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**SUBSTITUTE SENATE BILL 5625**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senate Committee on Labor & Workforce Development (originally sponsored by Senators Kohl-Welles, Fairley, Winsley, Brown, Thibaudeau, Kline, Patterson, Fraser, Franklin, Gardner, Rasmussen, B. Sheldon, Snyder and Horn)

Read first time 03/03/1999.

1 AN ACT Relating to work requirements under the temporary assistance  
2 for needy families program; amending RCW 74.08A.010, 74.08A.260, and  
3 74.08A.270; adding new sections to chapter 74.08A RCW; and creating a  
4 new section.

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

6 **Sec. 1.** RCW 74.08A.010 and 1997 c 58 s 103 are each amended to  
7 read as follows:

8 (1) A family that includes an adult who has received temporary  
9 assistance for needy families for sixty months after July 27, 1997,  
10 shall be ineligible for further temporary assistance for needy families  
11 assistance. The number of recipients exempted or deferred from the  
12 time limit in this subsection shall not exceed twenty percent of the  
13 temporary assistance for needy families caseload.

14 (2) For the purposes of applying the rules of this section, the  
15 department shall count any month in which an adult family member  
16 received a temporary assistance for needy families cash assistance  
17 grant unless the assistance was provided when the family member was a  
18 minor child and not the head of the household or married to the head of

1 the household or the recipient received a deferral under section 2 of  
2 this act.

3 (3) The department shall refer recipients who require specialized  
4 assistance to appropriate department programs, crime victims' programs  
5 through the department of community, trade, and economic development,  
6 or the crime victims' compensation program of the department of labor  
7 and industries.

8 (4) The department may exempt a recipient and the recipient's  
9 family from the application of subsection (1) of this section by reason  
10 of hardship or if the recipient meets the family violence options of  
11 section 402(A)(7) of Title IVA of the federal social security act as  
12 amended by P.L. 104-193. ~~((The number of recipients and their families  
13 exempted from subsection (1) of this section for a fiscal year shall  
14 not exceed twenty percent of the average monthly number of recipients  
15 and their families to which assistance is provided under the temporary  
16 assistance for needy families program.~~

17 ~~(5) The department shall not exempt a recipient and his or her  
18 family from the application of subsection (1) of this section until  
19 after the recipient has received fifty two months of assistance under  
20 this chapter.))~~

21 NEW SECTION. Sec. 2. A new section is added to chapter 74.08A RCW  
22 to read as follows:

23 (1) Each recipient approved to receive temporary assistance for  
24 needy families shall be subject to an employability screen as a  
25 condition of eligibility. If the employability screen determines the  
26 recipient meets the criteria specified in RCW 74.08A.270 for a good  
27 cause exemption to work requirements the department shall defer the  
28 work requirement under RCW 74.08A.260, as long as the condition of the  
29 recipient that causes him or her to meet the exemption criteria exists.  
30 When the condition ceases to exist, the exemption terminates.

31 (2) All recipients not deferred shall be placed in the job search  
32 component. Failure to participate in the job search component shall  
33 result in sanctions as provided in RCW 74.08A.260. If a recipient  
34 fails to find employment during the job search component, the  
35 department may refer the recipient to those work activities that are  
36 directly related to improving the recipient's employability.

37 (3) The department shall adopt rules providing for the review of  
38 recipients granted deferrals under this section.

1       **Sec. 3.** RCW 74.08A.260 and 1997 c 58 s 313 are each amended to  
2 read as follows:

3       Recipients who have not obtained a deferral under section 2 of this  
4 act or paid, unsubsidized employment (~~((by the end of the job search~~  
5 ~~component authorized in section 312 of this act))~~) shall be referred to  
6 a work activity.

7       (1) Each recipient shall be assessed immediately upon completion of  
8 the job search component. Assessments shall be based upon factors that  
9 are critical to obtaining employment, including but not limited to  
10 education, employment strengths, and employment history. Assessments  
11 may be performed by the department or by a contracted entity. The  
12 assessment shall be based on a uniform, consistent, transferable format  
13 that will be accepted by all agencies and organizations serving the  
14 recipient. Based on the assessment, an individual responsibility plan  
15 shall be prepared that: (a) Sets forth an employment goal and a plan  
16 for moving the recipient immediately into employment; (b) contains the  
17 obligation of the recipient to become and remain employed; (c) moves  
18 the recipient into whatever employment the recipient is capable of  
19 handling as quickly as possible; and (d) describes the services  
20 available to the recipient to enable the recipient to obtain and keep  
21 employment.

22       (2) Recipients who are not engaged in work and work activities, and  
23 do not qualify for a good cause exemption under RCW 74.08A.270, shall  
24 engage in self-directed service as provided in RCW 74.08A.330.

25       (3) If a recipient refuses to engage in work and work activities  
26 required by the department, the family's grant shall be reduced by the  
27 recipient's share, and may, if the department determines it  
28 appropriate, be terminated.

29       (4) The department may waive the penalties required under  
30 subsection (3) of this section, subject to a finding that the recipient  
31 refused to engage in work for good cause provided in RCW 74.08A.270.

32       (5) In implementing this section, the department shall assign the  
33 highest priority to the most employable clients, including adults in  
34 two-parent families and parents in single-parent families that include  
35 older preschool or school-age children to be engaged in work  
36 activities.

37       (6) In consultation with the recipient, the department or  
38 contractor shall place the recipient into a work activity that is  
39 available in the local area where the recipient resides.

1       **Sec. 4.** RCW 74.08A.270 and 1997 c 58 s 314 are each amended to  
2 read as follows:

3       (1) Good cause reasons for failure to participate in WorkFirst  
4 program components include: ~~((1))~~ (a) Situations where the recipient  
5 is a parent or other relative personally providing care for a child  
6 under the age of six years, and formal or informal child care, or day  
7 care for an incapacitated individual living in the same home as a  
8 dependent child, is necessary for an individual to participate or  
9 continue participation in the program or accept employment, and such  
10 care is not available, and the department fails to provide such care;  
11 or ~~((2) until June 30, 1999,)~~ (b) if the recipient is a parent with  
12 a child under the age of one year. A parent may only receive this  
13 exemption for a total of twelve months, which may be consecutive or  
14 nonconsecutive; or ~~((3) after June 30, 1999, if the recipient is a  
15 parent with a child under three months of age)~~ (c) if the recipient is  
16 a victim of domestic violence; or (d) if the recipient is  
17 incapacitated; or (e) if the recipient is caring for an incapacitated  
18 child; or (f) if the recipient is fifty-five years of age or older and  
19 is the grandparent or nonparent relative of the dependent child.

20       (2) For purposes of this section, domestic violence victimization  
21 must be documented by either a protection order or a written  
22 confirmation of treatment by a health care professional licensed under  
23 chapter 18.57, 18.57A, 18.71, 18.71A, 18.79, or 18.83 RCW for the  
24 effects of domestic violence. Incapacity of a recipient or child must  
25 be documented by medical or psychiatric clinical evidence, confirmed in  
26 writing by a health care professional licensed under chapter 18.57,  
27 18.57A, 18.71, 18.71A, 18.79, or 18.83 RCW.

28       (3) When the domestic violence victimization or the incapacity of  
29 the recipient or child no longer exist, the good cause deferral under  
30 this section terminates. The department shall notify the recipient of  
31 the termination of the good cause exemption.

32       **NEW SECTION. Sec. 5.** A new section is added to chapter 74.08A RCW  
33 to read as follows:

34       Recipients who are not required to meet work requirements under RCW  
35 74.08A.270 shall receive grants, child care, and related services that  
36 are not supported by the temporary assistance for needy families block  
37 grant.

1        NEW SECTION.    **Sec. 6.**    If any part of this act is found to be in  
2 conflict with federal requirements that are a prescribed condition to  
3 the allocation of federal funds to the state, the conflicting part of  
4 this act is inoperative solely to the extent of the conflict and with  
5 respect to the agencies directly affected, and this finding does not  
6 affect the operation of the remainder of this act in its application to  
7 the agencies concerned. Rules adopted under this act must meet federal  
8 requirements that are a necessary condition to the receipt of federal  
9 funds by the state.

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