
SUBSTITUTE SENATE BILL 5493

State of Washington

66th Legislature

2019 Regular Session

By Senate Human Services, Reentry & Rehabilitation (originally sponsored by Senators Zeiger, Darneille, and Walsh)

READ FIRST TIME 02/14/19.

1 AN ACT Relating to establishing a board of advisors to provide
2 local guidance to community services offices operated by the
3 department of social and health services; amending RCW 74.04.005; and
4 adding a new section to chapter 74.04 RCW.

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

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

8 (1) A board of advisors must be established to provide advice and
9 guidance to the operations for each local community services office
10 and to coordinate collaborations with community partners. Each board
11 of advisors may:

12 (a) Provide input into community services office operations;

13 (b) Enhance community connections between the community services
14 office and relevant sectors of the community;

15 (c) Improve local accountability for the delivery of human
16 services; and

17 (d) Promote innovation.

18 (2) The regional administrator for the department, or his or her
19 designee, must meet three times a year with each board of advisors in
20 the regional administrator's catchment area to present local data,
21 trends, and recommendations. The regional administrator, or his or

1 her designee, must respond in writing to written questions and
2 recommendations propounded by the board of advisors within thirty
3 days.

4 (3) The work of the board of advisors is intended to complement,
5 not duplicate, the work of local employment partnership councils as
6 provided for in RCW 74.25A.045.

7 (4) The county legislative authority of the county where the
8 community services office is located or, in the case of multiple
9 counties, the county legislative authority of the county which
10 contributes the highest population to the catchment area of the
11 community services office shall, in consultation with staff from the
12 economic services administration, appoint the following advisors to
13 the board of advisors for each community services office to serve
14 staggered, renewable three-year terms:

15 (a) One representative of each county and city government
16 contained within the community services office catchment area;

17 (b) One representative from a local human services or housing
18 nonprofit;

19 (c) One representative from the local business community;

20 (d) One client of the community services office with lived
21 experience of homelessness or insecure housing;

22 (e) One local representative from the market rate housing
23 developer community; and

24 (f) One representative of a local behavioral health provider.

25 (5) If the catchment area of the community services office
26 intersects with tribal land, the governor shall request that the
27 tribe appoint a tribal representative to the board of advisors.

28 (6) Each board of advisors must also incorporate:

29 (a) The state legislators who serve the community services office
30 catchment area, as ex officio members; and

31 (b) The administrator of the community services office, as a
32 nonvoting member.

33 **Sec. 2.** RCW 74.04.005 and 2018 c 40 s 1 are each amended to read
34 as follows:

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

37 (1) "Aged, blind, or disabled assistance program" means the
38 program established under RCW 74.62.030.

1 (2) "Applicant" means any person who has made a request, or on
2 behalf of whom a request has been made, to any county or local office
3 for assistance.

4 (3) "Authority" means the health care authority.

5 (4) "County or local office" means the administrative office for
6 one or more counties or designated service areas.

7 (5) "Department" means the department of social and health
8 services.

9 (6) "Director" means the director of the health care authority.

10 (7) "Essential needs and housing support program" means the
11 program established in RCW 43.185C.220.

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

19 (9) "Income" means:

20 (a) All appreciable gains in real or personal property (cash or
21 kind) or other assets, which are received by or become available for
22 use and enjoyment by an applicant or recipient during the month of
23 application or after applying for or receiving public assistance. The
24 department may by rule and regulation exempt income received by an
25 applicant for or recipient of public assistance which can be used by
26 him or her to decrease his or her need for public assistance or to
27 aid in rehabilitating him or her or his or her dependents, but such
28 exemption shall not, unless otherwise provided in this title, exceed
29 the exemptions of resources granted under this chapter to an
30 applicant for public assistance. In addition, for cash assistance the
31 department may disregard income pursuant to RCW 74.08A.230 and
32 74.12.350.

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

38 (10) "Need" means the difference between the applicant's or
39 recipient's standards of assistance for himself or herself and the
40 dependent members of his or her family, as measured by the standards

1 of the department, and value of all nonexempt resources and nonexempt
2 income received by or available to the applicant or recipient and the
3 dependent members of his or her family.

4 (11) "Public assistance" or "assistance" means public aid to
5 persons in need thereof for any cause, including services, medical
6 care, assistance grants, disbursing orders, work relief, benefits
7 under RCW 74.62.030 and 43.185C.220, and federal aid assistance.

8 (12) "Recipient" means any person receiving assistance and in
9 addition those dependents whose needs are included in the recipient's
10 assistance.

11 (13) "Resource" means any asset, tangible or intangible, owned by
12 or available to the applicant at the time of application, which can
13 be applied toward meeting the applicant's need, either directly or by
14 conversion into money or its equivalent. The department may by rule
15 designate resources that an applicant may retain and not be
16 ineligible for public assistance because of such resources. Exempt
17 resources shall include, but are not limited to:

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

20 (b) Household furnishings and personal effects;

21 (c) One motor vehicle, other than a motor home, used and useful
22 having an equity value not to exceed ten thousand dollars;

23 (d) A motor vehicle necessary to transport a household member
24 with a physical disability. This exclusion is limited to one vehicle
25 per person with a physical disability;

26 (e) All other resources, including any excess of values exempted,
27 not to exceed six thousand dollars or other limit as set by the
28 department, to be consistent with limitations on resources and
29 exemptions necessary for federal aid assistance;

30 (f) Applicants for or recipients of benefits under RCW 74.62.030
31 and 43.185C.220 shall have their eligibility based on resource
32 limitations consistent with the temporary assistance for needy
33 families program rules adopted by the department; and

34 (g) If an applicant for or recipient of public assistance
35 possesses property and belongings in excess of the ceiling value,
36 such value shall be used in determining the need of the applicant or
37 recipient, except that: (i) The department may exempt resources or
38 income when the income and resources are determined necessary to the
39 applicant's or recipient's restoration to independence, to decrease
40 the need for public assistance, or to aid in rehabilitating the

1 applicant or recipient or a dependent of the applicant or recipient;
2 and (ii) the department may provide grant assistance for a period not
3 to exceed nine months from the date the agreement is signed pursuant
4 to this section to persons who are otherwise ineligible because of
5 excess real property owned by such persons when they are making a
6 good faith effort to dispose of that property if:

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

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

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

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

20 (14) "Secretary" means the secretary of social and health
21 services.

22 (15) "Standards of assistance" means the level of income required
23 by an applicant or recipient to maintain a level of living specified
24 by the department.

25 (16) "Community services office" means a local office within a
26 region defined by the department which processes applications for
27 public assistance.

28 (17) For purposes of determining eligibility for public
29 assistance and participation levels in the cost of medical care, the
30 department shall exempt restitution payments made to people of
31 Japanese and Aleut ancestry pursuant to the Civil Liberties Act of
32 1988 and the Aleutian and Pribilof Island Restitution Act passed by
33 congress, P.L. 100-383, including all income and resources derived
34 therefrom.

35 ~~((17))~~ (18) In the construction of words and phrases used in
36 this title, the singular number shall include the plural, the
37 masculine gender shall include both the feminine and neuter genders,

1 and the present tense shall include the past and future tenses,
2 unless the context thereof shall clearly indicate to the contrary.

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