

# HOUSE BILL REPORT

## SHB 2667

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### As Passed Legislature

**Title:** An act relating to improving housing stability for people with disabilities and seniors by amending eligibility for the essential needs and housing support and the aged, blind, or disabled assistance programs.

**Brief Description:** Concerning eligibility for the essential needs and housing support and the aged, blind, or disabled assistance programs.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Macri, McBride, Ormsby, Stanford, Senn, Stonier, Kloba, Jinkins, Gregerson, Appleton, Ortiz-Self, Wylie, Doglio, Pollet, Slatter, Fey, Goodman and Santos).

### Brief History:

#### Committee Activity:

Early Learning & Human Services: 1/17/18, 1/19/18 [DP];  
Appropriations: 2/1/18, 2/6/18 [DPS].

#### Floor Activity:

Passed House: 2/8/18, 88-10.  
Senate Amended.  
Passed Senate: 3/2/18, 32-17.  
House Concurred.  
Passed House: 3/5/18, 90-7.  
Passed Legislature.

### Brief Summary of Substitute Bill

- Expands eligibility for referrals to the Housing and Essential Needs Referral program (HEN) to include recipients of the Aged, Blind, or Disabled cash assistance program.
- Requires information sharing of limited recipient data between the Department of Social and Health Services, the Department of Commerce, and HEN providers.

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### HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Majority Report:** Do pass. Signed by 13 members: Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Eslick, Frame, Goodman, Griffey, Kilduff, Klippert, Lovick, Muri and Ortiz-Self.

**Staff:** Dawn Eychaner (786-7135).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 20 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist, Cody, Fitzgibbon, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Pettigrew, Pollet, Sawyer, Schmick, Senn, Stanford, Sullivan and Tharinger.

**Minority Report:** Do not pass. Signed by 11 members: Representatives Chandler, Ranking Minority Member; Buys, Caldier, Condotta, Graves, Haler, Manweller, Taylor, Vick, Volz and Wilcox.

**Minority Report:** Without recommendation. Signed by 1 member: Representative MacEwen, Assistant Ranking Minority Member.

**Staff:** Kelci Karl-Robinson (786-7116).

### **Background:**

#### Aged, Blind, or Disabled Program.

The Aged, Blind, or Disabled (ABD) program provides cash assistance to low-income individuals meeting eligibility requirements. Eligible individuals must be aged 65 or older, be blind, or have a long-term medical condition that is likely to meet federal disability criteria and result in qualification for the federal Supplemental Security Income (SSI) program.

The ABD program recipients must cooperate with the federal disability application process. To assist with this process, the ABD program recipients receive SSI facilitation. The SSI facilitators help the ABD program recipients file applications for SSI and gather necessary medical evidence. The state receives a reimbursement for the cost of providing ABD program cash assistance when recipients are successfully transitioned to SSI. These reimbursements are referred to as ABD recoveries.

The maximum ABD program monthly cash grant is \$197. In fiscal year 2017 the ABD program caseload averaged 20,064 cases per month. The ABD program caseload is forecasted and funded with state general funds appropriated in the biennial operating budget.

#### Housing and Essential Needs Referral Program.

The Housing and Essential Needs Referral program, commonly referred to as HEN, provides rental assistance and other housing support as well as essential needs items such as personal hygiene and household supplies, bus passes, and laundry tokens. Housing support is assistance provided to maintain existing housing when the recipient is at substantial risk of

becoming homeless, to obtain housing, or to obtain heat, electricity, natural gas, sewer, garbage, and water services when the recipient is at substantial risk of losing these services. Recipients of HEN referrals do not receive a cash grant.

Eligible individuals must meet income requirements; be temporarily unable to work for at least 90 days due to a physical or mental incapacity; and be ineligible for the ABD program, the Temporary Assistance for Needy Families program, and other cash assistance programs.

The average monthly HEN benefit ranged from \$450 to \$500 per month, and a monthly average of 6,759 clients were referred to the HEN in fiscal year 2017. The HEN is funded by state general funds appropriated in the biennial operating budget.

#### Program Referrals.

The Department of Social and Health Services (DSHS) determines eligibility for the ABD program and the HEN. A person is ineligible for both programs when incapacitated primarily due to alcohol or drug dependency. If the person has a separate impairment in addition to alcohol or drug dependency, the individual may be eligible to receive either HEN or ABD program assistance if he or she participates in drug or alcohol treatment.

If an individual is eligible for the HEN, the DSHS refers that person to the Department of Commerce (COM). The COM administers the HEN by contracting with local housing assistance providers. Local housing assistance providers determine priority for the rental assistance component of the HEN and prioritize HEN recipients or who are homeless and unsheltered.

The HEN recipients must be reviewed for ABD program eligibility every 12 months and may apply for the ABD program at any time. A HEN recipient may be transitioned to the ABD program if the recipient turns 65 or if his or her condition worsens and he or she becomes likely to meet federal SSI disability criteria.

When the Social Security Administration issues a final SSI disability denial or if the recipient's condition improves, the recipient may be transitioned from the ABD program cash assistance to a HEN referral.

An individual may not receive ABD program cash assistance and a HEN referral at the same time.

#### **Summary of Substitute Bill:**

A recipient of the ABD program who meets HEN program requirements is eligible for a referral for the HEN within funds appropriated to the COM. The ABD program recipient may receive both ABD program and HEN assistance concurrently while pending application for federal SSI benefits.

A HEN recipient who transitions to the ABD program may receive both HEN and ABD program benefits concurrently.

The restriction that disqualifies an individual for HEN if she or he is unemployable primarily due to alcohol or drug addiction is removed.

The DSHS must share recipient data for HEN-eligible individuals with the COM and the HEN providers. The COM must provide designated HEN providers in each county with a secure and current list of individuals eligible for the HEN. The list must be updated at least monthly and must include, as available and applicable, the individual's name, address, phone number, shelter location, and case manager contact information.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** This bill takes effect 90 days after adjournment of the session in which the bill is passed, except for sections 1 and 2, relating to the Aged, Blind, or Disabled Program and the Essential Needs and Housing Support program eligibility, which takes effect immediately.

**Staff Summary of Public Testimony (Early Learning & Human Services):**

(In support) This is an elegant technical fix to a problem that the Early Learning and Human Services Committee heard about in a work session in 2017. When people are moved from the HEN to the ABD program, they lose their housing voucher and instead receive the cash stipend of \$197. There is a housing crisis in this state, and the cash stipend provided by the ABD program is not even close to being adequate to cover those costs. This bill intends to allow the ABD program recipients to be eligible for the HEN if they are homeless or at risk of homelessness and is intended to be applied within available resources. There is not a waiting list currently for the HEN. This will clarify the ability of the COM to share information with community providers on the ground to make sure providers know who is eligible for the HEN. The ABD program and the HEN are vital components of our state's safety net. The ABD program helps extremely low-income adults and provides support to elderly and disabled documented immigrants who are not eligible to apply for SSI. This bill addresses gaps in how these programs work together. Striking the ineligibility for the HEN due to alcohol or drug addiction will allow these people to stay housed while they address their addiction issue. This bill will align eligibility rules back to the policy that was in place under the General Assistance Unemployable program back in 2012. Many people who have been on the HEN and are determined by the DSHS to have a long-term disability are at risk of losing their housing. This is potentially a return to homelessness for many individuals who were homeless prior to receiving HEN support. This is the right policy decision. Cities all over the state are having housing affordability issues. The state is working to keep people housed. People who have a mental illness stabilize when they have housing and break down when they become homeless. This will lead to greater effectiveness in housing stability and support. Up to 13 percent of ABD program recipients become homeless after they transition from the HEN to the ABD program. Currently HEN participants are notified of their eligibility by mail, but many of these individuals are homeless and have no stable address. Local providers can help notify eligible clients if providers know who the clients are.

(Opposed) None.

**Staff Summary of Public Testimony (Appropriations):**

(In support) The ABD and HEN programs are vital components to the state's safety net and behavioral health system. Currently, 75 percent of ABD clients and 80 percent of HEN clients have an identified mental health need. If a HEN client's disability becomes permanent, the individual loses housing support and instead receives \$197 per month through the ABD program. Prior to being referred to HEN, one client was homeless and had been on the housing waitlist for one to three years. After applying for HEN, the client was able to receive a room to rent within 48 hours of the initial intake. The stable housing improved the client's mental health and engagement in healthy activities. The bill does not increase housing assistance costs and has only modest fiscal impacts due to administrative costs. There is a proposed amendment that would reduce the cost by approximately \$70,000. Evidence has shown that individuals are more successful in substance use treatment if they are stably housed. The bill would allow individuals to remain sheltered while addressing their addiction. The current process of sending an annual award letter to HEN clients who have difficulty maintaining stable housing results in the information not reaching the individuals in a timely fashion. By sharing approved client information with service providers, clients will learn of their benefit sooner. The bill will assist in using HEN funding more efficiently and help save people's lives.

(Opposed) None.

**Persons Testifying** (Early Learning & Human Services): Representative Macri, prime sponsor; David Hlebain, Statewide Poverty Action Network; Kate Baber, Washington Low Income Housing Alliance; Sara Robbins, Solid Ground; Carl Schroeder, Association of Washington Cities; and Janelle Rothfolk, Catholic Community Services of Western Washington.

**Persons Testifying** (Appropriations): David Hlebain, Statewide Poverty Action Network; Nicholas Arndt; Kate Baber, Washington Low Income Housing Alliance; and Jason Austin, Catholic Charities, Housing and Essential Needs.

**Persons Signed In To Testify But Not Testifying** (Early Learning & Human Services): None.

**Persons Signed In To Testify But Not Testifying** (Appropriations): None.