

SENATE BILL REPORT

EHB 3901

As Reported By Senate Committee On:
Health & Long-Term Care, March 27, 1997

Title: An act relating to implementing the federal personal responsibility and work opportunity reconciliation act of 1996.

Brief Description: Implementing the federal personal responsibility and work opportunity reconciliation act of 1996 (Introduced with Senate sponsors).

Sponsors: Representatives Cooke, Boldt, McDonald, Alexander, Bush, Smith, Mielke, Talcott, Cairnes, Reams, Johnson, Huff, Lambert, Sheahan, Mulliken, Parlette, Backlund, Koster, D. Sommers, D. Schmidt, Schoesler, Wensman and Skinner.

Brief History:

Committee Activity: Health & Long-Term Care: 3/27/97 [w/oRec].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Without recommendation.

Signed by Senators Deccio, Vice Chair; Wood, Vice Chair; Benton and Strannigan.

Minority Report: Do not pass.

Signed by Senators Fairley and Wojahn.

Staff: Joanne Conrad (360-786-7472)

Background: In 1996, Congress enacted major welfare reform legislation (Public Law 104-193), giving the states significant public policy discretion in legislating public assistance programs. Some members of the Washington State Legislature responded by introducing Senate Bill 5677 and House Bill 1079, as well as related bills. These measures provided for public assistance time limits, program requirements regarding work activities, regulations concerning the coverage of immigrants, and provisions regarding child care. Both bills were interpretations of how to establish a "Temporary Assistance for Needy Families" (TANF) program in Washington. Both SB 5677 and HB 1079 were heard in committees and passed by a majority vote in their respective Houses.

Subsequently, provisions of the Senate Bill (E2SSB 5677) and the House Bill (E2SHB 1079) were merged into a Joint Bill, EHB 3901. In addition, the joint version of the bill contained some new provisions.

Summary of Bill: Legal entitlement to public assistance is eliminated. TANF recipients receive a lifetime maximum of five years of public assistance. Twenty percent of the TANF caseload may be exempt from the time limits, under federal law. The Department of Social and Health Services (DSHS) is required to meet federal work activity participation rates.

Adult TANF recipients are required to participate in work activities, unless temporarily exempt while parenting very young children.

Work activities include a variety of public and private, subsidized and unsubsidized employment situations, community service, and a limited amount of training. Those in welfare-to-work ("Work First") jobs cannot displace existing employees, must be paid at least minimum wage, and are covered under current laws regarding worker safety, as well as by federal and state labor acts. Workers in volunteer community service also cannot displace existing workers, and are covered by worker safety laws and with workers' compensation benefits. Grants are provided on a pro rata basis, for compliance with work requirements. A system of competitive, performance-based contracting, among public and private entities, for welfare-to-work services is established.

TANF recipients living in Washington State for less than a year receive the benefit amount of their previous state of residence, if lower than Washington's cash grant. Recipients may retain up to 50 percent of earned income, without affecting eligibility, and are allowed an increase in assets, as well as an individual development account, to save for education or business capital.

DSHS determines the most appropriate adult-supervised living situation for minor teen parents. An appropriate setting cannot include living with an adult father of a minor teen's child, where the relationship meets the elements of the crime of rape of a child. The grandparents of the child born to the minor teen parent applying for TANF assistance are subject to a review of their income and assets in determining eligibility.

Legal immigrants residing in the United States at the time of enactment of the federal act (8/22/96) retain eligibility for TANF, Medicaid, food stamps and general assistance. Those immigrants arriving after federal enactment are subject to federal sponsor deeming requirements, and to the federal five-year bar on most forms of assistance. If, after the five years, the sponsor of an immigrant dies, the immigrant may qualify for medical assistance.

Indian tribes may elect to operate their own, separate TANF programs.

DSHS must arrange for training 250 welfare recipients as child care providers.

The Joint Legislative Audit and Review Committee reviews and evaluates the new welfare program.

In compliance with federal requirements, Washington State establishes a process for the suspension of driver's licenses, and occupational, professional and recreational licenses for nonpayment of child support, or for court-determined failure to comply with a visitation order. Federal hiring and reporting requirements are instituted. The \$50 pass-through of child support payments to those receiving child support while receiving grant assistance is eliminated.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains several effective dates. Please refer to the bill.