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**SENATE BILL 5079**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senator Muzzall; by request of Department of Social and Health Services

AN ACT Relating to addressing the burden of unintentional overpayments on older adults and adults with disabilities served by the department of social and health services; amending RCW 43.20B.030; providing an effective date; and declaring an emergency.

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

**Sec.**  RCW 43.20B.030 and 2012 c 258 s 1 are each amended to read as follows:

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

(2) There will be no collection of debts due the department after the expiration of ((~~twenty~~)) 20 years from the date a lien is recorded pursuant to RCW 43.20B.080.

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

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

(5) Beginning July 1, 2025, the department may waive all efforts to collect overpayments of the aged, blind, or disabled assistance program under RCW 74.62.030 and to functionally disabled clients receiving services and supports provided under chapters 74.39, 74.39A and 71A.12 RCW. The department shall adopt rules establishing the circumstances when the department will waive efforts at collection.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2025.

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