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5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that:

8 (1) Public assistance is intended to be a temporary financial  
9 relief program, recognizing that families can be confronted with a  
10 financial crisis at any time in life. Successful public assistance  
11 programs depend on the availability of adequate resources to assist  
12 individuals deemed eligible for the benefits of such a program. In  
13 this way, eligible families are given sufficient assistance to reenter  
14 productive employment in a minimal time period;

15 (2) The current public assistance system has strong disincentives  
16 to work;

17 (3) Employment, training, and education services provided to  
18 employable recipients of public assistance are effective tools in  
19 achieving economic self-sufficiency. Support services that are  
20 targeted to the specific needs of the individual offer the best hope of  
21 achieving economic self-sufficiency in a cost-effective manner;

22 (4) State welfare-to-work programs, which move individuals from  
23 dependence to economic independence, must be operated cooperatively and  
24 collaboratively between state agencies and programs. They also must  
25 include public assistance recipients as active partners in self-  
26 sufficiency planning activities. Participants in economic independence  
27 programs and services will benefit from the concepts of personal  
28 empowerment, self-motivation, and self-esteem; and

29 (5) Many barriers to economic independence are found in federal  
30 statutes and rules, and provide states with limited options for  
31 restructuring existing programs in order to create incentives for  
32 employment over continued dependence.

33 NEW SECTION. **Sec. 2.** The department shall amend the state plan to  
34 eliminate the one hundred hour work rule for recipients of aid to

1 families with dependent children-employable and seek all necessary  
2 federal approval.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.12 RCW  
4 to read as follows:

5 (1) As part of the orientation and assessment conducted pursuant to  
6 RCW 74.25.020, the department shall determine the most appropriate  
7 living situation for each recipient of aid to families with dependent  
8 children who is receiving those benefits as a head of household and is  
9 under age eighteen. Appropriate living situations may include, but are  
10 not limited to:

11 (a) The parent's home;

12 (b) The home of a relative;

13 (c) A group living situation with adult supervision and guidance;

14 (d) Living independently; and

15 (e) Payment of the recipient's grant to another as provided in RCW  
16 74.12.250.

17 (2) In conducting the assessment, the department shall consider all  
18 relevant factors, including but not limited to:

19 (a) Whether the recipient is enrolled in and attending school;

20 (b) Whether the recipient is employed;

21 (c) The situation in the home of the recipient's parents, including  
22 but not limited to, whether there is substance abuse or domestic  
23 violence in the home and the adequacy of the dwelling; and

24 (d) Whether there is a history of physical, emotional, or sexual  
25 abuse of the recipient by a person living in or frequenting the  
26 recipient's parents' home.

27 (3) If, as a result of the assessment, the department becomes aware  
28 of a recipient's need for other services that will help the recipient  
29 complete high school or achieve economic independence, the department  
30 shall make every effort to link the recipient with the services.

31 (4) Failure of the teenage recipient to comply with the  
32 department's determination shall result in termination from the  
33 programs.

34 NEW SECTION. **Sec. 4.** The department shall study the feasibility  
35 of using electronic benefit transfer technology for the food stamp, aid  
36 to families with dependent children, and women, infant, and children

1 programs. The department shall report to the appropriate standing  
2 committees of the legislature by December 1, 1994.

3 NEW SECTION. **Sec. 5.** The department may replace food stamps with  
4 the cash equivalent for individuals eligible to receive food assistance  
5 upon receipt of all necessary statutory and administrative changes from  
6 congress, the food and nutrition service, and the department of health  
7 and human services.

8 **Sec. 6.** RCW 74.04.005 and 1992 c 165 s 1 and 1992 c 136 s 1 are  
9 each reenacted and amended to read as follows:

10 For the purposes of this title, unless the context indicates  
11 otherwise, the following definitions shall apply:

12 (1) "Public assistance" or "assistance"«Public aid to persons in  
13 need thereof for any cause, including services, medical care,  
14 assistance grants, disbursing orders, work relief, general assistance  
15 and federal-aid assistance.

16 (2) "Department"«The department of social and health services.

17 (3) "County or local office"«The administrative office for one or  
18 more counties or designated service areas.

19 (4) "Director" or "secretary" means the secretary of social and  
20 health services.

21 (5) "Federal-aid assistance"«The specific categories of assistance  
22 for which provision is made in any federal law existing or hereafter  
23 passed by which payments are made from the federal government to the  
24 state in aid or in respect to payment by the state for public  
25 assistance rendered to any category of needy persons for which  
26 provision for federal funds or aid may from time to time be made, or a  
27 federally administered needs-based program.

28 (6)(a) "General assistance"«Aid to persons in need who:

29 (i) Are not eligible to receive federal-aid assistance, other than  
30 food stamps and medical assistance; however, an individual who refuses  
31 or fails to cooperate in obtaining federal-aid assistance, without good  
32 cause, is not eligible for general assistance;

33 (ii) Meet one of the following conditions:

34 (A) Pregnant: PROVIDED, That need is based on the current income  
35 and resource requirements of the federal aid to families with dependent  
36 children program: PROVIDED FURTHER, That during any period in which an  
37 aid for dependent children employable program is not in operation, only

1 those pregnant women who are categorically eligible for medicaid are  
2 eligible for general assistance; (~~(or)~~)

3 (B) Children residing in the home of a court-appointed legal  
4 guardian who are under the age of eighteen. Eligibility, except the  
5 requirement to live with a relative of specified degree, is based on  
6 the current requirements of the federal aid to families with dependent  
7 children program, and need is based on the current income and resource  
8 requirements of the federal aid to families with dependent children  
9 program. Assistance shall be provided on behalf of the child or  
10 children only;

11 (C) Subject to chapter 165, Laws of 1992, incapacitated from  
12 gainful employment by reason of bodily or mental infirmity that will  
13 likely continue for a minimum of ninety days as determined by the  
14 department(~~(-)~~); or

15 (~~(+C)~~) (D) Persons who are unemployable due to alcohol or drug  
16 addiction are not eligible for general assistance. Persons receiving  
17 general assistance on July 26, 1987, or becoming eligible for such  
18 assistance thereafter, due to an alcohol or drug-related incapacity,  
19 shall be referred to appropriate assessment, treatment, shelter, or  
20 supplemental security income referral services as authorized under  
21 chapter 74.50 RCW. Referrals shall be made at the time of application  
22 or at the time of eligibility review. Alcoholic and drug addicted  
23 clients who are receiving general assistance on July 26, 1987, may  
24 remain on general assistance if they otherwise retain their eligibility  
25 until they are assessed for services under chapter 74.50 RCW.  
26 Subsection (6)(a)(ii)(~~(+B)~~)(C) of this section shall not be construed  
27 to prohibit the department from granting general assistance benefits to  
28 alcoholics and drug addicts who are incapacitated due to other physical  
29 or mental conditions that meet the eligibility criteria for the general  
30 assistance program;

31 (iii) Are citizens or aliens lawfully admitted for permanent  
32 residence or otherwise residing in the United States under color of  
33 law; and

34 (iv) Have furnished the department their social security account  
35 number. If the social security account number cannot be furnished  
36 because it has not been issued or is not known, an application for a  
37 number shall be made prior to authorization of assistance, and the  
38 social security number shall be provided to the department upon  
39 receipt.

1 (b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),  
2 and (c) of this section, general assistance shall be provided to the  
3 following recipients of federal-aid assistance:

4 (i) Recipients of supplemental security income whose need, as  
5 defined in this section, is not met by such supplemental security  
6 income grant because of separation from a spouse; or

7 (ii) To the extent authorized by the legislature in the biennial  
8 appropriations act, to recipients of aid to families with dependent  
9 children whose needs are not being met because of a temporary reduction  
10 in monthly income below the entitled benefit payment level caused by  
11 loss or reduction of wages or unemployment compensation benefits or  
12 some other unforeseen circumstances. The amount of general assistance  
13 authorized shall not exceed the difference between the entitled benefit  
14 payment level and the amount of income actually received.

15 (c) General assistance shall be provided only to persons who are  
16 not members of assistance units receiving federal aid assistance,  
17 except as provided in subsection (6)(a)(ii)(A) and (b) of this section,  
18 and will accept available services which can reasonably be expected to  
19 enable the person to work or reduce the need for assistance unless  
20 there is good cause to refuse. Failure to accept such services shall  
21 result in termination until the person agrees to cooperate in accepting  
22 such services and subject to the following maximum periods of  
23 ineligibility after reapplication:

24 (i) First failure: One week;

25 (ii) Second failure within six months: One month;

26 (iii) Third and subsequent failure within one year: Two months.

27 (d) Persons found eligible for general assistance based on  
28 incapacity from gainful employment may, if otherwise eligible, receive  
29 general assistance pending application for federal supplemental  
30 security income benefits. Any general assistance that is subsequently  
31 duplicated by the person's receipt of supplemental security income for  
32 the same period shall be considered a debt due the state and shall by  
33 operation of law be subject to recovery through all available legal  
34 remedies.

35 (e) The department shall adopt by rule medical criteria for general  
36 assistance eligibility to ensure that eligibility decisions are  
37 consistent with statutory requirements and are based on clear,  
38 objective medical information.

1 (f) The process implementing the medical criteria shall involve  
2 consideration of opinions of the treating or consulting physicians or  
3 health care professionals regarding incapacity, and any eligibility  
4 decision which rejects uncontroverted medical opinion must set forth  
5 clear and convincing reasons for doing so.

6 (g) Recipients of general assistance based upon a finding of  
7 incapacity from gainful employment who remain otherwise eligible shall  
8 not have their benefits terminated absent a clear showing of material  
9 improvement in their medical or mental condition or specific error in  
10 the prior determination that found the recipient eligible by reason of  
11 incapacitation. Recipients of general assistance based upon pregnancy  
12 who relinquish their child for adoption, remain otherwise eligible, and  
13 are not eligible to receive benefits under the federal aid to families  
14 with dependent children program shall not have their benefits  
15 terminated until the end of the month in which the period of six weeks  
16 following the birth of the recipient's child falls. Recipients of the  
17 federal aid to families with dependent children program who lose their  
18 eligibility solely because of the birth and relinquishment of the  
19 qualifying child may receive general assistance through the end of the  
20 month in which the period of six weeks following the birth of the child  
21 falls.

22 (7) "Applicant"«Any person who has made a request, or on behalf of  
23 whom a request has been made, to any county or local office for  
24 assistance.

25 (8) "Recipient"«Any person receiving assistance and in addition  
26 those dependents whose needs are included in the recipient's  
27 assistance.

28 (9) "Standards of assistance"«The level of income required by an  
29 applicant or recipient to maintain a level of living specified by the  
30 department.

31 (10) "Resource"«Any asset, tangible or intangible, owned by or  
32 available to the applicant at the time of application, which can be  
33 applied toward meeting the applicant's need, either directly or by  
34 conversion into money or its equivalent: PROVIDED, That an applicant  
35 may retain the following described resources and not be ineligible for  
36 public assistance because of such resources.

37 (a) A home, which is defined as real property owned and used by an  
38 applicant or recipient as a place of residence, together with a  
39 reasonable amount of property surrounding and contiguous thereto, which

1 is used by and useful to the applicant. Whenever a recipient shall  
2 cease to use such property for residential purposes, either for himself  
3 or his dependents, the property shall be considered as a resource which  
4 can be made available to meet need, and if the recipient or his  
5 dependents absent themselves from the home for a period of ninety  
6 consecutive days such absence, unless due to hospitalization or health  
7 reasons or a natural disaster, shall raise a rebuttable presumption of  
8 abandonment: PROVIDED, That if in the opinion of three physicians the  
9 recipient will be unable to return to the home during his lifetime, and  
10 the home is not occupied by a spouse or dependent children or disabled  
11 sons or daughters, such property shall be considered as a resource  
12 which can be made available to meet need.

13 (b) Household furnishings and personal effects and other personal  
14 property having great sentimental value to the applicant or recipient,  
15 as limited by the department consistent with limitations on resources  
16 and exemptions for federal aid assistance.

17 (c) A motor vehicle, other than a motor home, used and useful  
18 having an equity value not to exceed one thousand five hundred dollars.

19 (d) All other resources, including any excess of values exempted,  
20 not to exceed one thousand dollars or other limit as set by the  
21 department, to be consistent with limitations on resources and  
22 exemptions necessary for federal aid assistance.

23 (e) Applicants for or recipients of general assistance shall have  
24 their eligibility based on resource limitations consistent with the aid  
25 to families with dependent children program rules adopted by the  
26 department.

27 (f) If an applicant for or recipient of public assistance possesses  
28 property and belongings in excess of the ceiling value, such value  
29 shall be used in determining the need of the applicant or recipient,  
30 except that: (i) The department may exempt resources or income when  
31 the income and resources are determined necessary to the applicant's or  
32 recipient's restoration to independence, to decrease the need for  
33 public assistance, or to aid in rehabilitating the applicant or  
34 recipient or a dependent of the applicant or recipient; and (ii) the  
35 department may provide grant assistance for a period not to exceed nine  
36 months from the date the agreement is signed pursuant to this section  
37 to persons who are otherwise ineligible because of excess real property  
38 owned by such persons when they are making a good faith effort to  
39 dispose of that property: PROVIDED, That:

1 (A) The applicant or recipient signs an agreement to repay the  
2 lesser of the amount of aid received or the net proceeds of such sale;  
3 (B) If the owner of the excess property ceases to make good faith  
4 efforts to sell the property, the entire amount of assistance may  
5 become an overpayment and a debt due the state and may be recovered  
6 pursuant to RCW 43.20B.630;  
7 (C) Applicants and recipients are advised of their right to a fair  
8 hearing and afforded the opportunity to challenge a decision that good  
9 faith efforts to sell have ceased, prior to assessment of an  
10 overpayment under this section; and  
11 (D) At the time assistance is authorized, the department files a  
12 lien without a sum certain on the specific property.  
13 (11) "Income"«(a) All appreciable gains in real or personal  
14 property (cash or kind) or other assets, which are received by or  
15 become available for use and enjoyment by an applicant or recipient  
16 during the month of application or after applying for or receiving  
17 public assistance. The department may by rule and regulation exempt  
18 income received by an applicant for or recipient of public assistance  
19 which can be used by him to decrease his need for public assistance or  
20 to aid in rehabilitating him or his dependents, but such exemption  
21 shall not, unless otherwise provided in this title, exceed the  
22 exemptions of resources granted under this chapter to an applicant for  
23 public assistance. In determining the amount of assistance to which an  
24 applicant or recipient of aid to families with dependent children is  
25 entitled, the department is hereby authorized to disregard as a  
26 resource or income the earned income exemptions consistent with federal  
27 requirements. The department may permit the above exemption of  
28 earnings of a child to be retained by such child to cover the cost of  
29 special future identifiable needs even though the total exceeds the  
30 exemptions or resources granted to applicants and recipients of public  
31 assistance, but consistent with federal requirements. In formulating  
32 rules and regulations pursuant to this chapter, the department shall  
33 define income and resources and the availability thereof, consistent  
34 with federal requirements. All resources and income not specifically  
35 exempted, and any income or other economic benefit derived from the use  
36 of, or appreciation in value of, exempt resources, shall be considered  
37 in determining the need of an applicant or recipient of public  
38 assistance.

1 (b) If, under applicable federal requirements, the state has the  
2 option of considering property in the form of lump sum compensatory  
3 awards or related settlements received by an applicant or recipient as  
4 income or as a resource, the department shall consider such property to  
5 be a resource.

6 (12) "Need"«The difference between the applicant's or recipient's  
7 standards of assistance for himself and the dependent members of his  
8 family, as measured by the standards of the department, and value of  
9 all nonexempt resources and nonexempt income received by or available  
10 to the applicant or recipient and the dependent members of his family.

11 (13) For purposes of determining eligibility for public assistance  
12 and participation levels in the cost of medical care, the department  
13 shall exempt restitution payments made to people of Japanese and Aleut  
14 ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian  
15 and Pribilof Island Restitution Act passed by congress, P.L. 100-383,  
16 including all income and resources derived therefrom.

17 (14) In the construction of words and phrases used in this title,  
18 the singular number shall include the plural, the masculine gender  
19 shall include both the feminine and neuter genders and the present  
20 tense shall include the past and future tenses, unless the context  
21 thereof shall clearly indicate to the contrary.

22 NEW SECTION. **Sec. 7.** The department may provide grants to  
23 community action agencies or other local nonprofit organizations to  
24 provide job opportunities and basic skills training program  
25 participants with transitional support services, one-to-one assistance,  
26 and job retention services.

27 NEW SECTION. **Sec. 8.** Services provided under the jobs opportunity  
28 and basic skills training program should contain the following  
29 principles:

30 (1) Families should be involved in planning and service delivery;

31 (2) Caseworkers will act as consultants and focus on building  
32 family strengths;

33 (3) Services should strengthen incentives for self-sufficiency and  
34 economic independence;

35 (4) Administration of the job opportunity and basic skills training  
36 program services should be coordinated with other services to the  
37 family;

1 (5) Services should be regionally, culturally, and ethnically  
2 sensitive; and

3 (6) Services should be locally planned and involve coordinated  
4 delivery at the local level.

5 NEW SECTION. **Sec. 9.** The department of social and health services  
6 shall design a program for implementation involving recipients of aid  
7 to families with dependent children. A goal of this program is to  
8 develop a system that segments the aid to families with dependent  
9 children recipient population and identifies subgroups, matches  
10 services to the needs of the subgroup, and prioritizes available  
11 services. The department shall specify the services to be offered in  
12 each population segment, and not all services shall be available to  
13 each segment. The general focus of the services offered shall be on  
14 job training, work force preparedness, and job retention.

15 The program shall be designed for state-wide implementation on July  
16 1, 1994. Any proposal for implementation may include phasing certain  
17 components over time or geographic area. The department shall submit  
18 this program to the legislative task force on welfare reform on October  
19 1, 1993.

20 NEW SECTION. **Sec. 10.** The department of social and health  
21 services shall consider the following in developing the program:

22 (1) An employment incentive program that strengthens the ability of  
23 recipients to reach a level of self-sufficiency. Aid to families with  
24 dependent children grants may be used to supplement a program  
25 participant's wages;

26 (2) Development of a community work program for those persons who  
27 are long-term recipients of aid to families with dependent children;

28 (3) Services that are limited in duration;

29 (4) Segmentation of the recipient population based on factors such  
30 as work experience, education level, age of recipient, wage history,  
31 child support history, and length of time the person has been an aid to  
32 families with dependent children recipient;

33 (5) Matching appropriate services to each segment of the recipient  
34 population. The criteria may include an array of services that targets  
35 high cost, intensive services to the least employable groups and low  
36 cost, less intensive services to the most employable groups;

1 (6) Use of contracts between recipients and the department that set  
2 forth employability/self-sufficiency plans and sanctions for  
3 noncompliance;

4 (7) Training and education services for absent parents that  
5 increase their ability to support their children;

6 (8) The elimination of work disincentives for recipients of aid to  
7 families with dependent children; and

8 (9) Appropriate education and training services designed to promote  
9 economic self-sufficiency.

10 NEW SECTION. **Sec. 11.** The president of the senate and speaker of  
11 the house of representatives shall appoint a legislative welfare reform  
12 task force. In addition to representatives of the four caucuses, the  
13 president and speaker may appoint additional members representing  
14 individuals and organizations with an expressed interest in welfare  
15 reform issues. The legislative task force on welfare reform shall (1)  
16 participate in developing the implementation plan for chapter 74.-- RCW  
17 (sections 2, 4, 5, and 7 through 10 of this act), (2) review the  
18 implementation plan prepared by the department, and (3) develop  
19 legislation for consideration during the 1994 legislative session  
20 implementing the plan.

21 NEW SECTION. **Sec. 12.** Sections 2, 4, 5, and 7 through 10 of this  
22 act shall constitute a new chapter in Title 74 RCW."

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