

SENATE BILL REPORT

SHB 2388

As Reported by Senate Committee On:
Human Services, Reentry & Rehabilitation, February 25, 2020

Title: An act relating to standardizing definitions of homelessness to improve access to services.

Brief Description: Standardizing definitions of homelessness to improve access to services.

Sponsors: House Committee on Human Services & Early Learning (originally sponsored by Representatives Senn, Callan, Leavitt, Thai, Robinson, Ormsby, Macri, Wylie, Doglio, Goodman and Pollet).

Brief History: Passed House: 2/16/20, 55-40.

Committee Activity: Human Services, Reentry & Rehabilitation: 2/25/20, 2/25/20 [DP-WM].

Brief Summary of Bill

- Defines homeless for the Early Childhood Education and Assistance Program, Temporary Assistance for Needy Families, Working Connections Child Care, in child welfare, and for identicards.

SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland, O'Ban, Wilson, C. and Zeiger.

Staff: Alison Mendiola (786-7488)

Background: McKinney-Vento Homeless Assistance Act. The federal McKinney-Vento Homeless Assistance Act, Subchapter VI, Part B: Education for Homeless Children and Youths (McKinney-Vento) defines "homeless children and youths" to mean individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youth:

- sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

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- living in emergency or transitional shelters;
- abandoned in hospitals;
- with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; and
- living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.

Early Childhood Education and Assistance Program. The Early Childhood Education and Assistance Program (ECEAP) is a state-funded preschool program for low-income or at-risk three and four year olds. Children eligible for ECEAP are prioritized according to various risk factors, including homelessness. ECEAP uses the federal McKinney-Vento definition of a homeless child.

Working Connections Child Care. The Working Connections Child Care (WCCC) program provides subsidized child care for low-income families who are participating in work activities or meet other program requirements. Homeless families receive a four-month grace period to meet work and other requirements. The WCCC program uses the McKinney-Vento definition of homelessness.

Temporary Assistance for Needy Families. The TANF program provides cash assistance, child care, and work programs to low-income families with children. Federal rules limit the length of time an adult can receive TANF benefits to a cumulative total of 60 months. States can extend TANF assistance beyond the 60-month limit on the basis of hardship, as defined in statute, or in instances of family violence. The state considers homelessness as a hardship qualifying for an extension. For this purpose, "homeless" is defined as an individual living outside or in a building not meant for human habitation or which they have no legal right to occupy, in an emergency shelter, or in a temporary housing program which may include a transitional and supportive housing program if habitation time limits exist.

Child Welfare. Child protective and child welfare services are provided to families to protect children from child abuse and neglect.

Anyone may file a petition in court alleging a child should be a dependent of the state due to abuse, neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child. Poverty, homelessness, or exposure to domestic violence perpetuated against someone other than the child does not constitute negligent treatment or maltreatment in and of itself.

Child Welfare Housing Pilot Program. In 2019, the Legislature created the Child Welfare Housing Pilot Program (CHWPP) with the goal of shortening the time that children remain in out-of-home care. To meet this goal, the CHWPP provides housing support and services to families with a dependent child whose primary remaining barrier to reunification is the lack of appropriate housing. The stakeholder group is to create a definition of homeless for the purpose of eligibility of the program.

Identical cards. The Department of Licensing issues identical cards to an applicant who does not have a valid Washington driver's license, can prove their identity, and pays the required fee.

For most applicants, the fee is \$54. Identocard applicants with no permanent residence address pay a fee equal to the actual cost of production of the identocard.

Summary of Bill: Early Childhood Education and Assistance and Working Connections Child Care Programs. Under these programs, homeless means without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento Homeless Assistance Act, Subchapter VI, Part B: Education for Homeless Children and Youths (McKinney-Vento).

Temporary Assistance for Needy Families. Under TANF, a recipient is exempt from the 60-month time limit by reason of hardship if the family includes a homeless child or youth without a fixed, regular, and adequate nighttime residence as described in McKinney-Vento.

Child Welfare. For the purposes of child welfare, dependency proceedings, the child welfare housing assistance pilot program and for individuals who qualify for a reduced identocard fee, "experiencing homelessness" means an individual who is: living outside or in a building not meant for human habitation or which they have no legal right to occupy, in an emergency shelter, or a temporary housing program that may include a transitional housing program if habitation time limits exist; or lacking a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons due to loss of housing, economic hardship, fleeing domestic violence, or a similar reason.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: When you work on human service issues, you see there are different definitions of homelessness throughout various programs. Human service providers are tasked with figuring out how homeless a family is, and this impacts their eligibility for various programs. Streamlining the definition is beneficial for the families, the case workers, and philanthropy. This bill does not address housing programs, which tend to fall under a different definition of homelessness based on federal law.

Persons Testifying: PRO: Representative Tana Senn, Prime Sponsor; Melanie Smith, Wellspring Family Services.

Persons Signed In To Testify But Not Testifying: No one.