
2 security income transition project shall be on persons who have been
3 receiving disability lifeline or general assistance unemployable
4 benefits for twelve or more months as of September 1, 2010.

5 (4) No later than December 1, 2011, the department shall report to
6 the governor and appropriate policy and fiscal committees on whether
7 the early supplemental security income transition project performance
8 goals in subsection (2) of this section were met, including the reasons
9 those goals were or were not met.

10 (5) Pursuant to RCW 41.06.142(3), performance-based contracting
11 under this section is expressly mandated by the legislature and is not
12 subject to the processes set forth in RCW 41.06.142 (1), (4), and (5).

13 The statewide expansion of the program under this section shall be
14 considered expressly mandated by the legislature and not be subject to
15 the provisions of RCW 41.06.142 (1), (4), and (5).

16 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.330 RCW
17 to read as follows:

18 **DISABILITY LIFELINE HOUSING VOUCHER PROGRAM.** (1) To address the
19 housing issues faced by the disability lifeline applicants in RCW
20 74.04.005(5)(b), the department of commerce and the department of
21 social and health services shall jointly develop a housing voucher
22 program. The departments also shall develop housing resources to be
23 used by the applicants in RCW 74.04.005(5)(b). To the greatest extent
24 possible, the housing resources shall follow the supportive housing
25 model. The department of commerce shall administer the housing voucher
26 program and shall:

27 (a) Identify the current supply of private and public housing
28 including acquisition and rental of existing housing stock;

29 (b) Develop funding strategies for the development of housing
30 resources; and

31 (c) Design the voucher program to maximize the ability of the
32 department of social and health services to recover federal funding.

33 (2) If the department of commerce determines that the housing
34 supply is inadequate to meet the need for those applicants qualifying
35 for housing vouchers under RCW 74.04.005(5)(b), those applicants shall
36 instead receive a cash grant administered by the department of social
37 and health services. Upon the department of commerce's determination

1 that the housing supply is adequate to meet the needs of the applicants
2 in RCW 74.04.005(5)(b), housing vouchers rather than cash grants shall
3 be issued to these applicants who apply on or after the department's
4 determination.

5 (3) The department of commerce and the department of social and
6 health services shall evaluate the impact of the use of housing
7 vouchers under this section and report to the governor and relevant
8 policy and fiscal committees of the legislature by November 30, 2012,
9 on the following items:

10 (a) The supply, affordability, appropriateness, and use of stable
11 housing;

12 (b) The following outcomes for persons receiving disability
13 lifeline housing vouchers:

14 (i) Participation in and completion of chemical dependency or
15 mental health treatment;

16 (ii) Contact with law enforcement, including arrest and conviction
17 data;

18 (iii) Use of emergency room services; and

19 (iv) Involuntary commitment under chapter 71.05 RCW.

20 ***NEW SECTION. Sec. 9. A new section is added to chapter 70.47 RCW**
21 **to read as follows:**

22 **BASIC HEALTH PLAN ENROLLMENT. In order to ensure continuity of**
23 **health care coverage and avoid deterioration in health status, persons**
24 **who have lost eligibility for disability lifeline benefits under RCW**
25 **74.04.005(5) due to improvement in their health status and who are**
26 **eligible for subsidized basic health coverage shall be given priority**
27 **for enrollment in the basic health plan. If the administrator closes**
28 **or limits subsidized enrollment, to the extent funding is available,**
29 **the basic health plan must continue to accept and process applications**
30 **for subsidized enrollment from persons described in this section.**
31 ****Sec. 9 was vetoed. See message at end of chapter.***

32 **NEW SECTION. Sec. 10. A new section is added to chapter 70.96A**
33 **RCW to read as follows:**

34 **ACCESS TO CHEMICAL DEPENDENCY TREATMENT. If an assessment by a**
35 **certified chemical dependency counselor indicates a need for drug or**
36 **alcohol treatment, in order to enable a person receiving disability**
lifeline benefits to improve his or her health status and transition

1 from disability lifeline benefits to employment, or transition to
2 federal disability benefits, the person must be given high priority for
3 enrollment in treatment, within funds appropriated for that treatment.
4 However, first priority for receipt of treatment services must be given
5 to pregnant women and parents of young children. This section expires
6 June 30, 2013. Persons who are terminated from disability lifeline
7 benefits under RCW 74.04.005(5)(h) and are actively engaged in chemical
8 dependency treatment during the month they are terminated shall be
9 provided the opportunity to complete their current course of treatment.

10 NEW SECTION. **Sec. 11.** A new section is added to chapter 74.04 RCW
11 to read as follows:

12 By December 1, 2012, the Washington state institute for public
13 policy shall submit a report to the governor and the relevant policy
14 and fiscal committees of the legislature that:

15 (1) Analyzes the experience of persons who have been terminated
16 from disability lifeline benefits pursuant to RCW 74.04.005(5). The
17 report shall include at least the following information:

18 (a) The number of persons terminated from the program who
19 transition to supplemental security income benefits;

20 (b) The number of persons who become employed;

21 (c) The rate at which the affected persons use hospital emergency
22 room services;

23 (d) The number of persons involuntarily committed under chapter
24 71.05 RCW;

25 (e) The number of persons arrested or convicted of criminal
26 offenses; and

27 (f) The mortality rate of the affected persons; and

28 (2) Reports as to whether the case review standards and early
29 supplemental security income transition project performance goals in
30 RCW 74.04.005(5) have been met by the department.

31 **Sec. 12.** RCW 10.101.010 and 1998 c 79 s 2 are each amended to read
32 as follows:

33 The following definitions shall be applied in connection with this
34 chapter:

35 (1) "Indigent" means a person who, at any stage of a court
36 proceeding, is:

1 (a) Receiving one of the following types of public assistance:
2 Temporary assistance for needy families, (~~general assistance~~)
3 disability lifeline benefits, poverty-related veterans' benefits, food
4 stamps or food stamp benefits transferred electronically, refugee
5 resettlement benefits, medicaid, or supplemental security income; or

6 (b) Involuntarily committed to a public mental health facility; or

7 (c) Receiving an annual income, after taxes, of one hundred twenty-
8 five percent or less of the current federally established poverty
9 level; or

10 (d) Unable to pay the anticipated cost of counsel for the matter
11 before the court because his or her available funds are insufficient to
12 pay any amount for the retention of counsel.

13 (2) "Indigent and able to contribute" means a person who, at any
14 stage of a court proceeding, is unable to pay the anticipated cost of
15 counsel for the matter before the court because his or her available
16 funds are less than the anticipated cost of counsel but sufficient for
17 the person to pay a portion of that cost.

18 (3) "Anticipated cost of counsel" means the cost of retaining
19 private counsel for representation on the matter before the court.

20 (4) "Available funds" means liquid assets and disposable net
21 monthly income calculated after provision is made for bail obligations.
22 For the purpose of determining available funds, the following
23 definitions shall apply:

24 (a) "Liquid assets" means cash, savings accounts, bank accounts,
25 stocks, bonds, certificates of deposit, equity in real estate, and
26 equity in motor vehicles. A motor vehicle necessary to maintain
27 employment and having a market value not greater than three thousand
28 dollars shall not be considered a liquid asset.

29 (b) "Income" means salary, wages, interest, dividends, and other
30 earnings which are reportable for federal income tax purposes, and cash
31 payments such as reimbursements received from pensions, annuities,
32 social security, and public assistance programs. It includes any
33 contribution received from any family member or other person who is
34 domiciled in the same residence as the defendant and who is helping to
35 defray the defendant's basic living costs.

36 (c) "Disposable net monthly income" means the income remaining each
37 month after deducting federal, state, or local income taxes, social

1 security taxes, contributory retirement, union dues, and basic living
2 costs.

3 (d) "Basic living costs" means the average monthly amount spent by
4 the defendant for reasonable payments toward living costs, such as
5 shelter, food, utilities, health care, transportation, clothing, loan
6 payments, support payments, and court-imposed obligations.

7 **Sec. 13.** RCW 13.34.030 and 2009 c 520 s 21 and 2009 c 397 s 1 are
8 each reenacted and amended to read as follows:

9 For purposes of this chapter:

10 (1) "Abandoned" means when the child's parent, guardian, or other
11 custodian has expressed, either by statement or conduct, an intent to
12 forego, for an extended period, parental rights or responsibilities
13 despite an ability to exercise such rights and responsibilities. If
14 the court finds that the petitioner has exercised due diligence in
15 attempting to locate the parent, no contact between the child and the
16 child's parent, guardian, or other custodian for a period of three
17 months creates a rebuttable presumption of abandonment, even if there
18 is no expressed intent to abandon.

19 (2) "Child" and "juvenile" means any individual under the age of
20 eighteen years.

21 (3) "Current placement episode" means the period of time that
22 begins with the most recent date that the child was removed from the
23 home of the parent, guardian, or legal custodian for purposes of
24 placement in out-of-home care and continues until: (a) The child
25 returns home; (b) an adoption decree, a permanent custody order, or
26 guardianship order is entered; or (c) the dependency is dismissed,
27 whichever occurs first.

28 (4) "Department" means the department of social and health
29 services.

30 (5) "Dependency guardian" means the person, nonprofit corporation,
31 or Indian tribe appointed by the court pursuant to this chapter for the
32 limited purpose of assisting the court in the supervision of the
33 dependency.

34 (6) "Dependent child" means any child who:

35 (a) Has been abandoned;

36 (b) Is abused or neglected as defined in chapter 26.44 RCW by a
37 person legally responsible for the care of the child; or

1 (c) Has no parent, guardian, or custodian capable of adequately
2 caring for the child, such that the child is in circumstances which
3 constitute a danger of substantial damage to the child's psychological
4 or physical development.

5 (7) "Developmental disability" means a disability attributable to
6 mental retardation, cerebral palsy, epilepsy, autism, or another
7 neurological or other condition of an individual found by the secretary
8 to be closely related to mental retardation or to require treatment
9 similar to that required for individuals with mental retardation, which
10 disability originates before the individual attains age eighteen, which
11 has continued or can be expected to continue indefinitely, and which
12 constitutes a substantial handicap to the individual.

13 (8) "Guardian" means the person or agency that: (a) Has been
14 appointed as the guardian of a child in a legal proceeding other than
15 a proceeding under this chapter; and (b) has the legal right to custody
16 of the child pursuant to such appointment. The term "guardian" shall
17 not include a "dependency guardian" appointed pursuant to a proceeding
18 under this chapter.

19 (9) "Guardian ad litem" means a person, appointed by the court to
20 represent the best interests of a child in a proceeding under this
21 chapter, or in any matter which may be consolidated with a proceeding
22 under this chapter. A "court-appointed special advocate" appointed by
23 the court to be the guardian ad litem for the child, or to perform
24 substantially the same duties and functions as a guardian ad litem,
25 shall be deemed to be guardian ad litem for all purposes and uses of
26 this chapter.

27 (10) "Guardian ad litem program" means a court-authorized volunteer
28 program, which is or may be established by the superior court of the
29 county in which such proceeding is filed, to manage all aspects of
30 volunteer guardian ad litem representation for children alleged or
31 found to be dependent. Such management shall include but is not
32 limited to: Recruitment, screening, training, supervision, assignment,
33 and discharge of volunteers.

34 (11) "Housing assistance" means appropriate referrals by the
35 department or other supervising agencies to federal, state, local, or
36 private agencies or organizations, assistance with forms, applications,
37 or financial subsidies or other monetary assistance for housing. For

1 purposes of this chapter, "housing assistance" is not a remedial
2 service or time-limited family reunification service as described in
3 RCW 13.34.025(2).

4 (12) "Indigent" means a person who, at any stage of a court
5 proceeding, is:

6 (a) Receiving one of the following types of public assistance:
7 Temporary assistance for needy families, (~~general—assistance~~)
8 disability lifeline benefits, poverty-related veterans' benefits, food
9 stamps or food stamp benefits transferred electronically, refugee
10 resettlement benefits, medicaid, or supplemental security income; or

11 (b) Involuntarily committed to a public mental health facility; or

12 (c) Receiving an annual income, after taxes, of one hundred twenty-
13 five percent or less of the federally established poverty level; or

14 (d) Unable to pay the anticipated cost of counsel for the matter
15 before the court because his or her available funds are insufficient to
16 pay any amount for the retention of counsel.

17 (13) "Out-of-home care" means placement in a foster family home or
18 group care facility licensed pursuant to chapter 74.15 RCW or placement
19 in a home, other than that of the child's parent, guardian, or legal
20 custodian, not required to be licensed pursuant to chapter 74.15 RCW.

21 (14) "Preventive services" means preservation services, as defined
22 in chapter 74.14C RCW, and other reasonably available services,
23 including housing assistance, capable of preventing the need for out-
24 of-home placement while protecting the child.

25 (15) "Shelter care" means temporary physical care in a facility
26 licensed pursuant to RCW 74.15.030 or in a home not required to be
27 licensed pursuant to RCW 74.15.030.

28 (16) "Sibling" means a child's birth brother, birth sister,
29 adoptive brother, adoptive sister, half-brother, or half-sister, or as
30 defined by the law or custom of the Indian child's tribe for an Indian
31 child as defined in 25 U.S.C. Sec. 1903(4).

32 (17) "Social study" means a written evaluation of matters relevant
33 to the disposition of the case and shall contain the following
34 information:

35 (a) A statement of the specific harm or harms to the child that
36 intervention is designed to alleviate;

37 (b) A description of the specific services and activities, for both
38 the parents and child, that are needed in order to prevent serious harm

1 to the child; the reasons why such services and activities are likely
2 to be useful; the availability of any proposed services; and the
3 agency's overall plan for ensuring that the services will be delivered.
4 The description shall identify the services chosen and approved by the
5 parent;

6 (c) If removal is recommended, a full description of the reasons
7 why the child cannot be protected adequately in the home, including a
8 description of any previous efforts to work with the parents and the
9 child in the home; the in-home treatment programs that have been
10 considered and rejected; the preventive services, including housing
11 assistance, that have been offered or provided and have failed to
12 prevent the need for out-of-home placement, unless the health, safety,
13 and welfare of the child cannot be protected adequately in the home;
14 and the parents' attitude toward placement of the child;

15 (d) A statement of the likely harms the child will suffer as a
16 result of removal;

17 (e) A description of the steps that will be taken to minimize the
18 harm to the child that may result if separation occurs including an
19 assessment of the child's relationship and emotional bond with any
20 siblings, and the agency's plan to provide ongoing contact between the
21 child and the child's siblings if appropriate; and

22 (f) Behavior that will be expected before determination that
23 supervision of the family or placement is no longer necessary.

24 (18) "Supervising agency" means an agency licensed by the state
25 under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 with whom
26 the department has entered into a performance-based contract to provide
27 child welfare services as defined in RCW 74.13.020.

28 **Sec. 14.** RCW 26.19.071 and 2009 c 84 s 3 are each amended to read
29 as follows:

30 (1) **Consideration of all income.** All income and resources of each
31 parent's household shall be disclosed and considered by the court when
32 the court determines the child support obligation of each parent. Only
33 the income of the parents of the children whose support is at issue
34 shall be calculated for purposes of calculating the basic support
35 obligation. Income and resources of any other person shall not be
36 included in calculating the basic support obligation.

1 (2) **Verification of income.** Tax returns for the preceding two
2 years and current paystubs shall be provided to verify income and
3 deductions. Other sufficient verification shall be required for income
4 and deductions which do not appear on tax returns or paystubs.

5 (3) **Income sources included in gross monthly income.** Except as
6 specifically excluded in subsection (4) of this section, monthly gross
7 income shall include income from any source, including:

- 8 (a) Salaries;
- 9 (b) Wages;
- 10 (c) Commissions;
- 11 (d) Deferred compensation;
- 12 (e) Overtime, except as excluded for income in subsection (4)(h) of
13 this section;
- 14 (f) Contract-related benefits;
- 15 (g) Income from second jobs, except as excluded for income in
16 subsection (4)(h) of this section;
- 17 (h) Dividends;
- 18 (i) Interest;
- 19 (j) Trust income;
- 20 (k) Severance pay;
- 21 (l) Annuities;
- 22 (m) Capital gains;
- 23 (n) Pension retirement benefits;
- 24 (o) Workers' compensation;
- 25 (p) Unemployment benefits;
- 26 (q) Maintenance actually received;
- 27 (r) Bonuses;
- 28 (s) Social security benefits;
- 29 (t) Disability insurance benefits; and
- 30 (u) Income from self-employment, rent, royalties, contracts,
31 proprietorship of a business, or joint ownership of a partnership or
32 closely held corporation.

33 (4) **Income sources excluded from gross monthly income.** The
34 following income and resources shall be disclosed but shall not be
35 included in gross income:

- 36 (a) Income of a new spouse or new domestic partner or income of
37 other adults in the household;
- 38 (b) Child support received from other relationships;

- 1 (c) Gifts and prizes;
- 2 (d) Temporary assistance for needy families;
- 3 (e) Supplemental security income;
- 4 (f) (~~General assistance~~) Disability lifeline benefits;
- 5 (g) Food stamps; and
- 6 (h) Overtime or income from second jobs beyond forty hours per week
- 7 averaged over a twelve-month period worked to provide for a current
- 8 family's needs, to retire past relationship debts, or to retire child
- 9 support debt, when the court finds the income will cease when the party
- 10 has paid off his or her debts.

11 Receipt of income and resources from temporary assistance for needy
12 families, supplemental security income, (~~general — assistance~~)
13 disability lifeline benefits, and food stamps shall not be a reason to
14 deviate from the standard calculation.

15 (5) **Determination of net income.** The following expenses shall be
16 disclosed and deducted from gross monthly income to calculate net
17 monthly income:

- 18 (a) Federal and state income taxes;
- 19 (b) Federal insurance contributions act deductions;
- 20 (c) Mandatory pension plan payments;
- 21 (d) Mandatory union or professional dues;
- 22 (e) State industrial insurance premiums;
- 23 (f) Court-ordered maintenance to the extent actually paid;
- 24 (g) Up to five thousand dollars per year in voluntary retirement
- 25 contributions actually made if the contributions show a pattern of
- 26 contributions during the one-year period preceding the action
- 27 establishing the child support order unless there is a determination
- 28 that the contributions were made for the purpose of reducing child
- 29 support; and
- 30 (h) Normal business expenses and self-employment taxes for self-
- 31 employed persons. Justification shall be required for any business
- 32 expense deduction about which there is disagreement.

33 Items deducted from gross income under this subsection shall not be
34 a reason to deviate from the standard calculation.

35 (6) **Imputation of income.** The court shall impute income to a
36 parent when the parent is voluntarily unemployed or voluntarily
37 underemployed. The court shall determine whether the parent is
38 voluntarily underemployed or voluntarily unemployed based upon that

1 parent's work history, education, health, and age, or any other
2 relevant factors. A court shall not impute income to a parent who is
3 gainfully employed on a full-time basis, unless the court finds that
4 the parent is voluntarily underemployed and finds that the parent is
5 purposely underemployed to reduce the parent's child support
6 obligation. Income shall not be imputed for an unemployable parent.
7 Income shall not be imputed to a parent to the extent the parent is
8 unemployed or significantly underemployed due to the parent's efforts
9 to comply with court-ordered reunification efforts under chapter 13.34
10 RCW or under a voluntary placement agreement with an agency supervising
11 the child. In the absence of records of a parent's actual earnings,
12 the court shall impute a parent's income in the following order of
13 priority:

14 (a) Full-time earnings at the current rate of pay;

15 (b) Full-time earnings at the historical rate of pay based on
16 reliable information, such as employment security department data;

17 (c) Full-time earnings at a past rate of pay where information is
18 incomplete or sporadic;

19 (d) Full-time earnings at minimum wage in the jurisdiction where
20 the parent resides if the parent has a recent history of minimum wage
21 earnings, is recently coming off public assistance, (~~general~~
22 ~~assistance-unemployable~~) disability_lifeline_benefits, supplemental
23 security income, or disability, has recently been released from
24 incarceration, or is a high school student;

25 (e) Median net monthly income of year-round full-time workers as
26 derived from the United States bureau of census, current population
27 reports, or such replacement report as published by the bureau of
28 census.

29 **Sec. 15.** RCW 31.04.540 and 2009 c 149 s 8 are each amended to read
30 as follows:

31 (1) To the extent that implementation of this section does not
32 conflict with federal law resulting in the loss of federal funding,
33 proprietary reverse mortgage loan advances made to a borrower must be
34 treated as proceeds from a loan and not as income for the purpose of
35 determining eligibility and benefits under means-tested programs of aid
36 to individuals.

1 (2) Undisbursed reverse mortgage funds must be treated as equity in
2 the borrower's home and not as proceeds from a loan, resources, or
3 assets for the purpose of determining eligibility and benefits under
4 means-tested programs of aid to individuals.

5 (3) This section applies to any law or program relating to
6 payments, allowances, benefits, or services provided on a means-tested
7 basis by this state including, but not limited to, optional state
8 supplements to the federal supplemental security income program, low-
9 income energy assistance, property tax relief, (~~general assistance~~)
10 disability lifeline benefits, and medical assistance only to the extent
11 this section does not conflict with Title 19 of the federal social
12 security act.

13 **Sec. 16.** RCW 70.123.110 and 1997 c 59 s 9 are each amended to read
14 as follows:

15 (~~General assistance~~) Disability lifeline benefits or temporary
16 assistance for needy families payments shall be made to otherwise
17 eligible individuals who are residing in a secure shelter, a housing
18 network or other shelter facility which provides shelter services to
19 persons who are victims of domestic violence. Provisions shall be made
20 by the department for the confidentiality of the shelter addresses
21 where victims are residing.

22 **Sec. 17.** RCW 73.08.005 and 2009 c 35 s 1 are each amended to read
23 as follows:

24 The definitions in this section apply throughout this chapter
25 unless the context clearly requires otherwise.

26 (1) "Direct costs" includes those allowable costs that can be
27 readily assigned to the statutory objectives of this chapter,
28 consistent with the cost principles promulgated by the federal office
29 of management and budget in circular No. A-87, dated May 10, 2004.

30 (2) "Family" means the spouse or domestic partner, surviving
31 spouse, surviving domestic partner, and dependent children of a living
32 or deceased veteran.

33 (3) "Indigent" means a person who is defined as such by the county
34 legislative authority using one or more of the following definitions:

35 (a) Receiving one of the following types of public assistance:
36 Temporary assistance for needy families, (~~general assistance~~)

1 disability lifeline benefits, poverty-related veterans' benefits, food
2 stamps or food stamp benefits transferred electronically, refugee
3 resettlement benefits, medicaid, or supplemental security income;

4 (b) Receiving an annual income, after taxes, of up to one hundred
5 fifty percent or less of the current federally established poverty
6 level, or receiving an annual income not exceeding a higher qualifying
7 income established by the county legislative authority; or

8 (c) Unable to pay reasonable costs for shelter, food, utilities,
9 and transportation because his or her available funds are insufficient.

10 (4) "Indirect costs" includes those allowable costs that are
11 generally associated with carrying out the statutory objectives of this
12 chapter, but the identification and tracking of those costs cannot be
13 readily assigned to a specific statutory objective without an
14 accounting effort that is disproportionate to the benefit received. A
15 county legislative authority may allocate allowable indirect costs to
16 its veterans' assistance fund if it is accomplished in a manner
17 consistent with the cost principles promulgated by the federal office
18 of management and budget in circular No. A-87, dated May 10, 2004.

19 (5) "Veteran" has the same meaning as defined in RCW 41.04.005 and
20 41.04.007, and includes a current member of the national guard or armed
21 forces reserves who has been deployed to serve in an armed conflict.

22 (6) "Veterans' advisory board" means a board established by a
23 county legislative authority under the authority of RCW 73.08.035.

24 (7) "Veterans' assistance fund" means an account in the custody of
25 the county auditor, or the chief financial officer in a county
26 operating under a charter, that is funded by taxes levied under the
27 authority of RCW 73.08.080.

28 (8) "Veterans' assistance program" means a program approved by the
29 county legislative authority under the authority of RCW 73.08.010 that
30 is fully or partially funded by the veterans' assistance fund
31 authorized by RCW 73.08.080.

32 **Sec. 18.** RCW 74.04.0052 and 1997 c 58 s 502 are each amended to
33 read as follows:

34 (1) The department shall determine, after consideration of all
35 relevant factors and in consultation with the applicant, the most
36 appropriate living situation for applicants under eighteen years of
37 age, unmarried, and pregnant who are eligible for (~~general assistance~~

1 as — defined — in — RCW — 74.04.005(6)(a)(ii)(A)) disability lifeline
2 benefits. An appropriate living situation shall include a place of
3 residence that is maintained by the applicant's parents, parent, legal
4 guardian, or other adult relative as their or his or her own home and
5 that the department finds would provide an appropriate supportive
6 living arrangement. It also includes a living situation maintained by
7 an agency that is licensed under chapter 74.15 RCW that the department
8 finds would provide an appropriate supportive living arrangement.
9 Grant assistance shall not be provided under this chapter if the
10 applicant does not reside in the most appropriate living situation, as
11 determined by the department.

12 (2) A pregnant minor residing in the most appropriate living
13 situation, as provided under subsection (1) of this section, is
14 presumed to be unable to manage adequately the funds paid to the minor
15 or on behalf of the dependent child or children and, unless the minor
16 provides sufficient evidence to rebut the presumption, shall be subject
17 to the protective payee requirements provided for under RCW 74.12.250
18 and 74.08.280.

19 (3) The department shall consider any statements or opinions by
20 either parent of the unmarried minor parent or pregnant minor applicant
21 as to an appropriate living situation for the minor, whether in the
22 parental home or other situation. If the parents or a parent of the
23 minor request, they or he or she shall be entitled to a hearing in
24 juvenile court regarding designation of the parental home or other
25 relative placement as the most appropriate living situation for the
26 pregnant or parenting minor.

27 The department shall provide the parents or parent with the
28 opportunity to make a showing that the parental home, or home of the
29 other relative placement, is the most appropriate living situation. It
30 shall be presumed in any administrative or judicial proceeding
31 conducted under this subsection that the parental home or other
32 relative placement requested by the parents or parent is the most
33 appropriate living situation. This presumption is rebuttable.

34 (4) In cases in which the minor is unmarried and unemployed, the
35 department shall, as part of the determination of the appropriate
36 living situation, provide information about adoption including referral
37 to community-based organizations providing counseling.

1 (5) For the purposes of this section, "most appropriate living
2 situation" shall not include a living situation including an adult male
3 who fathered the qualifying child and is found to meet the elements of
4 rape of a child as set forth in RCW 9A.44.079.

5 **Sec. 19.** RCW 74.04.120 and 1979 c 141 s 301 are each amended to
6 read as follows:

7 Allocations of state and federal funds shall be made upon the basis
8 of need within the respective counties as disclosed by the quarterly
9 budgets, considered in conjunction with revenues available for the
10 satisfaction of that need: PROVIDED, That in preparing his quarterly
11 budget for federal aid assistance, the administrator shall include the
12 aggregate of the individual case load approved by the department to
13 date on the basis of need and the secretary shall approve and allocate
14 an amount sufficient to service the aggregate case load as included in
15 said budget, and in the event any portion of the budgeted case load
16 cannot be serviced with moneys available for the particular category
17 for which an application is made the committee may on the
18 administrator's request authorize the transfer of sufficient (~~general~~
19 ~~assistance~~) disability lifeline program funds to the appropriation for
20 such category to service such case load and secure the benefit of
21 federal matching funds.

22 **Sec. 20.** RCW 74.04.230 and 1982 c 204 s 16 are each amended to
23 read as follows:

24 Persons eligible for (~~general assistance under RCW 74.04.005~~)
25 disability lifeline benefits are eligible for mental health services to
26 the extent that they meet the client definitions and priorities
27 established by chapter 71.24 RCW.

28 **Sec. 21.** RCW 74.04.266 and 1977 ex.s. c 215 s 1 are each amended
29 to read as follows:

30 In determining need for (~~general assistance for unemployable~~
31 ~~persons as defined in RCW 74.04.005(6)(a)~~) disability lifeline
32 benefits, the department may by rule and regulation establish a monthly
33 earned income exemption in an amount not to exceed the exemption
34 allowable under disability programs authorized in Title XVI of the
35 federal social security act.

1 **Sec. 22.** RCW 74.04.620 and 1983 1st ex.s. c 41 s 37 are each
2 amended to read as follows:

3 (1) The department is authorized to establish a program of state
4 supplementation to the national program of supplemental security income
5 consistent with Public Law 92-603 and Public Law 93-66 to those persons
6 who are in need thereof in accordance with eligibility requirements
7 established by the department.

8 (2) The department is authorized to establish reasonable standards
9 of assistance and resource and income exemptions specifically for such
10 program of state supplementation which shall be consistent with the
11 provisions of the Social Security Act.

12 (3) The department is authorized to make payments to applicants for
13 supplemental security income, pursuant to agreements as provided in
14 Public Law 93-368, who are otherwise eligible for (~~general~~
15 ~~assistance~~) disability lifeline benefits.

16 (4) Any agreement between the department and a supplemental
17 security income applicant providing for the reimbursement of interim
18 assistance to the department shall provide, if the applicant has been
19 represented by an attorney, that twenty-five percent of the
20 reimbursement received shall be withheld by the department and all or
21 such portion thereof as has been approved as a fee by the United States
22 department of health and human services shall be released directly to
23 the applicant's attorney. The secretary may maintain such records as
24 are deemed appropriate to measure the cost and effectiveness of such
25 agreements and may make recommendations concerning the continued use of
26 such agreements to the legislature.

27 **Sec. 23.** RCW 74.04.770 and 1997 c 59 s 11 are each amended to read
28 as follows:

29 The department shall establish consolidated standards of need each
30 fiscal year which may vary by geographical areas, program, and family
31 size, for temporary assistance for needy families, refugee assistance,
32 supplemental security income, and (~~general-assistance~~) disability
33 lifeline benefits. Standards for temporary assistance for needy
34 families, refugee assistance, and (~~general-assistance~~) disability
35 lifeline benefits shall be based on studies of actual living costs and
36 generally recognized inflation indices and shall include reasonable
37 allowances for shelter, fuel, food, transportation, clothing, household

1 maintenance and operations, personal maintenance, and necessary
2 incidentals. The standard of need may take into account the economies
3 of joint living arrangements, but unless explicitly required by federal
4 statute, there shall not be proration of any portion of assistance
5 grants unless the amount of the grant standard is equal to the standard
6 of need.

7 The department is authorized to establish rateable reductions and
8 grant maximums consistent with federal law.

9 Payment level will be equal to need or a lesser amount if rateable
10 reductions or grant maximums are imposed. In no case shall a recipient
11 of supplemental security income receive a state supplement less than
12 the minimum required by federal law.

13 The department may establish a separate standard for shelter
14 provided at no cost.

15 **Sec. 24.** RCW 74.08.043 and 1981 1st ex.s. c 6 s 12 are each
16 amended to read as follows:

17 In determining the living requirements of otherwise eligible
18 applicants and recipients of supplemental security income and (~~general~~
19 ~~assistance~~) disability lifeline benefits, the department is authorized
20 to consider the need for personal and special care and supervision due
21 to physical and mental conditions.

22 **Sec. 25.** RCW 74.08.278 and 1979 c 141 s 327 are each amended to
23 read as follows:

24 In order to comply with federal statutes and regulations pertaining
25 to federal matching funds and to provide for the prompt payment of
26 initial grants and adjusting payments of grants the secretary is
27 authorized to make provisions for the cash payment of assistance by the
28 secretary or county administrators by the establishment of a central
29 operating fund. The secretary may establish such a fund with the
30 approval of the state auditor from moneys appropriated to the
31 department for the payment of (~~general—assistance~~) disability
32 lifeline benefits in a sum not to exceed one million dollars. Such
33 funds shall be deposited as agreed upon by the secretary and the state
34 auditor in accordance with the laws regulating the deposits of public
35 funds. Such security shall be required of the depository in connection
36 with the fund as the state treasurer may prescribe. Moneys remaining

1 in the fund shall be returned to the general fund at the end of the
2 biennium, or an accounting of proper expenditures from the fund shall
3 be made to the state auditor. All expenditures from such central
4 operating fund shall be reimbursed out of and charged to the proper
5 program appropriated by the use of such forms and vouchers as are
6 approved by the secretary of the department and the state auditor.
7 Expenditures from such fund shall be audited by the director of
8 financial management and the state auditor from time to time and a
9 report shall be made by the state auditor and the secretary as are
10 required by law.

11 **Sec. 26.** RCW 74.08.335 and 1997 c 59 s 13 are each amended to read
12 as follows:

13 Temporary assistance for needy families and (~~general assistance~~)
14 disability lifeline benefits shall not be granted to any person who has
15 made an assignment or transfer of property for the purpose of rendering
16 himself or herself eligible for the assistance. There is a rebuttable
17 presumption that a person who has transferred or transfers any real or
18 personal property or any interest in property within two years of the
19 date of application for the assistance without receiving adequate
20 monetary consideration therefor, did so for the purpose of rendering
21 himself or herself eligible for the assistance. Any person who
22 transfers property for the purpose of rendering himself or herself
23 eligible for assistance, or any person who after becoming a recipient
24 transfers any property or any interest in property without the consent
25 of the secretary, shall be ineligible for assistance for a period of
26 time during which the reasonable value of the property so transferred
27 would have been adequate to meet the person's needs under normal
28 conditions of living: PROVIDED, That the secretary is hereby
29 authorized to allow exceptions in cases where undue hardship would
30 result from a denial of assistance.

31 **Sec. 27.** RCW 74.08A.210 and 1997 c 58 s 302 are each amended to
32 read as follows:

33 (1) In order to prevent some families from developing dependency on
34 temporary assistance for needy families, the department shall make
35 available to qualifying applicants a diversion program designed to

1 provide brief, emergency assistance for families in crisis whose income
2 and assets would otherwise qualify them for temporary assistance for
3 needy families.

4 (2) Diversion assistance may include cash or vouchers in payment
5 for the following needs:

6 (a) Child care;

7 (b) Housing assistance;

8 (c) Transportation-related expenses;

9 (d) Food;

10 (e) Medical costs for the recipient's immediate family;

11 (f) Employment-related expenses which are necessary to keep or
12 obtain paid unsubsidized employment.

13 (3) Diversion assistance is available once in each twelve-month
14 period for each adult applicant. Recipients of diversion assistance
15 are not included in the temporary assistance for needy families
16 program.

17 (4) Diversion assistance may not exceed one thousand five hundred
18 dollars for each instance.

19 (5) To be eligible for diversion assistance, a family must
20 otherwise be eligible for temporary assistance for needy families.

21 (6) Families ineligible for temporary assistance for needy families
22 or (~~general assistance~~) disability lifeline benefits due to sanction,
23 noncompliance, the lump sum income rule, or any other reason are not
24 eligible for diversion assistance.

25 (7) Families must provide evidence showing that a bona fide need
26 exists according to subsection (2) of this section in order to be
27 eligible for diversion assistance.

28 An adult applicant may receive diversion assistance of any type no
29 more than once per twelve-month period. If the recipient of diversion
30 assistance is placed on the temporary assistance for needy families
31 program within twelve months of receiving diversion assistance, the
32 prorated dollar value of the assistance shall be treated as a loan from
33 the state, and recovered by deduction from the recipient's cash grant.

34 **Sec. 28.** RCW 74.09.010 and 2007 c 3 s 2 are each amended to read
35 as follows:

36 As used in this chapter:

1 (1) "Children's health program" means the health care services
2 program provided to children under eighteen years of age and in
3 households with incomes at or below the federal poverty level as
4 annually defined by the federal department of health and human services
5 as adjusted for family size, and who are not otherwise eligible for
6 medical assistance or the limited casualty program for the medically
7 needy.

8 (2) "Committee" means the children's health services committee
9 created in section 3 of this act.

10 (3) "County" means the board of county commissioners, county
11 council, county executive, or tribal jurisdiction, or its designee. A
12 combination of two or more county authorities or tribal jurisdictions
13 may enter into joint agreements to fulfill the requirements of RCW
14 74.09.415 through 74.09.435.

15 (4) "Department" means the department of social and health
16 services.

17 (5) "Department of health" means the Washington state department of
18 health created pursuant to RCW 43.70.020.

19 (6) "Internal management" means the administration of medical
20 assistance, medical care services, the children's health program, and
21 the limited casualty program.

22 (7) "Limited casualty program" means the medical care program
23 provided to medically needy persons as defined under Title XIX of the
24 federal social security act, and to medically indigent persons who are
25 without income or resources sufficient to secure necessary medical
26 services.

27 (8) "Medical assistance" means the federal aid medical care program
28 provided to categorically needy persons as defined under Title XIX of
29 the federal social security act.

30 (9) "Medical care services" means the limited scope of care
31 financed by state funds and provided to (~~general-assistance~~)
32 disability lifeline benefits recipients, and recipients of alcohol and
33 drug addiction services provided under chapter 74.50 RCW.

34 (10) "Nursing home" means nursing home as defined in RCW 18.51.010.

35 (11) "Poverty" means the federal poverty level determined annually
36 by the United States department of health and human services, or
37 successor agency.

38 (12) "Secretary" means the secretary of social and health services.

1 (13) "Full benefit dual eligible beneficiary" means an individual
2 who, for any month: Has coverage for the month under a medicare
3 prescription drug plan or medicare advantage plan with part D coverage;
4 and is determined eligible by the state for full medicaid benefits for
5 the month under any eligibility category in the state's medicaid plan
6 or a section 1115 demonstration waiver that provides pharmacy benefits.

7 **Sec. 29.** RCW 74.09.035 and 1987 c 406 s 12 are each amended to
8 read as follows:

9 (1) To the extent of available funds, medical care services may be
10 provided to recipients of (~~general assistance~~) disability lifeline
11 benefits, persons denied disability lifeline benefits under RCW
12 74.04.005(5)(b) or section 5 of this act who otherwise meet the
13 requirements of RCW 74.04.005(5)(a), and recipients of alcohol and drug
14 addiction services provided under chapter 74.50 RCW, in accordance with
15 medical eligibility requirements established by the department. To the
16 extent authorized in the operating budget, upon implementation of a
17 federal medicaid 1115 waiver providing federal matching funds for
18 medical care services, these services also may be provided to persons
19 who have been terminated from disability lifeline benefits under RCW
20 74.04.005(5)(h).

21 (2) Determination of the amount, scope, and duration of medical
22 care services shall be limited to coverage as defined by the
23 department, except that adult dental, and routine foot care shall not
24 be included unless there is a specific appropriation for these
25 services.

26 (3) The department shall enter into performance-based contracts
27 with one or more managed health care systems for the provision of
28 medical care services to recipients of disability lifeline benefits.
29 The contract must provide for integrated delivery of medical and mental
30 health services.

31 (4) The department shall establish standards of assistance and
32 resource and income exemptions, which may include deductibles and co-
33 insurance provisions. In addition, the department may include a
34 prohibition against the voluntary assignment of property or cash for
35 the purpose of qualifying for assistance.

36 (~~(4)~~) (5) Residents of skilled nursing homes, intermediate care
37 facilities, and intermediate care facilities for the mentally retarded,

1 as that term is described by federal law, who are eligible for medical
2 care services shall be provided medical services to the same extent as
3 provided to those persons eligible under the medical assistance
4 program.

5 ~~((+5))~~ (6) Payments made by the department under this program
6 shall be the limit of expenditures for medical care services solely
7 from state funds.

8 ~~((+6))~~ (7) Eligibility for medical care services shall commence
9 with the date of certification for ~~((general assistance))~~ disability
10 lifeline benefits or the date of eligibility for alcohol and drug
11 addiction services provided under chapter 74.50 RCW.

12 **Sec. 30.** RCW 74.09.555 and 2005 c 503 s 12 are each amended to
13 read as follows:

14 (1) The department shall adopt rules and policies providing that
15 when persons with a mental disorder, who were enrolled in medical
16 assistance immediately prior to confinement, are released from
17 confinement, their medical assistance coverage will be fully reinstated
18 on the day of their release, subject to any expedited review of their
19 continued eligibility for medical assistance coverage that is required
20 under federal or state law.

21 (2) The department, in collaboration with the Washington
22 association of sheriffs and police chiefs, the department of
23 corrections, and the regional support networks, shall establish
24 procedures for coordination between department field offices,
25 institutions for mental disease, and correctional institutions, as
26 defined in RCW 9.94.049, that result in prompt reinstatement of
27 eligibility and speedy eligibility determinations for persons who are
28 likely to be eligible for medical assistance services upon release from
29 confinement. Procedures developed under this subsection must address:

30 (a) Mechanisms for receiving medical assistance services
31 applications on behalf of confined persons in anticipation of their
32 release from confinement;

33 (b) Expeditious review of applications filed by or on behalf of
34 confined persons and, to the extent practicable, completion of the
35 review before the person is released;

36 (c) Mechanisms for providing medical assistance services identity

1 cards to persons eligible for medical assistance services immediately
2 upon their release from confinement; and

3 (d) Coordination with the federal social security administration,
4 through interagency agreements or otherwise, to expedite processing of
5 applications for federal supplemental security income or social
6 security disability benefits, including federal acceptance of
7 applications on behalf of confined persons.

8 (3) Where medical or psychiatric examinations during a person's
9 confinement indicate that the person is disabled, the correctional
10 institution or institution for mental diseases shall provide the
11 department with that information for purposes of making medical
12 assistance eligibility and enrollment determinations prior to the
13 person's release from confinement. The department shall, to the
14 maximum extent permitted by federal law, use the examination in making
15 its determination whether the person is disabled and eligible for
16 medical assistance.

17 (4) For purposes of this section, "confined" or "confinement" means
18 incarcerated in a correctional institution, as defined in RCW 9.94.049,
19 or admitted to an institute for mental disease, as defined in 42 C.F.R.
20 part 435, Sec. 1009 on July 24, 2005.

21 (5) For purposes of this section, "likely to be eligible" means
22 that a person:

23 (a) Was enrolled in medicaid or supplemental security income or
24 (~~general assistance~~) the disability lifeline program immediately
25 before he or she was confined and his or her enrollment was terminated
26 during his or her confinement; or

27 (b) Was enrolled in medicaid or supplemental security income or
28 (~~general assistance~~) the disability lifeline program at any time
29 during the five years before his or her confinement, and medical or
30 psychiatric examinations during the person's confinement indicate that
31 the person continues to be disabled and the disability is likely to
32 last at least twelve months following release.

33 (6) The economic services administration shall adopt standardized
34 statewide screening and application practices and forms designed to
35 facilitate the application of a confined person who is likely to be
36 eligible for medicaid.

1 **Sec. 31.** RCW 74.50.060 and 1989 1st ex.s. c 18 s 3 are each
2 amended to read as follows:

3 (1) The department shall establish a shelter assistance program to
4 provide, within available funds, shelter for persons eligible under
5 this chapter. "Shelter," "shelter support," or "shelter assistance"
6 means a facility under contract to the department providing room and
7 board in a supervised living arrangement, normally in a group or
8 dormitory setting, to eligible recipients under this chapter. This may
9 include supervised domiciliary facilities operated under the auspices
10 of public or private agencies. No facility under contract to the
11 department shall allow the consumption of alcoholic beverages on the
12 premises. The department may contract with counties and cities for
13 such shelter services. To the extent possible, the department shall
14 not displace existing emergency shelter beds for use as shelter under
15 this chapter. In areas of the state in which it is not feasible to
16 develop shelters, due to low numbers of people needing shelter
17 services, or in which sufficient numbers of shelter beds are not
18 available, the department may provide shelter through an intensive
19 protective payee program, unless the department grants an exception on
20 an individual basis for less intense supervision.

21 (2) Persons continuously eligible for the (~~general assistance—~~
22 ~~unemployable program~~) disability lifeline program since July 25, 1987,
23 who transfer to the program established by this chapter, have the
24 option to continue their present living situation, but only through a
25 protective payee.

26 NEW SECTION. **Sec. 32.** A new section is added to chapter 74.08A
27 RCW to read as follows:

28 Recipients exempted from active work search activities due to
29 incapacity or a disability shall receive disability lifeline benefits
30 as they relate to the facilitation of enrollment in the federal
31 supplemental security income program, access to chemical dependency
32 treatment, referrals to vocational rehabilitation, and other services
33 needed to assist the recipient in becoming employable. Disability
34 lifeline benefits shall not supplant cash assistance and other services
35 provided through the temporary assistance for needy families program.
36 To the greatest extent possible, services shall be funded through the
37 temporary assistance for needy families appropriations.

1 NEW SECTION. **Sec. 33.** This act shall be known and cited as the
2 security lifeline act.

3 NEW SECTION. **Sec. 34.** Except for section 10 of this act, this act
4 is necessary for the immediate preservation of the public peace,
5 health, or safety, or support of the state government and its existing
6 public institutions, and takes effect immediately.

7 NEW SECTION. **Sec. 35.** Section 10 of this act takes effect July 1,
8 2010.

9 NEW SECTION. **Sec. 36.** If private funding sufficient to implement
10 and operate the portal authorized under section 2 of this act is not
11 secured by December 31, 2010, section 2 of this act is null and void.

12 NEW SECTION. **Sec. 37.** Sections 1 through 10 and 29 of this act
13 shall be implemented within the amounts appropriated specifically for
14 these purposes in the omnibus operating appropriations act.

Passed by the House March 22, 2010.

Passed by the Senate March 22, 2010.

Approved by the Governor March 29, 2010, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State March 30, 2010.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 9,
Engrossed Second Substitute House Bill 2782 entitled:

"AN ACT Relating to establishing the security lifeline act."

This bill reforms one of the oldest safety net programs in Washington State for better efficiency and fiscal management. Section 9 would require the Health Care Authority to prioritize ineligible disability lifeline recipients for enrollment in the subsidized Basic Health Plan. The Health Care Authority would be required to continue to process these applications, even if subsidized enrollment is limited or closed due to lack of funding. Prioritizing ineligible disability lifeline recipients is counter to the reform actions exemplified within the security lifeline bill. Section 9 would limit the Health Care Authority's ability to efficiently manage enrollment to the appropriated budget, maintain a balanced risk pool, and is detrimental to the long-term viability of the Basic Health Plan.

We must preserve a viable safety net and access to health care for all Washington residents.

For these reasons, I have vetoed Section 9 of Engrossed Second Substitute House Bill 2782.

With the exception of Section 9, Engrossed Second Substitute House Bill 2782 is approved."