

SSB 6508 - H COMM AMD

By Committee on Early Learning & Human Services

ADOPTED AND ENGROSSED 2/29/12

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 43.20B.030 and 2005 c 292 s 5 are each amended to
4 read as follows:

5 (1) Except as otherwise provided by law, including subsection (2)
6 of this section, there will be no collection of overpayments and other
7 debts due the department after the expiration of six years from the
8 date of notice of such overpayment or other debt unless the department
9 has commenced recovery action in a court of law or unless an
10 administrative remedy authorized by statute is in place. However, any
11 amount due in a case thus extended shall cease to be a debt due the
12 department at the expiration of ten years from the date of the notice
13 of the overpayment or other debt unless a court-ordered remedy would be
14 in effect for a longer period.

15 (2) There will be no collection of debts due the department after
16 the expiration of twenty years from the date a lien is recorded
17 pursuant to RCW 43.20B.080.

18 (3) The department, at any time, may accept offers of compromise of
19 disputed claims or may grant partial or total write-off of any debt due
20 the department if it is no longer cost-effective to pursue. The
21 department shall adopt rules establishing the considerations to be made
22 in the granting or denial of a partial or total write-off of debts.

23 (4) Notwithstanding the requirements of RCW 43.20B.630, 43.20B.635,
24 43.20B.640, and 43.20B.645, the department may waive all efforts to
25 collect overpayments from a client when the department determines that
26 the elements of equitable estoppel as set forth in WAC 388-02-0495, as
27 it existed on January 1, 2012, are met.

28 NEW SECTION. Sec. 2. If any part of this act is found to be in
29 conflict with federal requirements that are a prescribed condition to

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

8 NEW SECTION. **Sec. 3.** No later than October 1, 2013, the office of
9 fraud and accountability within the department of social and health
10 services, along with the state auditor's office and the department of
11 early learning, shall collaborate in an effort to identify, review, and
12 provide the legislature with recommendations for integrated monitoring
13 and detection systems to prevent overpayments of public assistance from
14 occurring."

15 Correct the title.

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